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Journal of the Senate

DURING THE

FORTY-FIRST SESSION

OF THE

Legislature of the State of California

1915

Began on Monday, January fourth and ended on Sunday,
May ninth, nineteen hundred and fifteen

California
State Printing Office
1915

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CALIFORNIA LEGISLATURE---SENATE

FORTY-FIRST SESSION

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Monday, January 4, 1915.

The hour of twelve o'clock m. having arrived, Hon. Albert J. Wallace, Lieutenant Governor and President of the Senate, called the Senators and Senators-elect to order, and announced that the forty-first session of the Legislature of the State of California was about to convene, and informed the Senators that the following officers of the Senate during the fortieth session of the Legislature were in their respective places in the Senate Chamber, as required by section 237 of the Political Code: Walter N. Parrish, Secretary; J. W. Kavanagh, Minute Clerk, and Joseph L. Coughlin, Sergeant-at-Arms.

PRAYER.

By invitation of the President, prayer was then offered by the Rev. B. Dent Naylor of Alameda County.

RESOLUTION.

The following resolution was offered:

By Senator Kehoe:

Resolved, That the hold-over Senators take their seats, and that the Senators-elect proceed to the bar of the Senate and take their oath of office on the certificate furnished by the Secretary of State.

Resolution read and on motion of Senator Kehoe adopted.

CERTIFICATE FROM SECRETARY OF STATE.

By direction of the President the Secretary read the following certificate of duly elected Senators of the forty-first session of the Legislature of the State of California:

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that the following is a complete list of the hold-over Senators, together with those duly elected at the general election, held on the third day of November, A. D. 1914, to represent the people of the State of California at the forty-first session of the Legislature of the said State of California, as appears from the statement of vote received from the county clerks of the county or counties and the Registrar of Voters of the city and county of San Francisco, comprising the several Senatorial Districts of the State of California, said statement of vote being a record of and on file in my office, viz:

HOLD-OVER SENATORS.

Name	Number of district	County or counties comprising district
William Kehoe	First	Del Norte, Humboldt, Trinity, Tehama.
E. S. Birdsall	Third	Plumas, Sierra, Nevada, Placer, El Dorado.
B. F. Rush	Fifth	Napa, Solano.
P. C. Cohn	Seventh	Sacramento.
James C. Owens	Ninth	Marin, Contra Costa.
William R. Flint	Eleventh	San Mateo, San Benito, Santa Cruz.
Edw. K. Strobridge	Thirteenth	Alameda.
A. H. Breed	Fifteenth	Alameda.
A. E. Campbell	Seventeenth	Monterey, San Luis Obispo.
Edward I. Wolfe*	Nineteenth	San Francisco.
Fred C. Gerdes	Twenty-first	San Francisco.
Thos. F. Finn	Twenty-third	San Francisco.
D. W. Mott	Twenty-fifth	Ventura, Santa Barbara.
Frank H. Benson	Twenty-seventh	Santa Clara.
Henry H. Lyon	Twenty-ninth	Los Angeles.
Edwin M. Butler	Thirty-first	Los Angeles.
Prescott F. Cogswell	Thirty-third	Los Angeles.
Newton W. Thompson	Thirty-fifth	Los Angeles.
William E. Brown	Thirty-seventh	Los Angeles.
John N. Anderson	Thirty-ninth	Riverside, Imperial, Orange.

*Elected to succeed Edwin E. Grant, recalled. Recall election October 8, 1914.

SENATORS-ELECT.

William B. Shearer	Second	Modoc, Lassen, Siskiyou, Shasta.
Claude F. Purkitt	Fourth	Lake, Mendocino, Colusa, Glenn.
W. E. Duncan, Jr.	Sixth	Butte, Sutter, Yolo, Yuba.
Herbert W. Slater	Eighth	Sonoma.
J. W. Stuckenbruck	Tenth	San Joaquin, Amador.
L. J. Maddux	Twelfth	Tuolumne, Mariposa, Stanislaus, Merced, Alpine, Mono, Madera, Calaveras.
George J. Hans	Fourteenth	Alameda.
Edward J. Tyrrell	Sixteenth	Alameda.
Dominick J. Beban	Eighteenth	San Francisco.
William S. Scott	Twentieth	San Francisco.
John Joseph Crowley	Twenty-second	San Francisco.
Lawrence J. Flaherty	Twenty-fourth	San Francisco.
W. F. Chandler	Twenty-sixth	Fresno.
Herbert C. Jones	Twenty-eighth	Santa Clara.
Lyman M. King	Thirtieth	San Bernardino, Inyo.
J. L. C. Irwin	Thirty-second	Kings, Tulare, Kern.
Henry Stanley Benedict	Thirty-fourth	Los Angeles.
William J. Carr	Thirty-sixth	Los Angeles.
John W. Ballard	Thirty-eighth	Los Angeles.
Edgar A. Luce	Fortieth	San Diego.

Witness my hand and the Great Seal of the State of California, at my office in the city of Sacramento, this fourth day of January, A. D. 1915.

[SEAL]

FRANK C. JORDAN,
Secretary of State.

Certificate read.

The President directed the Secretary to call the roll of hold-over Senators.

ROLL CALL OF HOLD-OVER SENATORS.

The roll was called, and the following answered to their names:

Senators Anderson, Benson, Birdsall, Breed, Brown, Butler, Campbell, Cogswell, Cohn, Finn, Flint, Gerdes, Kehoe, Lyon, Mott, Owens, Rush, Strobridge, and Thompson—19.

The President directed the Secretary to call the roll of Senators-elect:

ROLL CALL OF SENATORS-ELECT.

The Secretary called the roll of Senators-elect, and the following answered to their names:

Messrs. Ballard, Beban, Benedict, Carr, Chandler, Crowley, Duncan, Flaherty, Hans, Irwin, Jones, King, Luce, Maddux, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Tyrrell, and Wolfe—21.

The President announced that the roll call disclosed twenty-one Senators-elect present.

The President requested the Senators-elect to immediately present themselves at the bar of the Senate in order that the oath of office might be administered to them, and that they might subscribe to the same.

OATH OF OFFICE ADMINISTERED.

The twenty-one members-elect, as their respective districts were called, then came forward, presented their certificates of election, and each took and subscribed to the following constitutional oath of office, administered by the Hon. Albert J. Wallace, Lieutenant Governor, and President of the Senate:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator, according to the best of my ability.

ROLL CALL.

The President called the Senate to order and directed the Secretary to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, [illegible], Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, [illegible], Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Whereupon the President announced their qualification, and declared that a quorum of all the Senators was present.

APPOINTMENTS BY SECRETARY.

The secretary of the Senate announced that by virtue of the authority vested in him by section 237 of the Political Code, he had made the following appointments of attachés for the temporary organization of the Senate:

Postmistress—Mrs. J. W. Stuckenbruck.
Pages—E. C. Rutherford, Geo. Steers, Ray Walker, and Albert Lacy.

APPOINTMENTS BY SERGEANT-AT-ARMS

The Sergeant-at-Arms of the Senate announced by virtue of the authority vested in him by section 237 of the Political Code, that he had made the following appointment of attaché for the temporary organization of the Senate:

Assistant Sergeant-at-Arms—Geo. Goldman.

TEMPORARY ORGANIZATION EFFECTED.

Temporary organization having been effected, the President put the question, "What is the pleasure of the Senate?"

RESOLUTION.

The following resolution was offered:

By Senator Thompson:

Resolved, That the Senate do now proceed to the election of the following statutory officers in the order named:

President pro tem.;
Secretary of the Senate;
Sergeant-at-Arms;
Minute Clerk; and
Chaplain.

Resolution read and on motion of Senator Thompson adopted.

NOMINATIONS FOR AND ELECTION OF PRESIDENT PRO TEM. OF THE SENATE.

The President thereupon declared nominations for the office of President pro tem. of the Senate in order.

Senator Strobridge placed in nomination for the office of President pro tem. of the Senate the Hon. Newton W. Thompson of Los Angeles County, State Senator from the Thirty-fifth District.

Senator Wolfe seconded the nomination of Senator Thompson.

Senator Owens placed in nomination for the office of President pro tem. of the Senate the Hon. A. E. Campbell of San Luis Obispo County, State Senator from the Seventeenth District.

Senator Stuckenbruck seconded the nomination of Senator Campbell.

The President put the question, "Are there any other nominations for President pro tem. of the Senate?"

There being no response, the nominations were declared closed.

The roll was called.

Pending the announcement of the vote, Senator Campbell addressed the Senate thanking his colleagues for the support tendered him and requesting that the votes given him be changed so as to make the election of Hon. Newton W. Thompson unanimous.

The roll call thereupon proceeded with the following result:

For Hon. N. W. Thompson—Senators Anderson, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—39.

For Hon. A. E. Campbell—Senator Thompson—1.

Whereupon the President declared Senator Newton W. Thompson duly elected President pro tem. of the Senate for the forty-first session of the California Legislature.

NOMINATION FOR AND ELECTION OF SECRETARY OF THE SENATE.

The President declared nominations for Secretary of the Senate in order.

Senator Mott placed the name of Edwin F. Smith of Santa Barbara County in nomination for Secretary of the Senate.

Senators Cohn and Birdsall seconded the nomination of Edwin F. Smith for Secretary of the Senate.

The President put the question, "Are there any further nominations for the office of Secretary of the Senate?"

There being no response, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For Edwin F. Smith—Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—38.

Whereupon the President declared Edwin F. Smith duly and unanimously elected Secretary of the Senate.

NOMINATION FOR AND ELECTION OF SERGEANT-AT-ARMS.

The President declared nominations for the office of Sergeant-at-Arms of the Senate in order.

Senator Scott placed the name of Thomas A. Brown of San Francisco in nomination for Sergeant-at-Arms of the Senate.

Senator Gerdes seconded the nomination of Thomas A. Brown for Sergeant-at-Arms.

The President put the question, "Are there any further nominations for the office of Sergeant-at-Arms of the Senate?"

There being no response, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For Thomas A. Brown—Senators Anderson, Ballard, Beban, Benedict, Bennett, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Whereupon the President declared Thomas A. Brown duly and unanimously elected Sergeant-at-Arms of the Senate.

NOMINATION FOR AND ELECTION OF MINUTE CLERK OF THE SENATE.

The President declared nominations for Minute Clerk of the Senate in order.

Senator Breed placed the name of Clifton E. Brooks of Alameda County in nomination for Minute Clerk of the Senate.

Senator Wolfe seconded the nomination of Clifton E. Brooks for Minute Clerk.

The President put the question, "Are there any other nominations for the office of Minute Clerk of the Senate?"

There being no response, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For Clifton E. Brooks—Senators Anderson, Ballard, Beban, Benedict, Bennett, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Whereupon the President declared Clifton E. Brooks duly and unanimously elected Minute Clerk of the Senate.

NOMINATION FOR AND ELECTION OF CHAPLAIN.

The President announced nominations for the office of Chaplain of the Senate in order.

Senator Finn placed the name of Rev. Father Henry I. Stark, C. S. P., of San Francisco in nomination for Chaplain of the Senate.

Senator Wolfe seconded the nomination of Rev. Father Henry I. Stark for Chaplain.

The President put the question, "Are there any further nominations for the office of Chaplain of the Senate?"

There being no response, the nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For Rev. Father Henry I. Stark—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Whereupon the President declared Rev. Father Henry I. Stark duly and unanimously elected Chaplain of the Senate.

RESOLUTION.

The following resolution was offered:

By Senator Birdsall:

Resolved, That the standing rules of the Senate of the fortieth session of the Legislature of the State of California be and they are hereby adopted as the temporary rules of the Senate of the forty-first session, excepting Rule No. 8, and amending Rule No. 1 to read as follows:

"The sessions of the Senate shall be daily, Sundays excepted, beginning at ten o'clock a.m. unless otherwise ordered by vote of the Senate."

Resolution read and on motion of Senator Birdsall adopted.

TEMPORARY RULES OF THE SENATE.

Rule 1. The sessions of the Senate shall be daily (Sundays excepted), beginning at ten o'clock a.m., unless otherwise ordered by vote of the Senate.

Calling to Order.

2. The President, President pro tem., or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

Order of Business.

3. Order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approving of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Assembly.
6. Messages from the Governor.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions, and Notices.
10. Introduction and First Reading of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Order of the Day.

Reports from the Committee on Engrossment and Enrollment shall at all times be in order; *provided*, that messages from State officers, other than the Governor, and from the Assembly, may, on motion of any Senator, be considered at any time.

President—His Powers and Prerogatives.

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

President May Order Lobbies Cleared.

5. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have power to order the same cleared.

President May Call Senator to Chair.

6. The President shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

Appointment to Committees.

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

President pro tem. His Powers and Privileges.

9. The President pro tem. shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem. shall vote only as any other member of the Senate.

The Duties of Secretary.

10. 1. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all attachés and employees of the Senate. To certify to and transmit to the Assembly all bills, resolutions, and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

6. To assign, reassign, or transfer all attachés and employees to their respective duties.

No Records or Papers to be Taken from Desk.

11. The Secretary of the Senate shall not suffer any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take their receipt therefor.

Sergeant-at-Arms.

12. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and releasement, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

Printed Bills, etc., Must Be Placed on Desks.

13. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of Senators at least one hour previous to the opening of session.

Doorkeeper.

14. It shall be the duty of the Doorkeeper to prohibit all persons, except Senators, ex-Senators, members of the Assembly, State officers, officers of the two houses, and such reporters as have seats assigned to them by the President, from coming within the bar of the Senate, unless upon written invitation of the President or a Senator; *provided*, that no visitor shall be allowed upon the floor of the Senate during a session.

Lobbying.

15. No person engaged in presenting to the Senate or its committees any business, or claim for legislation, shall be permitted to engage in such business during sessions of the Senate, or be permitted on the floor of the Senate during its sessions. And any person transgressing this rule shall be removed from the floor of the Senate and be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tem. are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

Attendance, Duties and Obligations of Senators.

16. No Senator shall absent himself from the service of the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other persons for any and all absent Senators, as the majority of such Senators present shall agree, at the expense of such absent Senators, respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate

stood adjourned. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directed to the Sergeant-at-Arms, or to any other person to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process, unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

Decorum and Debate.

17. 1. When a Senator desires to address the Senate he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Senator Entitled to Floor.

18. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

Senator, When Called to Order, Must Sit Down.

19. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing.

Voting.

20. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

Printing.

21. Fifteen hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

Number of Copies to be Printed.

22. Seven hundred and fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

Number of Copies to be Printed of Journal.

23. The Superintendent of State Printing shall print five hundred copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies, properly paged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

What Shall be Printed in the Journal.

24. Messages from the Governor (other than biennial messages and inaugural addresses), titles of bills, joint and concurrent resolutions, and constitutional amendments shall be printed in the Journal in full.

Record of Votes and Petitions.

25. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

When Not in Committee of the Whole, Proceedings Must be Entered in the Journal.

26. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

Printing for the Senate.

27. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the

Secretary. The Secretary may, when necessity requires, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under a specially prepared written order, to be known as a "Rush Order."

Introduction and Reading of Bills.

28. 1. Any Senator desiring to introduce a bill shall rise in his place and address the President, and upon being recognized shall present the same, and the title shall be announced from the Secretary's desk, shall be read the first time, when it shall be referred to a standing committee. No bill shall be introduced in the Senate by any member after the constitutional recess without the consent of three fourths of the members of the Senate nor shall more than two bills be introduced by any one member after such recess. Every bill shall be read on three several days previous to its passage (unless, in case of urgency, two thirds of the Senate shall by vote of ayes and noes, dispense with this provision), and the last reading shall be at length. The President shall give notice, at each of the second and third readings, which reading it is, and no bill shall be read at either reading until the Senate has so determined by a vote (should any Senator object to such reading). Joint and concurrent resolutions shall be treated the same as bills, provided they shall be read but once, unless the Senate, by a majority vote of all the Senators present, otherwise direct, and provided, further, that joint and concurrent resolutions and constitutional amendments shall not be deemed bills within the meaning of section 2 of article IV of the constitution and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction.

2. The titles of all bills, when introduced, shall be inserted in the Journal.

3. When a bill amending an existing law is introduced, the author of the bill shall cause the new matter, if any, to be underscored, and the place in the bill which portions of the law are proposed to be omitted, if any, shall be indicated by closed brackets; *provided, however*, that where the subject consists of an entirely new section the words thereof need not be underscored, and when any bill introduced repeals an existing law in whole the matter repealed need not be indicated.

All bills reported favorably or for consideration, if reported with amendments, shall have the new matter, if any, underscored, and the place of omission of parts of the law proposed to be omitted, if any, shall be indicated by brackets. All bills reported with amendments shall be immediately reprinted.

All matter underscored in the draft or amendment of any bill shall be printed by the Printer in italics, and all brackets shall be reproduced.

Order of Engrossing and Enrolling Bills.

29. All bills ordered engrossed shall be delivered to the Engrossing and Enrolling Clerk by the Secretary of the Senate, and the receipt, in writing, of the Engrossing and Enrolling Clerk, taken therefor; and all said bills shall be engrossed in the order of their receipt by said Engrossing and Enrolling Clerk. And all Senate bills shall, after their final passage by and receipt from the Assembly, be delivered to the Engrossing and Enrolling Clerk by the Secretary of the Senate in the order of their receipt from the Assembly, and the receipt, in writing, of said Engrossing and Enrolling Clerk taken therefor; and said bills shall be enrolled by the Engrossing and Enrolling Clerk in the order of their receipt from the Secretary of the Senate.

Engrossed Bills to Be Examined and Reported.

30. All bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossment and Enrollment; the engrossed copy to be transmitted to the Assembly with proper endorsements, and the original retained by the Senate.

Disposition of Assembly Bills.

31. When an Assembly bill has been received by the Senate, with a message announcing that the same has passed the Assembly, such bill shall be referred to a standing committee: *provided, however*, that when an Assembly bill is received, the provisions of which are stated by a member to be identical with those of a Senate bill, which has already been considered and reported by a committee of the Senate, such Assembly bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report forthwith whether or not said bill is identical with the Senate bill, and if reported identical, such Assembly bill shall be substituted for the Senate bill (the latter being considered withdrawn) and shall take its place on the second reading file, and be considered as having received the same recommendation of the Senate committee; *provided*, that the fact that the bills are identical shall be entered in the Journal.

Reference of Bills to Finance Committee.

32. All bills appropriating money from any fund within the control of the Senate shall be referred to the Committee on Finance before being read the second time.

Committee Amendments—How Made.

33. When amendments to a bill are offered by a committee, the clerk of such committee shall prepare three copies of such amendment, one to go with the bill to the Printer, one to the Minute Clerk, and one to the Secretary of the Senate.

Committee—When to Report.

34. All committees shall act upon all bills as soon as practicable, and when acted upon shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Senate may at any time order a bill reported back from any committee by a majority vote.

Standing Committee, Quorum of—What Constitutes.

35. Each standing committee shall determine its own quorum; *provided*, that not less than one third of the number of members constituting such committee shall in any case constitute such quorum.

Leave of Absence to Committee.

36. When leave of absence shall be granted to any committee, special or standing, to visit public buildings or institutions, or for any other purpose, such leave shall be granted only by two thirds vote, and no expenses or mileage of attachés shall be allowed.

Claims on Contingent Fund Must Go to Committee on Contingent Expenses.

37. No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses.

Executive Communications and Nominations to Committee.

38. When executive communications or nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

The General File: Its Hours—Special Order pf Bills on File.

39. The General File shall be the special order for each day between such hours as the Senate may hereafter set, unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

Bills Passed on File Placed at Foot of File.

40. When bills have been passed on file for the second time they must be placed at the foot of the file in their regular order, unless otherwise ordered by the Senate.

Engrossed Bills Have Preference.

41. All bills, after the second reading (if the same be not committed, then upon being reported), shall be placed upon a general file and shall be taken up for consideration and passage in the order of their being palced on file.

Order of Questions on Motion to Refer.

42. When a resolution shall be offered, or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

Order of Questions Under Debate.

43. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend
7. To postpone indefinitely.

Motion Not to be Debated Until Seconded and Announced.

44. No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

Reading of a Paper, if Objected to, Determined Without Debate.

45. When the reading of a paper is called for (except petitions), and the same is objected to by any Senator, it shall be determined by a vote of the Senate.

Amendments and Substitutes—When in Order.

46. Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment; and when adopted shall take the place of the original bill or resolution, and shall be open to amendment.

Amendments and Substitutes Must be Germane.

47. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

Least Sum and Shortest Time in Filling Blanks.

48. In filling up blanks, the least sum or number and the shortest time shall be put first.

Short of Final Question, Two Thirds Vote Not Requisite on Proposition to Amend Constitution.

49. When an amendment to the Constitution, or any bill requiring the concurrence of two thirds of the Senators, is under consideration, the concurrence of two thirds shall not be required to decide any question for amendment, or extending to the merits, being short of the final question.

Notice of Reconsideration.

50. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on the motion of any Senator, *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn; and it shall require twenty one votes to carry any motion, to reconsider the vote by which any bill, concurrent or joint resolution has been passed or defeated, and twenty seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been passed or defeated. No notice of reconsideration shall be in order on the day preceding the last day of the session.

Reconsideration of Bills Sent to Assembly.

51. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same, which last named motion shall be acted upon immediately and without debate, and if determined in the negative, shall be a final disposition of the motion to reconsider.

Secretary, Upon Notice of Reconsideration, Not to Report Bill to Assembly.

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not report the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired, unless the bill or resolution has been transmitted to the Assembly.

Motion to Reconsider May Be Debated.

53. A Senator, after a notice to reconsider is given, as provided in Rule 50, may, at the reconsideration thereof, present the main question in his argument thereon, and the same may be debated by the Senate provided that the subject matter is debatable.

Amendment to Original Question.

54. 1. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

2. If the question in debate contains several propositions, any Senator may have the same divided; except a motion to strike out and insert shall not be divided. But the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out, nor shall the rejection of a motion to strike out prevent a motion to strike out and insert; but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. And motions to amend the part to be stricken out shall have precedence.

Final Question on Second Reading of Bill—No Amendment on Third Reading, but May Commit.

55. The final question on the second reading of every bill originating in the Senate, and requiring three readings previous to being passed, shall be: "Shall the bill be engrossed?" And no amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its commitment under special instructions to amend.

Special Orders.

56. Any subject may, by vote of two thirds of the Senators present, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

Form of Previous Question—Call of Senate.

57. The previous question shall be put in the following form: "Shall the question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division; and its effect shall be to put an end to all debate except that the author of the bill or the amendments shall have the right to close, and the subject under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order.

Ayes and Noes: Members Must Answer—No Vote After Announcement of Vote.

58. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

Rules in Senate and Committee of the Whole.

59. The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times a Senator may speak, and except that the ayes and noes shall not be taken.

Suspending and Changing Rules

60. No standing rules or order of the Senate shall be rescinded or changed without a vote of two thirds of the members-elect, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two thirds of the Senators-elect except that portion of Rule 29 relating to the final passage of bills by the Assembly. All proposed amendments to these rules shall be referred to the Committee on Rules, without debate.

Executive Session.

61. On a motion, made and seconded, to close the doors of the Senate on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of Senate, Secretary, Sergeant-at-Arms, and Doorkeeper to withdraw, and during the discussion of said motion the doors shall remain closed; and every member and officer of the Senate shall keep secret all such matters, proceedings, and things whereof secrecy shall be enjoined by order of the Senate.

Messengers, When Introduced.

62. Messengers may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while the ballots are being counted, or while a Senator is addressing the Senate.

Smoking.

63. No smoking shall be allowed within the Senate Chamber.

Leaves of Absence of Members of the Senate Visiting Public Institutions.

64. No leave of absence shall be granted any committee, special or standing, to visit any public institutions of the State or for any other purpose. Whenever any committee shall report to the Senate that it is desirable that such committee receive information concerning any public institution, the Senate may, by a two thirds vote of all its members, grant a leave of absence to not more than three members of such committee, to be designated by the chairman thereof. Application for a leave of absence of such members of a committee shall be made to the Senate in writing by the chairman thereof, and such application shall give the name of the institution or institutions to be visited and briefly recite the occasion and necessity for visiting the same, together with the names of the committeemen designated for that purpose. Such application shall immediately, and without debate, be referred to the Committee on Rules, with instructions to report upon the same on the next legislative day. Said members shall be allowed their actual expenses.

Cases Not Provided For, Robert to Govern.

65. In all cases not provided for by these rules, the Senate shall be governed by the laws and practices as laid down in Robert's Rules of Order.

RESOLUTION.

The following resolution was offered:

By Senator Finn:

Resolved, That the Secretary of the Senate is hereby directed to notify the

Assembly that the Senate is now duly organized and ready to proceed with the business of the State, having elected the following statutory officers

President pro tem.—Newton W. Thompson.
Secretary of Senate—Edwin F. Smith
Sergeant-at-Arms—Thos. A. Brown.
Minute Clerk—Clifton E. Brooks.
Chaplain—Rev. Father Henry I. Stark, C.S.P.

Resolution read and on motion of Senator Finn, adopted.

RESOLUTION.

The following resolution was offered:

By Senator Benson:

Resolved, That the President of the Senate appoint a special committee of three to notify the Governor of the organization of the Senate, and that the Senate is now ready to receive any communication he may have to make.

Resolution read and on motion of Senator Benson, adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced the appointment of Senators Benson, Luce, and Slater as the special committee to call upon the Governor and notify him of the organization of the Senate and its readiness to receive his communications.

OATH OF OFFICE ADMINISTERED.

The newly elected officers of the Senate, Edwin F. Smith, Secretary, Thomas A. Brown, Sergeant-at-Arms and Clifton E. Brooks, Minute Clerk, appeared at the bar of the Senate where the constitutional oath of office was administered to them by Lieutenant Governor Albert J. Wallace, President of the Senate, and they subscribed to the same.

APPOINTMENT BY SECRETARY.

The following communication was received and read·

MR. PRESIDENT: I beg leave to report that I have this day appointed J. W Kavanagh Assistant Secretary and Clerk of Committee on Printing at a per diem of $9.00, and respectfully ask the consent of the Senate thereto.

EDWIN F. SMITH, Secretary of Senate.

Senator Thompson moved that the appointment be confirmed by the Senate.

The question being on the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was offered:

By Senator Tyrrell: Senate Concurrent Resolution No. 1—Relative to inaugural ceremonies.

Concurrent resolution read.

Senator Tyrrell moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No 1 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Strobridge, Stackenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

SENATE CONCURRENT RESOLUTION NO. 1.

Resolved by the Senate, the Assembly concurring, That a committee of three members of the Senate be appointed to confer with a committee of four members of the Assembly to make arrangements for the inaugural ceremonies, said committee to be appointed by the President of the Senate and the Speaker of the Assembly, respectively, and to have full power to act in the premises; any expense to be paid equally by the Senate and Assembly out of the several contingent funds, and not to exceed in the aggregate the sum of five hundred dollars.

Senate Concurrent Resolution No. 1 ordered transmitted to the Assembly.

RECESS.

At one o'clock and five minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until one o'clock and thirty minutes p.m.

RECONVENED.

At one o'clock and thirty minutes p.m. the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

REPORT OF SPECIAL COMMITTEE.

The following committee report was received and read:

SENATE CHAMBER, SACRAMENTO, January 4, 1915.

MR. PRESIDENT: Your special committee appointed to notify the Governor of the organization of the Senate and that the Senate is now ready to receive any communication he may have to make, respectfully reports that they have communicated with the Governor as directed, and that his Excellency notified the committee that the biennial message would be presented to the Senate on the convening of this body Wednesday, January 6, 1915.

BENSON,
LUCE,
SLATER,
Committee.

ASSEMBLY MESSAGES.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly is now duly organized and ready to proceed with the business of the State, having elected the following statutory officers:

Speaker—C. C. Young.
Speaker pro tem.—Howard J. Fish.
Chief Clerk—L. B. Mallory.
First Assistant Chief Clerk—Moses Stern.
Sergeant-at-Arms—Henry J. Miller.
Minute Clerk—Vincent C. Gelcich.
Chaplain—James Whittaker.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 1—Relative to inaugural ceremonies.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 1 ordered to enrollment.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced the appointment of Senators Tyrrell, Birdsall, and Cohn as the special committee to act in conjunction with a like committee from the assembly on inaugural ceremonies, as directed by Senate Concurrent Resolution No. 1.

ADJOURNMENT.

At one o'clock and thirty minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Tuesday, January 5, 1915.

The Senate met at ten o'clock a.m., Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators, Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

By invitation of the President, prayer was then offered by the Rev. Father Henry I. Stark, Chaplain-elect of the Senate.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 4, 1915, the further reading was dispensed with, on motion of Senator Rush.

RECESS.

At ten o'clock and twenty minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until ten o'clock and forty-five minutes a.m.

RECONVENED.

At ten o'clock and forty-five minutes a.m., the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

OATH OF OFFICE ADMINISTERED.

The newly elected Chaplain of the Senate, the Rev. Father Henry I. Stark, appeared at the bar of the Senate where the constitutional oath of office was administered to him by Lieutenant Governor Albert J. Wallace, President of the Senate.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 1—Referring to canvassing vote for Governor and Lieutenant Governor.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

ASSEMBLY CONCURRENT RESOLUTION No. 1.

Resolved by the Assembly, the Senate concurring, That the Senate and Assembly meet in joint session in the Assembly Chamber at two o'clock in the afternoon of this day, January 5, 1915, for the purpose of being present when the Speaker of the Assembly shall open and publish the returns of the election for Governor and Lieutenant Governor, as provided and required by article V, section 4, of the Constitution of the State of California.

Concurrent resolution read and adopted.

Resolution ordered transmitted to the Assembly.

RESOLUTIONS.

The following resolutions were offered:

By Senator Benedict:

Resolved, That a special committee of three be appointed on contingent expenses and mileage.

Resolution read and on motion of Senator Benedict, adopted.

By Senator Thompson:

Resolved, That a special committee of three members be appointed by the President of the Senate to propose and present Standing Rules of the Senate for the forty-first session of the Legislature.

Resolution read and on motion of Senator Thompson, adopted.

RECESS.

At ten o'clock and fifty minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until eleven o'clock and fifteen minutes a.m.

RECONVENED.

At eleven o'clock and fifteen minutes a.m., the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

APPOINTMENT OF COMMITTEES.

The President announced the appointment of Senators Benedict, Flint and Duncan as the Committee on Contingent Expenses and Mileage.

Also:

Senators Thompson, Strobridge, and Slater as the Committee on Standing Rules of the Senate.

APPOINTMENTS BY THE PRESIDENT.

To the Senate of the State of California:

I beg leave to announce that I have this day appointed Everett C. Rutherford, Harold Stevens, Raymond Mathewson and William Easton, as pages at $2.50 per diem, and respectfully ask the consent of the Senate thereto.

ALBERT J. WALLACE, President of the Senate.

Senator Thompson moved that the Senate consent to the appointments by the President of the Senate.

The roll was called, and the consent of the Senate granted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same.

I. F. Baker, Assistant Minute Clerk	$6 00 per day
Miss Carrie A. Garrison, Journal Clerk	6 00 per day
Mrs. H. M. Gibbs, Postmistress	4 00 per day
W. Johnston, Assistant Sergeant-at-Arms	5 00 per day
E. M. Plunkett, Assistant Journal Clerk	5 00 per day
J. Dimond, Assistant Sergeant-at-Arms	5 00 per day
Jos. O'Rourke, Stenographer	5 00 per day
W. Clayton Elliott, Stenographer	5 00 per day
Miss Josephine McCann, Stenographer	5 00 per day
Miss Lillian Campbell, Stenographer	5 00 per day
Miss Marie Krachen, Stenographer	5 00 per day
Samuel Marks, Stenographer	5 00 per day
J. LeRoy Johnson, Stenographer	5 00 per day
Miss Anna Fitzpatrick, Stenographer to President	5 00 per day
Miss Elizabeth H. Stokes, Secretary to President	5 00 per day
Wm. Vacher, Assistant Sergeant-at-Arms	5 00 per day
Miss F. B. Hatch, Stenographer	5 00 per day
D. S. Millar, Assistant Sergeant-at-Arms	5 00 per day
Wm. Lynch, Assistant Sergeant-at-Arms	5 00 per day
Thomas P. Howard, Assistant Sergeant-at-Arms	5 00 per day
Miss Mae Mudd, Stenographer	5 00 per day
Berta James, Stenographer	5 00 per day
Mrs. Mary Finney, Assistant Postmistress	4 00 per day
Mrs. M. L. Johnson, Stenographer	5 00 per day
Thos. F. Whelan, Assistant Sergeant-at-Arms	5 00 per day

Senator Breed moved that the resolution be adopted.

The question being on the adoption of the resolution

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

RESOLUTION—(OUT OF ORDER).

The following resolution was introduced:

By Senator Chandler:

SENATE CONCURRENT RESOLUTION No. 2.

Relative to appointment of committee for joint rules.

Resolved by the Senate, the Assembly concurring, that a committee of three members of the Senate, one of whom shall be the President pro tem., be appointed to confer with a committee of four members of the Assembly, one of whom shall be the Speaker, said committees to be appointed by the President of Senate and Speaker of Assembly, respectively, to propose and present joint rules of the two houses for the forty-first session of the Legislature.

Resolution read and adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced, in accordance with the above resolution, the appointment of Senators Thompson, Chandler, and Campbell as a special committee on joint rules.

RECESS.

At eleven o'clock and thirty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until one o'clock and fifty minutes p.m.

RECONVENED.

At one o'clock and fifty minutes p.m. the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the Chair.

APPOINTMENT BY SERGEANT-AT-ARMS.

The following communication was received and read:

MR. PRESIDENT: I beg leave to report that I have this day appointed James B. Newson, Bookkeeper to the Sergeant-at-Arms, and respectfully ask the consent of the Senate thereto.

THOS. A. BROWN, Sergeant-at-Arms.

Senator Thompson moved that the Senate consent to the appointment by the Sergeant-at-Arms.

The roll was called and the consent of the Senate granted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

RECEIPT OF PAPERS IN CONTESTED ELECTION.

The President pro tem. announced that he had received the papers in the election contest, in which ex-Senator Edwin E. Grant contested the election of Senator Edward I. Wolfe, and that the same would be referred to the proper committee when said committee shall have been appointed.

MESSAGE FROM THE ASSEMBLY.

The following message was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 2—Referring to Committee on Joint Rules.

L. B. MALLORY, Chief Clerk of Assembly.

Senate Concurrent Resolution No. 2 ordered to enrollment.

RECESS.

At one o'clock and fifty-five minutes p.m., the President pro tem. declared the Senate at recess for the purpose of meeting with the Assembly in Joint Convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER, SACRAMENTO,
Tuesday, January 5, 1915.

At two o'clock p.m. the Senate and Assembly met in Joint Convention.

Lieutenant Governor Albert J. Wallace, President of the Senate, directed the Secretary of the Senate to call the roll of Senators

SENATE ROLL CALL.

The roll was called, and the following answered to their names:

Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

The President of the Senate declared a quorum of the Senate present.

Hon. C. C. Young, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

ASSEMBLY ROLL CALL.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Bonde, Boree, Brown, of San Mateo, Browne, of Tuolumne, Bruck, Burke, Byrnes, Canepa, Cary, Chamberlin, Chenoweth, Collins, Conard, Dennett, Downing, Edwards, of San Joaquin, Edwards, of Ventura, Ellis, Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, of Santa Clara, Hayes, of San Francisco, Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, McCray, McDonald, J. J., McDonald, Walter A., McKnight, McPherson, Manning, Marron, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Rutherford, Ryan, Salisbury, Satterwhite, Schmitt, Scott, of Los Angeles, Scott, of Tulare, Scott, of Fresno, Shartel, Sharkey, Sisson, Spengler, Tabler, Widenmann, Wills, Wishard Wright, of Los Angeles, Wright, of Santa Clara, and Mr. Speaker—79.

The Speaker of the Assembly declared a quorum of the Assembly present.

REGULAR ORDER OF BUSINESS.

By direction of the President of the Senate, the Secretary of the Senate read sections of the Constitution of the State of California and sections of the Political Code of the State, which provide for the two branches of the Legislature meeting in joint convention for the purpose of canvassing the votes cast for Governor and Lieutenant Governor, as follows:

Of article V of the Constitution:

Section 4. The returns of every election for Governor shall be sealed up and transmitted to the seat of government directed to the Speaker of the Assembly, who shall, during the first week of the session, open and publish them in the presence of both houses of the Legislature. The person having the highest number of votes shall be Governor; but in case any two or more have an equal and highest number of votes, the Legislature shall, by joint vote of both houses, choose one of such persons so having an equal and the highest number of votes for Governor.

Section 15. A Lieutenant Governor shall be elected at the same time and places, and in the same manner, as the Governor, and his term of office and his qualifications of eligibility shall also be the same. He shall be President of the Senate, but shall have only a casting vote therein. If, during a vacancy of the office of Governor, the Lieutenant Governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of his office, or be absent from the State, the President *pro tempore* of the Senate shall act as Governor until the vacancy be filled or the disability shall cease. The Lieutenant Governor shall be disqualified from holding any other office except as specially provided in this Constitution, during the term for which he shall have been elected.

Of the Political Code:

Section 1292. When an election has been held to fill the office of Governor or Lieutenant Governor, the clerk of each county, in addition to the abstract made for transmission to the Secretary of State, must as soon as the statement of the vote of his county is made out and entered upon the records of the boards of supervisors, make two certified abstracts of so much thereof as relates to the vote given for such officers.

Section 1293. The clerk must seal up each abstract separately, and indorse thereon "Election Returns for Governor and Lieutenant Governor."

Section 1294. He must at once direct one copy to the Speaker of the Assembly next to meet, address it to Sacramento, California, and deposit it, postpaid, in the post office.

Section 1295. The other copy he must direct and address, in the same manner, and at once deliver it to a member-elect of the Legislature, or to a Senator who holds over; and the person to whom it is so directed must deliver it to the Speaker on or before the second day next after his election.

Section 1296. The returns for election for Governor and Lieutenant Governor must, during the first week of the session, be opened, canvassed, and the result declared by the Speaker of the Assembly, in presence of both houses.

Section 1297. No declaration of the result, commission or certificate must be withheld on account of any defect or informality in the return of any election if it can with reasonable certainty be ascertained from such return what office is intended, and who is elected thereto.

ANNOUNCEMENT.

The Speaker of the Assembly announced that the election returns from all the counties in the State had been received, and were now at the desk, and that the Joint Convention would proceed with the opening of the returns from the recent election of Governor and Lieutenant Governor.

APPOINTMENT OF TELLERS.

The Speaker of the Assembly appointed as tellers, on the part of the Assembly, Messrs. Godsil and Avey.

The President of the Senate appointed as tellers, on the part of the Senate, Senators Campbell and Kehoe.

CANVASS OF RETURNS.

A canvass of the returns was thereupon made, and the tellers reported:

FOR GOVERNOR.

The total number of votes cast for each of the several candidates for the office of Governor of the State of California was announced as follows:

John D. Fredericks	271,990
Hiram W. Johnson	460,495
J. B. Curtin	116,121
Noble A. Richardson	50,716
Clinton P. Moore	27,345
Scattering	22

Whereupon the Speaker of the Assembly declared Hiram W. Johnson duly elected Governor of the State of California for the next succeeding four years.

FOR LIEUTENANT GOVERNOR.

The total number of votes cast for each of the several candidates for the office of Lieutenant Governor of the State of California was announced as follows:

John M. Eshleman	533,255
Jo V. Snyder	223,011
Norman W. Pendleton	72,005
Wallace M. Pence	48,783
Scattering	33

Whereupon the Speaker of the Assembly declared John M. Eshleman duly elected Lieutenant Governor of the State of California for the next succeeding four years.

RESOLUTION.

Senator Tyrrell offered the following resolution, and moved its adoption:

Resolved, That the hour of eight o'clock p. m., on Tuesday, January 5, 1915, be appointed the time when, and the Assembly Chamber in the State Capitol, Sacramento, California, the place where, the Governor and Lieutenant Governor-elect shall take the official oath in the presence of both houses of the Legislature in joint convention assembled, as required in and by section 905 of the Political Code.

That the Joint Committee on Inauguration, already appointed, be and are hereby directed to inform the Governor and Lieutenant Governor-elect of this action, and that when this Joint Convention adjourns it adjourn to meet at the hour and place aforesaid.

Resolution read, and on motion of Senator Tyrrell, adopted.

READING AND APPROVAL OF MINUTES.

The minutes of the Joint Convention were then read, and on motion, approved.

ADJOURNMENT.

At two o'clock and thirty minutes p.m., the President pro tem. of the Senate declared the Joint Convention adjourned until eight o'clock p.m. of this day.

IN SENATE.

RECONVENED.

At two o'clock and thirty-five minutes p.m. the Senate reconvened.

Lieutenant Governor Albert J. Wallace, President of the Senate, in the chair.

RECESS.

At two o'clock and forty minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until seven o'clock and fifty minutes p.m.

RECONVENED.

At seven o'clock and fifty minutes p.m. the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

RECESS.

At seven o'clock and fifty-five minutes p.m., on motion of Senator Breed, the President pro tem. declared the Senate at recess for the purpose of meeting with the Assembly in Joint Convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,
Tuesday, January 5, 1915.

Pursuant to adjournment this day, the Senate and Assembly met in Joint Convention on this day, Tuesday, January 5, 1915, at eight o'clock p.m., for the purposes set forth in the following resolution, previously adopted this day in Joint Convention:

RESOLUTION.

Resolved, That the hour of eight o'clock p.m. of Tuesday, January 5, 1915, be appointed the time when, and the Assembly Chamber of the State Capitol, Sacramento, California, the place where, the Governor and Lieutenant Governor-elect shall take the official oath in the presence of both houses of the Legislature, in Joint Convention assembled, as required in and by section 905 of the Political Code.

That the Joint Committee on Inauguration, already appointed, be and are hereby directed to inform the Governor and Lieutenant Governor-elect of this action, and that when this Joint Convention adjourns it adjourn to meet at the hour and place aforesaid.

Hon. Newton W. Thompson, President pro tem. of the Senate, and Hon. C. C. Young, Speaker of the Assembly, presiding.

The President pro tem. of the Senate directed the Secretary of the Senate to call the roll of Senators.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

The President pro tem. of the Senate declared a quorum of the Senate present.

The Speaker of the Assembly directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

The roll was called, and the following answered to their names:

Messrs. Anderson, Arnerich, Ashley, Avey, Bartlett, Beck, Benton, Boude, Boyce, Brown, of San Mateo, Browne, of Tuolumne, Bruck, Burke, Byrnes, Canepa, Cary, Chamberlin, Chenoweth, Collins, Conard, Dennett, Downing, Edwards, of San Joaquin, Edwards, of Ventura, Ellis, Encell, Ferguson, Fish, Gebhart, Gelder, Godsil, Harris, Hawson, Hayes, of Santa Clara, Hayes, of San Francisco, Johnson, Judson, Kennedy, Kerr, Kramer, Long, Lostutter, Lyon, McCray, McDonald, J. J. McDonald, Walter A., McKnight, McPherson, Manning, Marron, Meek, Mouser, Pettis, Phelps, Phillips, Prendergast, Quinn, Ream, Rigdon, Rodgers, Rominger, Rutherford, Ryan, Salisbury, Satterwhite, Schmitt, Scott, of Los Angeles, Scott, of Tulare, Scott, of Fresno, Shartel, Sharkey, Sisson, Spengler, Tabler, Widenmann, Willis, Wishard, Wright, of Los Angeles, Wright, of Santa Clara, and Mr. Speaker—80.

The Speaker of the Assembly declared a quorum of the Assembly present.

REPORT OF JOINT COMMITTEE.

Senator Tyrrell, Chairman of the Joint Committee of the Senate and Assembly on Inaugural Ceremonies, appeared at the bar of the House and announced to the Speaker of the Assembly the presence of his Excellency Hiram W. Johnson, Governor and Governor-elect, and Lieutenant Governor Albert J. Wallace, and Hon. John M. Eshleman, Lieutenant Governor-elect.

PRAYER.

Prayer by the Chaplain of the Senate, Rev. Father Henry I. Stark.

ORDER OF BUSINESS.

The following was the order of business:

INAUGURAL CEREMONIES.

1. Call to order of the Assembly by the Speaker.
2. Announcement of the arrival of the Senate at the Bar of the House.
3. Call to order of the Joint Assembly of the Legislature of the State of California by the President pro tem. of the Senate.

4. Roll call of the Senate by the Secretary.
5. Roll call of the Assembly by the Chief Clerk.
6. National airs. By the Orchestra.
7. The Chairman of the Joint Legislative Committee on Inaugural Ceremonies announces the presence of the Committee with Governor Hiram W. Johnson, Lieutenant Governor John M. Eshleman and State officers.
8. Invocation by the Chaplain of the Senate.
9. Song, "I Love You, California." By male double quartette.
10. Selection. By the Orchestra.
11. Administration of oath of office to Governor Hiram W. Johnson by E. C. Hart, Justice of the Third District Court of Appeal.
12. "Hail to the Chief." By the Orchestra.
13. Firing of salute of twenty-one guns by artillery squad in Capitol Grounds.
14. Introduction of Governor Hiram W. Johnson by retiring Lieutenant Governor A. J. Wallace.
15. Inaugural address by Governor Hiram W. Johnson.
16. Selection. By the Orchestra.
17. Introduction of Lieutenant Governor John M. Eshleman by retiring Lieutenant Governor A. J. Wallace.
18. Address by Lieutenant Governor John M. Eshleman.
19. Selection. By the Orchestra.

ADMINISTERING THE OATH OF OFFICE.

The Hon. E. C. Hart, Justice of the Third District Court of Appeal of the State of California, administered the oath of office to Governor-elect Hiram W. Johnson, as follows:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Governor according to the best of my ability.

PRESENTATION OF GOVERNOR HIRAM W. JOHNSON.

Lieutenant Governor, Albert J. Wallace then presented Governor Hiram W. Johnson to the Joint Assembly; the Governor then delivered his inaugural address as follows:

SECOND INAUGURAL ADDRESS OF GOVERNOR HIRAM W. JOHNSON.

To the Senate and Assembly of the State of California:

Tonight for the second time, with all that comes with an occasion of this character, I take the oath as the Chief Executive of California. I take it with the same high resolve, the same sacred dedication, the same solemnity of duty to be performed, that four years ago upon this very rostrum, we commenced our task. None could then foretell what the future held for us, nor whether the ambitious projects for a rejuvenated and regenerated State were possible of fruition. Four years ago we voiced our hopes and our aspirations. In four years those hopes and aspirations have seen their realization, and have become definite settled policies of a great commonwealth. What then was empirical and doubtful has become certain and definite. When the new philosophy of government, born of love of justice for all humanity, was promulgated, so brief a period ago, few believed its consummation possible. In a single administration a marvelous change has been wrought, a change surpassing in the completeness of the metamorphosis of the government what has been witnessed by any other commonwealth. The doubt has been dissipated and the darkness that then we faced has been illumined by the sunlight of popular rule. A State has been freed politically, its public servants yielding now no allegiance but to the State; the sinister invisible government so familiar to American commonwealths has been banished; boss rule has been made permanently impossible by direct nominations, direct legislation and the recall; true democracy by the adoption of its instrumentalities has been more nearly approached; suffrage has been extended to women; election of judges, school officials, and county officers has been made non-partisan; the public utilities are controlled and regulated by the State; the business of the State has been centralized and systematized under a Board of Control, and corruption and favoritism have been eliminated; textbooks have been made free of cost to the pupils in our schools; a civil service law has destroyed political patronage and is striving for merit and efficiency in public service; prisons and reform schools reflect the humane and enlightened policy of a new State; a fuller measure of social and industrial justice has been accorded; and the State, while conserving all material interests, first concerns itself with and conserves its humanity. The social program but a few short years ago thought the vain dream of idealists, the program which gave to women who toil shorter hours and more happiness, and to men something of the justice that had been denied them; that has covered with the mantle of care and tenderness of the State, the injured and maimed members of society, has planted the beacon light of social justice and humanity far beyond the point to which the most ambitious commonwealth yet has gone.

ENCOURAGEMENT FOR FUTURE.

All this, four years ago, we hoped and prayed for. Today, it is done. That it has been well done only those who live in a bygone age where morals and humanity were forgotten in materialism, will for an instant deny; and that the sovereign people of the State of California believe it to be just, and to have been well done, was overwhelmingly attested on the third of November last.

What has been done by the patriotic and unselfish men and women in the brief period of four years is the touchstone and encouragement for men and women in the four years yet to come, and we turn from the past, glowing with pride in its accomplishment and mellowed with the good that has been done, to the future so rich with promise.

Our people have pointed the way. To them has been submitted the work of the past four years, and those who have been their instruments and trustees in the performance of that work, never wavering in their optimism and implicit confidence in the soundness of heart of the people, submitted in detail their efforts and the new policies that were put in practice. Immediate and overwhelming has been the response from all our people. I say all, for whether you look at the determination of the electorate in our high mountains, in our fertile valleys, to our farmers, our merchants or our toilers, to our land of the south, or that of the north, or of the east, or of the west, from every locality and in every class in the November election came approbation, endorsement, approval and the mandate for continuance. I take it, therefore, that our first duty is to perfect, preserve and perpetuate the various measures which so recently have had such emphatic sanction, and then upon the glorious path of progress so recently blazed to go forward toward the light.

NO DEFINITE PROGRAM.

At this moment, it is not my purpose to set forth to you any definite program. In the biennial message some few recommendations are made. Work there is in abundance for every unselfish representative. There are subjects fraught with such tremendous possibilities that those who are here animated by the desire to aid the State and promote the happiness of its people, will find ample scope for their industry and their talents. If we may in small degree aid the ever increasing number of our unemployed (none, of course, locally can solve the problem); if we may find the appropriate mode of marketing farm products; if we may make the lot of those upon our soil a little less harsh, with a system of rural credits; if we may aid our irrigation projects and cause our arid lands to blossom; if we may conserve the waters of our State yet remaining and justly control the use of those held privately, if we may prosper legitimate business by the destruction of illegitimate exploitation; if the elective service of our State, like the appointive under civil service, and like our cities and counties, may be freed from partisan politics; if a bit more of happiness may be given our humanity, if we may render justice wherever injustice has prevailed, if we may do all or any of these things, or any part of any one of them, we will have performed the duty that is ours and we will have kept pace with the just closing most marvelous era of California.

NO HASTE IN WORK.

None of this is to be done hastily in ill considered, or half understood legislation. All of the concentration and intelligence, ability, education and knowledge that we possess will be required for our task; and if within a few brief months we may not do it all, or any of it, we may at least with the highest intelligence that there is among us, set it upon the way that those who follow may reach the goal. The work requires the highest and wisest statesmanship. It will have none of petty partisanship. You of the legislature here represent and typify the best in the citizenship of a free people. You bring to your tasks the breadth of vision, the love of country and of State, that can only be felt in its fullness by a people who *are* the country and the State. Peculiarly endowed with opportunity, singularly gifted as a part of a citizenship unexcelled in all the world, you will rise to the responsibilities that are yours and contribute your part to the destiny of a glorious land. If there be some small souls who shall raise a partisan barrier behind which they skulk for petty personal or partisan advantage, in the solemn task that is yours and mine, we will put them aside and leave them in the darkness from which they have not yet emerged, and harmoniously the rest of us will go forward. In the spirit in which the duty of legislation is approached, will each be received. Fondly do we hope, fervently do we pray, that now at the close of a wondrous period of development politically and progress governmentally in our State, at the beginning of another period of promise and of hope, all may dedicate themselves to the work in hand with the single thought, and purpose, and hope, and aspiration, of a sacred duty to be conscientiously performed.

ADMINISTERING THE OATH OF OFFICE.

The Hon. Everett J. Brown, Judge of the Superior Court of Alameda County, administered the oath of office to Lieutenant Governor-elect Hon. John M. Eshleman, as follows:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Lieutenant Governor according to the best of my ability.

PRESENTATION OF LIEUTENANT GOVERNOR JOHN M. ESHLEMAN.

Ex-Lieutenant Governor Albert J. Wallace presented Lieutenant Governor John M. Eshleman to the Joint Assembly; the Lieutenant Governor then delivered his inaugural address as follows:

INAUGURAL ADDRESS OF LIEUTENANT GOVERNOR JOHN M. ESHLEMAN.

Members of the Legislature of the State of California:

Eight years ago I came into the Capitol of the State of California as a member of the lower house of the legislature. I know it was eight years ago because the calendar says so. Yet in that time a government has been made over. Then the old cynical idea prevailed that men should not apply the same principles to governmental and political affairs that actuated them in their other relationships. Then the name "politician" was a byword, a term of reproach. Today I believe it has been demonstrated to the satisfaction of those agreeing with the theory of government upon which we proceed, and those disagreeing therefrom, that government may be honestly and conscientiously administered. During the last four years you know what has been done. During this session and the sessions to follow as much cannot possibly be done by way of progress as has come about during the last four years. Yet the suggestion that so much has been done that there cannot, and should not, be as many fundamental changes brought about in a similar time in the future should not lead us to conclude that *all* has been done. Progress, of course, is never arrested; but change is not always progress. He who has realized his ideal is useless and the satisfied man should be ready to die. Hence, always there will be a necessity for new accomplishments built, to be sure, upon the foundations laid in the past, but none the less essential and inevitable so long as mankind shall exist.

I would be wanting in proper appreciation if I did not say a word with reference to the retiring Lieutenant Governor. He has brought to this position courage, the highest kind of integrity, so much so that those who differ from him none the less respect him. Yet with his sincerity he has always been kindly and considerate to those with whom he has been associated. To me his upright and blameless life has been and is an inspiration, and his fidelity to his ideals of government has contributed largely to the accomplishments of the present administration. I am glad to call him my personal friend and I am glad to have had him for an official and political associate. His kind of men are needed in public life. Our best wishes go with him and we wish him the full measure of honor and happiness he so richly deserves.

It is with peculiar pleasure, too, that I realize that I shall be a part of the great administration that is before us as I have tried to do my little part during the last four years. It is indeed pleasant to contemplate the association with a man for whom I entertain such a sincere affection—an affection springing from respect. It must be a proud moment for Governor Johnson to contemplate the fact that he is the first man in a lifetime and the second man in history to have received the commendation of the people of California by a reelection, and a commendation expressed in such an overwhelming fashion that no doubt as to the feeling of the electorate can be entertained. A virile, strong man, a genial companion, a great ruler; he has not yet entered upon the final lap of his course and the people of California look forward to the greatest honors for the man who has done in a political generation that which has never been done in all the years of the State's history. A state has been remade. Government has become respectable, no longer is "public official" a term of reproach, and no longer do we blush for those who have been called to serve but who have forgotten the call.

Under such circumstances it is with pride that after the eight years I enter the Capitol again. Of course I have been reminded many, many times that the principal function of the Lieutenant Governor is to be ornamental. You have an ocular demonstration that if such is his function the incumbent will be a failure. Inasmuch as it is impossible for me to be ornamental, it is alone left for me to attempt to be useful, and to the very best of my ability I pledge myself to assist in the forward movement of this State. I pledge myself to the most hearty cooperation with the Chief Executive of this State and the two houses of the legislature. The people of the State of California have been very kind to me, and I know no way to repay them except by conscientious service which shall only be limited by my opportunity and my ability.

READING AND APPROVAL OF MINUTES.

Minutes of the Joint Convention were read, and on motion, approved.

ADJOURNMENT.

There being no further business, at nine o'clock and thirty minutes p.m., the President pro tem. of the Senate adjourned the Joint Convention without day.

IN SENATE.

RECONVENED.

At nine o'clock and thirty minutes p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

ADJOURNMENT.

At nine o'clock and thirty-five minutes p.m., on motion of Senator Breed, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Wednesday, January 6, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry I. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 5, 1915, the further reading was dispensed with, on motion of Senator Rush.

LEAVE OF ABSENCE.

Senator Scott was, on motion of Senator Wolfe, granted leave of absence for this day.

APPOINTMENT BY SECRETARY.

The following communication was received and read:

MR. PRESIDENT: I beg leave to report that I have this day appointed Eric Johnson and J. A. Miller, assistant secretaries, at $6.00 per day each, and respectfully request the consent of the Senate.

EDWIN F. SMITH, Secretary of Senate.

Senator Breed moved that the appointments be confirmed by the Senate.

The question being on the confirmation of the appointments.

The roll was called, with the following result:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, Thompson, Tyrell, and Wolfe—32.
NOES—None.

RESOLUTION.

The following resolution was offered:

By the Committee on Contingent Expenses and Mileage:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law:

Officers	Address	Mileage	Amount
President—A. J. Wallace	Los Angeles	894	89 40
Secretary—W. N. Parrish	Oakland	168	16 80
Minute Clerk—J. W. Kavanagh	San Francisco	180	18 00
Sergeant at Arms—J. L. Coughlin	Oakland	168	16 80

Dist.	Senators	Address	Mileage	Amount
39	Anderson, John N.	Santa Ana	[illegible]	[illegible]
38	Ballard, John W.	Los Angeles	894	89 40
18	Beban, D. J.	San Francisco	180	18 00
34	Benedict, Henry Stanley	Los Angeles	894	89 40
27	Benson, Frank H.	San Jose	[illegible]	[illegible]
3	Birdsall, E. S.	East Auburn	74	7 40
15	Breed, A. H.	Oakland	168	16 80
37	Brown, William F.	Los Angeles	894	89 40
31	Butler, Edwin M.	Los Angeles	894	89 40
17	Campbell, A. E.	San Luis Obispo	[illegible]	[illegible]
36	Carr, William J.	Pasadena	914	91 40
26	Chandler, W. F.	Fresno	[illegible]	[illegible]
33	Cogswell, Prescott F.	El Monte	924	92 40
7	Cohn, P. C.	Folsom City	44	4 40
22	Crowley, John Jos.	San Francisco	180	18 00
6	Duncan, W. F., Jr.	Oroville	[illegible]	[illegible]
23	Finn, Thos. F.	San Francisco	180	18 00
24	Flaherty, Lawrence J.	San Francisco	180	18 00
11	Flint, William R.	Hollister	[illegible]	[illegible]
21	Gerdes, Fred C.	San Francisco	180	18 00
14	Hans, George J.	Oakland	168	16 80
32	Irwin, J. L. C.	Hanford	428	42 80
28	Jones, Herbert C.	San Jose	[illegible]	[illegible]
1	Kehoe, William	Eureka	624	62 40
30	King, Lyman M.	Redlands	1,036	103 60
40	Luce, Edgar A.	San Diego	1,146	114 60
29	Lyon, Henry H.	Los Angeles	894	89 40
12	Maddux, L. J.	Modesto	154	15 40
25	Mott, D. W.	Santa Paula	[illegible]	[illegible]
9	Owens, James C.	Richmond	156	15 60
4	Purkitt, Claude F.	Willows	175	17 50
5	Rush, Benjamin F.	Suisun	82	8 20
20	Scott, William S.	San Francisco	180	18 00
2	Shearer, Wm. B.	Yreka	590	59 00
8	Slater, Herbert W.	Santa Rosa	180	18 00
13	Strobridge, Ed. K.	Hayward	196	19 60
10	Stuckenbruck, J. W.	Acampo	78	7 80
35	Thompson, Newton W.	Alhambra	910	91 00
16	Tyrell, Edward J.	Oakland	168	16 80
19	Wolfe, Edward I.	San Francisco	180	18 00

And respectfully recommend that it be adopted.

BENEDICT, Chairman.
FLINT.
DUNCAN.

MOTION.

Senator Benedict moved that the resolution offered by the Committee on Contingent Expenses and Mileage be taken up for consideration.

Motion carried.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

RESOLUTIONS.

The following resolutions were offered:

By Senator Strobridge:

Resolved, That the Sergeant-at-Arms of the Senate, or the Bookkeeper to the Sergeant-at-Arms, be and he is hereby authorized and empowered to receipt to the Controller for all warrants for payment to members, officers, and attachés of the Senate.

Resolution read and on motion of Senator Strobridge adopted.

By Senator Gerdes:

Resolved, That the Secretary of the Senate be and he is hereby directed to procure for the use of the Senators forty tin office boxes for care of private papers.

Resolution read and referred to Committee on Contingent Expenses and Mileage.

By Senator Birdsall:

Resolved, That the Secretary of the Senate be and he is hereby directed to procure for the use of the members of the Senate and Senate committees the necessary index letter files, and the Controller of State is authorized to draw his warrant for the payment of the same, and the Treasurer is hereby directed to pay the same.

Resolution read and referred to Committee on Contingent Expenses and Mileage.

By Senator Flint:

Resolved, That the Lieutenant Governor and each member of the Senate be and he is hereby allowed $25 for contingent expenses, as provided by the Constitution, payable out of the appropriation for the contingent expenses of the Senate.

Resolution read and referred to Committee on Contingent Expenses and Mileage.

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Wellington Bowser, Assistant Journal Clerk	$5 00 per day
Andrew Cunningham, Assistant Sergeant-at-Arms	5 00 per day
J. A. Zimmerman, Assistant Sergeant-at-Arms	5 00 per day
George Goldman, Assistant Sergeant-at-Arms	5 00 per day
Miss Nellie Jessen, Stenographer	5 00 per day
Eugene G. Hoff, Stenographer	5 00 per day
S. Vincent Brown, Stenographer	5 00 per day
Mrs. F. Hoxie, Stenographer	5 00 per day
Miss Helen Bary, Stenographer	5 00 per day
Mrs. Mae Ensminger, Stenographer	5 00 per day
Mrs. Della W. Hoppin, Stenographer	5 00 per day
John McDonald, Assistant Journal Clerk	5 00 per day

Senator Breed moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.
NOES—None.

STATEMENT BY SENATOR WOLFE.

Senator Wolfe announced his desire that the hearing of the contest heretofore filed for the seat occupied by him take place at an early date, and requested the speedy appointment of the committee to which the matter should be referred.

STATEMENT BY SENATOR THOMPSON.

Senator Thompson called the attention of Senator Wolfe to the fact that the standing rules of the Senate had not yet been adopted, and in consequence no standing committees could as yet be appointed.

RESOLUTION (OUT OF ORDER).

The following resolution was introduced:

By Senator Mott:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate, for the sum of $100, for rubber stamps, expressage, and postage, the same to be payable out of the Contingent Fund of the Senate, and the Treasurer is hereby directed to pay the same.

Resolution read.

MOTION.

Senator Thompson moved that the rules be suspended and the resolution be adopted.

Motion carried.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.
NOES—None.

MESSAGE FROM THE GOVERNOR.

On motion of Senator Thompson, the following biennial message from the Governor was read and ordered printed in the Journal:

SECOND BIENNIAL MESSAGE OF GOVERNOR HIRAM W. JOHNSON.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
January 5, 1915.

To the Senate and Assembly:

In accordance with custom and the requirement of the constitution, it becomes my duty to communicate with you by message.

INTRODUCTORY.

In the past four years, California has entered upon various new governmental policies. The two preceding legislatures, acting in conjunction with the executive, and in accordance with the expressed will of the people, have sought to approach more nearly true democracy. The policies adopted were undertaken neither hastily nor by way of experiment, but carefully, cautiously, after due investigation and that the sovereign will of the people might be obeyed. Peculiarly fitted to California have been the new policies that so recently have seen their consummation. Our resources are without limit. Our development has but commenced. Within our borders every industry can thrive. There is nothing that the world produces but in abundance is given to us. The blessings of a beneficent Creator most generously have been showered upon us. The world perhaps has never seen a citizenship surpassed by ours, and here more than any other place on earth, it was fitting and appropriate that there should be a more pronounced self-government and a fuller measure of social justice than in any other land.

Your predecessors of the last two sessions rose to the occasion and afforded this people the agencies of self-government with which to fulfill their destiny. Their work was well performed. To you now is given the task of continuing, perfecting, and perpetuating that which has been so auspiciously and so ably commenced. To this task you will bring, I am sure, the same devoted disinterestedness and patriotism that have characterized those who have preceded you. It will be my part wherever I can, for our people and our State, to aid and assist. The policy of the Chief Executive will be exactly what it has been during the past four years; to act with all who strive unselfishly for the common interest; harmoniously to go forward with any whose sole allegiance is the State; earnestly to endeavor to accomplish whatever may be for the advancement and the prosperity and the happiness of our people. In this with me there will be no partisan spirit; and just as men of all parties have contributed in the past four years to the marvelous progress of our State, may men of all parties contribute to a glorious future.

I.

REVENUE AND TAXATION.

A. Necessity for Additional Taxation.

At the recent election the people abolished poll tax. This was done with the full knowledge that thus more than $800,000 would be eliminated from the revenue of the state. Our Supreme Court two years ago decided that the corporation license tax was illegal and invalid, and the legislature of 1913, pursuant to this decision, and for other reasons as well, very properly repealed that tax. Recently the Supreme Court reversed itself, and while its latest decision upholding the corporation license tax is a source of gratification to the Attorney General, who has never wavered in his opinion of the law, it does not restore our $800,000 of lost revenue. In the destruction of these two sources of revenue, the poll tax and the corporation license tax, the State suffered a loss biennially in round numbers of $3,300,000. In addition to this, the people have by their mandate endorsed and required certain governmental activities of the past few years. Twice in three years the voters have emphatically approved the work of the Railroad Commission, and in the recent election they broadened very materially that work. A new constitutional amendment just adopted, transfers all of the power of rate fixing over public utilities in municipalities to the commission. The requisite machinery is essential that this mandate of the people may be obeyed, and of necessity a much larger appropriation than was originally contemplated will be required for the commission. In 1912, the people declared that free textbooks should be supplied to our school children. To do this costs the State more than half a million dollars. The Industrial Accident Commission has performed its tremendous task in such fashion that few will be found to object to such increased appropriation as may be necessary to carry on its important department. It is unfortunate, therefore, that while the people have imposed these additional burdens, they have eliminated a large portion of the revenue of the State. I ask that in the matter of appropriations rigid economy be observed, not an economy which will cripple the service of the State and in the end prove more costly than reasonable expenditure, but a rigid economy in undertaking new projects which as yet are without the sanction of our people. To many suggestions of new policy we lend a sympathetic attention; but at this time, with our lack of revenue, and its uncertainty in the next few years, I would impress upon you that it would be better for us to provide sufficiently for the activities in which we are now engaged and which have had so recently such emphatic approval, than to divide our revenue in exploiting new and untried policies. There are many projects we might wish to undertake, but if they entail a disproportionate expenditure, we may, without abandoning them, leave them to a near future, and devote ourselves in the main to perfecting and perpetuating those policies of demonstrated advantage and efficiency, and which are now familiar to and have been endorsed by the people. I do not wish to be understood as expressing opposition to meritorious plans concerning the State or to suggest to you that those should not be considered or even adopted, but where the expenditure is heavy and the plan of betterment vague, I would ask your most earnest and careful scrutiny and consideration.

B. Proportionate Rates of Corporations and Individual Property Owners.

In 1910, the constitutional amendment was adopted by the people separating state and local taxation, and since that time our revenues have been derived from the corporations of the State. Under this amendment the larger public utility corporations pay as their taxes a percentage of their gross receipts, and therefore the revenues of the State become dependent substantially upon the gross receipts of its public service corporations. The new system undoubtedly possesses many virtues and certainly some vices. The needs of the State now, no matter how great they may be, must be compressed, in great measure, within the percentage derived by taxation from the gross receipts of these corporations, a condition which, except in years most prosperous to the corporations, presents difficulties and may even bring great disaster. A system which requires the necessities of the State to fit an inelastic revenue, instead of requiring the revenue of the State to fit its constantly increasing needs, is one of ever recurring vexation. Again, it would seem that there could be no logical basis for requiring the individual property owner to pay taxes upon the concrete property that he possesses, while the great public service corporations pay not upon their possessions or the concrete property that is theirs, but upon their gross receipts. Again, while, of course, the State has the power, the propriety of taxing different classes in differing ways and creating classes of property owners for the purposes of taxation, has sometimes been questioned. On the other hand, the inequalities of the assessments made by the different counties of the property of the corporations, the difficulties encountered in equalization, among the different sections of the State, and various other annoyances were eliminated by the new method which has been in vogue in this State since 1910.

In the biennial message of 1913, it was pointed out that the new system of taxation would not afford, in 1913, and 1914, the revenue required by the State and it was asserted that under the new system a greater proportionate amount of taxes was paid by the individual property owner than by public service corporations.

Subsequently, in a special message to the legislature, I transmitted the report of the State Board of Equalization and in this report the board stated:

> The board finds the average tax rate in the State of California for all property except that of the withdrawn public service corporations is $1.1386 upon each one hundred dollars of actual value. This means that the ordinary taxpayer in the State pays this rate.
>
> The average rates of taxes paid by the several classes of the withdrawn public service corporations, as determined upon the basis of a stock and bond valuation, in accordance with the new tax scheme are:
>
> 1. For railroads and street railways, $0.9092 upon $100 of actual value of property;
> 2. For gas and electric companies, $0.75;
> 3. For telegraph and telephone companies, $0.9060;
> 4. For car companies (Pullman Company only), $0.8813;
> 5. For express companies (Wells, Fargo & Co. only), $1.5413.

I thereupon asked the legislature to increase the rates of taxation of the withdrawn corporations to such a sum as should compel them to pay their just proportion of taxes. The legislature promptly acted, made its investigations and thereafter increased the rates.

The following table will indicate to you the rates charged to the corporations prior to 1913 and since then:

	Prior to 1913	Since 1913
Railroads	4 % gross receipts	4¾ % gross receipts.
Gas and electric companies	4 % gross receipts	4.6 % gross receipts.
Telegraph and telephone companies	3½% gross receipts	4.2 % gross receipts.
Car companies	3 % gross receipts	4 % gross receipts.
Express companies	2 % gross receipts	2 % gross receipts.
Banks	1 % of shares of stock	1 % of shares of stock.
Franchises	1 % assessed value	1 % assessed value.
Insurance companies	1½ % on premiums	1¾ % on premiums.

Apparently, these increased rates did not on certain of the corporations impose a burden of taxation equivalent to that imposed upon individual property owners. The State Board of Equalization reported that the average burden of local taxes was $1.1386 per cent of the true value of the property taxed locally. The increases made in these various corporations would make the tax burden of these corporations apparently as follows:

Railroads	1.079665	per cent
Gas and electric companies	.8625	per cent
Telegraph and telephone companies	1.0872	per cent
Banks and franchises remain at	1.	per cent

Another important element that must be considered, in determining whether or not those corporations are paying their just proportion of taxes, is the increase in the various cities and counties of the State in the rate of taxation during the past two years. From reports on file in the office of the State Controller and the State Board of Equalization, it appears that the county assessment rolls were increased during the last two years 10.2 per cent and the county taxes collected were increased 19.1 per cent. City taxes have increased at a still more rapid rate. The burden of local taxation is much heavier today than it was two years ago. The basis ratio, therefore, of 1.1386 per cent, determined two years ago, is now very considerably increased; and if the figures and reports of the State Board of Equalization are correct, it is obvious that the corporations just enumerated do not pay their just proportion of taxes and that the burden of taxation borne by the farmer and individual owner of city real estate is much greater than the burden imposed upon many of the withdrawn corporations.

I ask, therefore, that immediately you undertake the appropriate investigation, and that such determination be rendered by you during the first portion of your session as shall equalize the burden of taxation and require the payment by the corporations mentioned of their just proportion.

II.

THE RAILROAD COMMISSION.

So recently has the marvelous accomplishment of the Railroad Commission been exploited, that the extent of its activities and its tremendous contribution to the progress and advancement of our State presumably are well understood. From 1879 to 1912, the Railroad Commission had jurisdiction over railroad and transportation companies. The inactivity of the commission prior to 1911, it is unnecessary now to comment upon. On March 23, 1912, the Public Utilities Act went into effect. The Railroad Commission then was given jurisdiction not only over railroad and transportation companies, but over gas, electric, water, telephone and telegraph and similar utilities in their operations outside of municipalities. The Public Utilities Act provided, however, that municipalities could voluntarily surrender their authority by a vote of their electors, and many municipalities during the last few years, have thus voluntarily come under the jurisdiction of the commission. From March, 1912, to December 22, 1914, 2207 formal proceedings were filed with the commission, and during that period 2,019 of those were judicially determined. During the same time, 5,091 informal complaints, of sufficient importance to be docketed, were filed, and of this number 4,350 decided. In addition many thousands of complaints of less importance were passed upon; 2,460 miles of railroad have had their value fixed under the law permitting the Railroad Commission to make valuations of railroads and the value of 1,501 miles of railroad is now being considered.

One of the important jurisdictions exercised by the commission now is over bonds and stocks of utilities and in this field, it has performed a great service.

Applications have been filed since March 23, 1912, for issuance of $504,842,605 of stocks and bonds and of this $398,388,467 have been authorized, $29,129,657 denied, $11,039,257 dismissed, and there are pending $66,285,224.

Under the constitutional amendment recently adopted the rate fixing of public utilities in municipalities is given to the Railroad Commission. What will be done in this regard by the commission will be a substitute for what has heretofore been done by the cities, and necessarily the cities will be relieved of the expense and the labor entailed. It would by no means be unjust that some provision should be made by the legislature, inasmuch as this intricate and important work has been transferred, requiring the municipalities to meet the expenses necessary to the determination of the rates of their public utilities. The burden has been shifted to the State, but the expense should legitimately be borne by the cities.

In the brief period of less than two years under the Public Utilities Act, the Railroad Commission has done more than has ever been done in the history of this nation by a similar tribunal. Not alone has it done the work, but it has demonstrated that fair and effective regulation is beneficial to the patrons of the utilities and the general public, and at the same time of advantage to the utilities themselves. The policy of the State and of the Railroad Commission has been not to harass business, but to insist upon firm and intelligent control of public utilities, and that the patrons of those utilities should be protected from the extortionate demands that follow unrestrained monopoly.

If the government of the past four years of the State of California had failed in every other particular, the geod that has been accomplished by the Railroad Commission, the final supremacy established for the State over its creations, however vast or rich or powerful, mark an epoch of transcendent accomplishment, unequalled in any other period of our history.

III.

BOARD OF CONTROL.

During the past biennial period, the Board of Control continued and completed, within the limits of its power, the work of systematizing the State's business. Without fear of contradiction, we may today assert that the State's business is carried on with an economy and efficiency rivaling the most exacting methods of private corporations.

Between December 6, 1912, and December 5, 1914, the Board of Control audited claims amounting to $42,306,159.85. Of these claims the record shows:

Deductions for mistakes and improper charges	$203,036 62
Claims withdrawn	234,866 11
Claims rejected	61,314 95
Total	$499,217 68

The Board has completed the installation of a uniform system of accounting in all State departments and institutions. All institutions and departments are now subjected to regular audit. This audit not only protects the interests of the State, but affords the requisite shield to those in charge of the State's institutions. The auditing department of the Board has commenced the work of the installation of a uniform system of accounting in the counties. This is now being done in the county of Los Angeles, where peculiar difficulties were presented. The value of the work has been attested by the grand jury and the supervisors of Los Angeles. Other counties of the State have followed the lead of the great county of Los Angeles and have asked the Board to perform for them a similar service. The equipment of the Board of Control is not sufficient readily to meet the demands that now come to it from the different localities of the State, and such a force ought to be accorded this very efficient and money-saving department of the government, as will enable it to carry its work into every county of the State.

Under the limitations of the law as it now exists, the Board has safeguarded the purchases by the State and has saved the State many hundreds of thousands of dollars. Its work could be better done and the saving to the State vastly increased, the board insists, if there were a centralized purchasing department. At present, each institution enters into its own contracts, subject to the approval of the Board of Control, and because contracts are made by each separate institution in a different locality of the State, and the State labors under a serious commercial disadvantage. It is asserted by the Board, that if all of these contracts could be let by the Board itself, the State would have the advantage of buying in bulk through a centralized purchasing department, and it is estimated that it could thus save a quarter of a million dollars per year.

Through its children's agents, the Board of Control has been brought directly in contact with the children drawing State aid and with the various orphanages to whom the State extends support. The value of the work of the board, through its children's agents, can not be overestimated. While protecting the State in the expenditure of its funds, incalculable service has been rendered to the orphans.

I have not sought in detail to state to you the various activities of the Board of Control or the Railroad Commission. The amount of work performed by each of these departments, surpasses the conception of any of those who, four years ago, participated in the new order in California. It would require a volume to relate the advantages that have accrued from these commissions, or to detail the savings they have brought about. The one has made anew a part of the government debased by years of subservience to great corporations, and today presents that part of the government in the proud position of justly commanding and regulating those who before commanded and regulated it. The other has transformed in a brief period a wasteful, inefficient and archaic management into an enlightened, modern, honest, and economical business policy.

IV.

THE BANKING DEPARTMENT AND THE STATE'S CONDITION AS SHOWN BY IT

The past year has been one of stress and depression. A worldwide war has made itself felt upon the business of our nation and has unsettled financial conditions. Relatively speaking, our State has felt the anxiety, and the depression, and the stress less than any state in the nation. In the past two years many times complaints have been brought to me concerning the drastic enforcement of the banking laws, and often it has been asserted that the Bank Superintendent has been unduly severe. The answer is found in the condition of the banks of the State of California during the past year, a condition surpassing that of the banks of any other state. During this year of unsettled conditions and financial depression, consider how the banks of California have withstood the storm. The combined assets of the state banks of California, November, 1914, were $747,793,188.17, an increase in assets over the previous year of $13,957,251.30, and the demonstration that our banks have suffered less of commercial stagnation than has elsewhere been felt. Upon the same date the banks of California had in loans and discounts an aggregate of $468,460,748.17, an increase in one year of $7,701,520.22. There was then cash on hand in our banks a total of $28,806,896.86, an increase over the preceding year of $1,329,745.20. The individual deposits then amounted to $586,812,220.43, an increase over the previous year of $8,353,709.42. These deposits represent a steady, healthy and substantial growth. In four years, from January, 1911, to November, 1914, the deposits, representative of the wealth of the people of California, increased $108,000,000.

Of the aggregate deposits mentioned above of $586,000,000 there were in savings deposits of individuals alone $447,000,000. This remarkable total of savings deposits makes California rank in those deposits fourth in the United States.

There is another significant fact that justifies strict enforcement of the banking laws. In the past two years, California has had just one bank failure, and in this there was immediate rehabilitation, without loss. In the past year, California has had no bank failure.

The report of the able and efficient State Building and Loan Commissioner shows that in California there are ninety-two building and loan associations, whose assets now aggregate $25,515,762.57 and that in the past year these assets have increased $1,199,740.60. The number of members and investors in building and loan companies show an increase of 1,674; the number of borrowers an increase of 794.

The statistics of our banks and building and loan associations, the facts briefly quoted, furnish the irrefutable evidence of California's financial condition.

V.

STATE HOSPITALS.

The hospitals for the insane in California have been finally modernized. By suitable appropriations, accommodations have been provided, and the very crowded condition that existed a couple of years ago has been relieved. Each of the asylums is now doing more than the usual perfunctory work of institutions of this character. Closer and more careful study is given to the causes of insanity, much bacteriological and serological work is done. The endeavor has been made and successfully, to give greater attention and study to the individual. Trained pathologists have been engaged and scientifically the work in each hospital has been improved. An after care worker is now employed, whose duty it is to keep in touch with paroled cases that have been problematical in the institutions and whose duty it is to aid both those paroled and discharged from asylums—in short, to provide for those who require it, a helping and a guiding hand.

The extraordinary growth of the southern part of the State required there another hospital and the requisite appropriation was made in 1913. A site was selected near Norwalk, in Los Angeles County, after due examination of the land by Dean Hunt, Director of the Agricultural Department of the University of California. The State Engineering Department reports that this new institution will be ready for occupancy in October, 1915.

VI.

STATE PRISONS AND REFORM SCHOOLS.

The radical change in the policy of the state in its reform schools met at first with decided opposition which the results of the past two years have happily overcome. The endeavor has ever been, under Mr. Nelles, at Whittier, and Mr. Derrick, at Preston, to make of these institutions to which the young who have offended against the law are committed, in reality, schools, where by tolerance and patience and kindness, reformation and reclamation might be accomplished. At one time these reform schools were but kindergartens for our state prisons. In 1911 a roster was furnished me of boys who had been confined in the reform schools and who subsequently had served terms in state prisons. The percentage was appalling. Those now in charge of our reform schools proceed upon the theory that constant and painstaking effort is worth while in every individual case, and that none is hopeless. By this policy the institutions have been revolutionized for the better. I commend the methods employed by Mr. Nelles and Mr. Derrick and invite the attention of the legislature to the results attained.

The changes wrought in our state prisons by legislative enactment and by the work of those in charge have of late been many. There are no changes, however, that could meet with the approval of one class, and all changes would be denounced by another. There are those who believe that men confined in prisons should have meted out to them the harshest and most rigorous treatment. There are others who insist that society is responsible for all men in jail; and who assert that there should be no prisons. It is immaterial whether the government of the prisons meets with the approval of the one class or the other. The question should be whether those who have offended against the laws and who, under the law, are sent to penal institutions are there treated in a humane and enlightened fashion. The policy in the State has been to endeavor to return offenders to society better physically, mentally, and morally than when they were received. Among the important changes that have occurred are, the abolition of indignities, cruelties and corporal punishment; provision for thorough physical examination of every prisoner received; general improvement in medical attention, hospital facilities and measures of sanitation; creation of educational opportunities, development of day schools for young men, opening of night schools for men of mature years, and the inauguration of a system of correspondence courses, increase of outdoor labor and the endeavor to train men in industrial pursuits.

The attitude of the prison directors in the matter of paroles is demonstrated by the statistics. The total number of men paroled from 1893 until 1914 was 2,937. In the four years 1911, 1912, 1913 and 1914, there were 1,792 paroles granted. The record discloses that of those paroled 78 per cent make good, but it should be borne in mind that of the 22 per cent who are classed as violators, the records of the prison directors establish only 4 per cent really commit new crimes, the other 18 per cent being guilty of petty offenses or of failure to observe parole conditions. Conditions for obtaining parole have been changed. Four years ago a man applying for parole was obliged to deposit with the board of directors $25 before his application would be heard. The condition was eliminated. The applicant was obliged to publish at his own expense notice of his application for parole in a certain number of issues of a paper published in the county from which he was committed. This, as well, has been abolished. Again, in the event of parole, the paroled man was obliged to furnish his own outgoing clothing as well as transportation to his place of employment. He is now clothed and given transportation.

The State Board of Charities and Corrections with the most careful and critical scrutiny has examined our reform schools and prisons. I recommend to you the earnest consideration of their report.

VII.

INDUSTRIAL ACCIDENT COMMISSION

The social program presented to California in 1911, and endeavored to be carried out by the enactment of appropriate legislation, found its culmination in 1913 in the workmen's compensation act. Not only did the new human philosophy of government find its final expression in this law, but against it was made the last stand of those who had interposed themselves for three years to the changed political conditions in California. In the light of what has transpired we may be pardoned the briefest retrospect concerning this law that typifies the state policy in the administration just closing. When the act was before the legislature there was strident denunciation extending apparently from one end of the State to the other. The newspapers that had constantly opposed every act governmentally done for humanity were blazoned with pages of abuse and vilification and denunciation and mendacity directed not only at the law, but at every individual advocating that law. A campaign against this enactment was carried on such as California never before has seen, such as probably no other state ever has witnessed, and which may it be fervently hoped, no other state ever will witness. The misrepresentation and mendacity of this campaign passes belief, and the appeals to those engaged in business pursuits were revolutionary in character. The result was what might have been expected, a large class of our people viewed with distrust and fear a merciful law, designed only to aid broken humanity, and business in California trembled at what day after day it was asserted was a covert attack to injure and destroy it.

It had been learned from bitter experience that the rapacity of some insurance companies from whom employers might obtain protection could be curbed only by the State, and in the workmen's compensation law, the State entered the insurance field in order that its people might, because of its rivalry in that particular line of business, obtain insurance at just rates. This very beneficent purpose of the insurance clause of the law led to the circularizing of the State in denunciation of the socialistic program of California and very familiar became the screaming hysteria of many well meaning individuals who [illegible] daily upon socialistic and anarchistic doctrines. In January, 1914, the workmen's compensation law became operative. In September, 1914, its constant and persistent opponents who for two years had denounced and abused and vilified the law and its sponsors and advocates, were pretending to the people of the State of California that they were the progenitors and the original advocates of the law. What in January, 1914, was denounced as an "act to paralyze business," "the boldest looting attempt ever made," "an act to destroy enterprise," in August and September, 1914, was the most beneficent act ever placed upon the statute books. A few short months demonstrated its wisdom, and now none deny that it is a marvelous and a humane law of benefit and advantage alike to employer and employee.

From January, 1914, to December 22, 1914, in the compensation department of the Industrial Accident Commission, there have been filed 830 claims. Of these 549 have been adjudicated and 281 are yet pending. In the 357 cases that have been decided in favor of employees awards have been made totaling $159,641.56. In 67 cases the amount of the award is undetermined because a weekly indemnity was ordered until the disability terminated. In two cases a life pension has been granted. In addition to these cases that may be termed contested, very many instances have arisen where the commission has participated in an amicable agreement for settlement between employer and employee.

The insurance department of the State has been in competition with about twenty-five insurance companies. The State has written to date, in premiums, $548,658.96 and has registered 6,140 applications for compensation insurance from employers. The total organization and operating expenses of the insurance department have been $55,845.76 or ten and one tenth per cent of the premiums written. So well has the insurance fund been managed that it is the intention of the commission on or about January, 1915, to return to policy holders fifteen per cent of the premiums earned to that date. The State is not in the insurance business to make profit, and the larger part of the profit that has been derived during the past year from the economical and able management of the fund will be returned, as stated, to those who have transacted their insurance business with the State. Of course, it will be obvious that this policy will require the reduction of rates by private corporations, and employers during the ensuing year may look therefore to a very substantial reduction in rates of insurance.

There have been reported to the [illegible] 5,445 [illegible]. To date, we have paid the following:

Benefits paid—	
Medical expenses	$43,878 81
Compensation	44,464 93
Total	$88,343 74
Outstanding liabilities at—	
Medical	$47,946 79
Compensation	131,311 56
Total	$179,257 0[illegible]

Not alone is the State engaged in the beneficent work of caring for the injured, of tiding over their period of adversity, and of compensating the maimed, but it has endeavored to [illegible] required [illegible]. The safety department of the Industrial Accident Commission has done a work that can only be understood by knowing its detail. Suffice it here to say that it has inspected 579 industrial plants employing 66,000 men and that it has by its advice, and where that would not be readily followed, by its insistence, provided devices for the protection of the lives and the limbs of toilers. In 1913 the statistical department estimated the number of accidents to have been 823. In 1914 these were reduced to 720. That this reduction is due in part at least to the work of the safety department can not be doubted.

Glance at the next decision rendered by the Supreme Court of the State of California for personal injury. Observe the date of the accident, three, four, five, six or even eight years before the date of decision. Note the award. Investigate to whom the final judgment will go. Often after five or six years of bitter litigation between employer and employee an award finally made by a court is felt to be unjust by both; and the proceeds go to others than those really entitled. Compare the summary method of the Workmen's Compensation Act by which on the briefest notice, before the Industrial Accident Board, employer and employee meet on terms of amity. If not meeting amicably the case without delay is presented to the Industrial Accident Board, and the decision speedily rendered. The award is made against an employer protected by his insurance and is immediately paid, without the intervention of third parties, and the whole of the award goes to the injured party or to his family.

The Workmen's Compensation Act has justified itself and has justified those who, in the dark days of bitter mendacious attacks saw the light, and carried it forward to its present resplendent position.

VIII.

CIVIL SERVICE.

The legislature of 1913 responding to the pledge that had been made by the administration, passed the first civil service law of the State of California. The design of this law was to place the public service of the State upon the basis of merit and efficiency alone, and its prime purpose, of course, was to destroy the pernicious practices arising from political patronage. For nearly a year and a half now our law, perhaps the most drastic that exists in the nation, has been in effect. It has removed the public service from the domain of politics. All of the subordinate positions in the State of California when this law was signed by the Governor were placed under civil service, and no longer does the executive of the State or the heads of departments have the power of appointment of those subordinates. The measure was new and sweeping, and was possible of passage only because of the changed conditions politically that had occurred in our State. A civil service law is effective only if in the hands of its friends. The legislature attempted and succeeded in placing the Civil Service Commission beyond the power of any official, even of him appointing it. The commissioners have with impartiality drastically enforced the law. Sufficient time has elapsed for us unhesitatingly to say that it has accomplished its prime purpose, and that under the present administration of the law, political patronage is at an end. The other side of this enactment, relating to efficiency, has given rise to many difficulties, and at times, [illegible]. In some instances, heads of departments have resented the law; in other instances apparently it has not accomplished wholly the increased efficiency expected.

It is a very different spectacle that is now presented concerning the service of the State from that ever before presented. Now regular examinations are held for positions. The papers of those taking these examinations are carefully and scientifically marked. Those who lead are given [illegible] to the department or official requiring assistants, and the department or official must select from the certified list of the Civil Service Commission. It happens not infrequently that one who passes with high rank on examination may not, after all, prove most efficient, and particularly is this so when the position requires [illegible] and those human qualities that can not be measured by ordinary examination. I find upon investigation that in other states [illegible] these same difficulties have been encountered; but the advantages of destroying political patronage, of removing the State's service from politics, [illegible] such [illegible] as may [illegible] has been [illegible]

IX

[illegible]

[illegible] accomplished results that had it done nothing else would have justified its creation, [illegible] large.

[illegible] improper housing, and within the limits of the law [illegible]

I am [illegible] occasions in social problems that have arisen. Particularly am I indebted for its very careful [illegible] members I [illegible]

X.

[illegible]

[illegible]

It is impossible to record all of the activities of the bureau, but among them are the [illegible] $100. One of the [illegible]

[illegible]	[illegible]	[illegible]	[illegible]
Fiscal year ending [illegible]	[illegible]	[illegible]	[illegible]
Fiscal year ending [illegible]	[illegible]	[illegible]	[illegible]
Fiscal year ending [illegible]	[illegible]	[illegible]	[illegible]
Totals	[illegible]	[illegible]	[illegible]

In the last fiscal year [illegible] This is more than 600 per month, [illegible] the very root of our economic structure. [illegible] obtain the wages [illegible] and courts. This [illegible] decision of the Appellate Court of the [illegible] declaring the wage law [illegible] I have asked the Attorney [illegible] in the preparation of a new law upon [illegible] I commend to you the passage of any wage law which will enable the work of the Labor Bureau to continue and which will perform the functions designed for the law just declared unconstitutional.

XI.

INDUSTRIAL WELFARE COMMISSION.

I can not better give you an idea of the work of this commission than in the very brief résumé that has been filed with me by its secretary.

In this it is stated:

> The Industrial Welfare Commission was permanently organized on January 2, 1914.
>
> As provided for by the statute creating this commission, investigations were begun in the various industries in order to determine if the wages paid to women and minors were adequate to supply the cost of proper living, and whether the conditions of labor were detrimental to the health, morals and welfare of the workers. These investigations have been diligently pursued throughout the year and are embodied in the report of the commission to be submitted to the legislature.
>
> The commission has undertaken what is probably the most exhaustive study of the subject made by any state. In carrying out this work, the commission adopted a rather unique policy. There was no attempt to make its investigations fit any preconceived ideas on the subject, nor did it attempt to act hastily in order to meet any public clamor. Realizing that it had an extremely complex question before it, the commission sought to obtain first hand information from both the employer and employee. A long series of conferences were held with the representatives of employers in the various industries. These conferences were informal and have been eminently successful in bringing about a better understanding by the employer of the aims and objects of the law, and a spirit of cooperation on the part of the employer in assisting the commission in making its investigations.
>
> While the commission, up to the present time, has made no rulings fixing minimum wages, the effect of this work has been, that many of the employers have voluntarily raised the minimum wages paid in their establishments. The most gratifying part of the work of the commission to date has been this voluntary action on the part of the employers in many industries, after the matter had been drawn to their attention by the work of this commission.
>
> Extensive investigations have been made into the home conditions of the women employed in the various industries, most of the investigations being made at night at the homes of the individuals.
>
> The commission believes that it has pursued the correct policy in staying off any hasty action and withholding its rulings until it had a very thorough knowledge on the subject; also in seeking to have the employers cooperate with it, rather than take any antagonistic position against them. The commission wants to feel that when its rulings are made, that these rulings will not injure the persons for whom the benefits of the law were intended.

XII.

STATE PRINTING OFFICE.

The most striking demonstration of the difference between the former management of the State Printing Office and its management in the last few years, is afforded by the manufacturing cost of textbooks of the State. In 1912, our people at the general election directed that free textbooks be furnished to the pupils of our schools. A very great financial burden thus was added to the State, but added by the people themselves and of necessity was obeyed. The State Printing Office, under efficient management, has reduced the manufacturing cost of those textbooks nearly 50 per cent. The financial problem involved in furnishing these books would have been extremely difficult but for the economy in their printing. In the State Printing Office now, there is an elaborate system which renders favoritism to bidders—the scandal of the past—an impossibility.

XIII.

HIGHWAY COMMISSION.

There is no subject in which greater interest is taken or concerning which there is greater diversity of opinion than road building. It is an old adage, that no man ever builds a road satisfactory to anybody but himself. This we bid fair to change, however, under the present State Highway Commission. While many differences of opinion have existed in the past and there has been more or less controversy, gradually the ideas of highway builders have crystallized, and the type of construction of the state highways today is admittedly the best. Unfortunately, it has been absolutely impossible to sell the bonds issued by the state for improvements, and thus we have been retarded in the consummation of our highway system. The Highway Commission, however, with an energy and pertinacity that do them infinite credit, refused to be stopped in their work, by the inability of the state to sell its bonds, and by going to the various counties of the state and presenting the benefits of a completed highway system and the necessity for cooperation of the various localities, they succeeded in obtaining a ready and patriotic response by which the different counties of the state, to the extent of their ability, purchased highway bonds. A brief account of the Highway Commission, which, of course, can only present an outline of its policy, is found in the following report:

> Construction of the state highway under the bond issue of eighteen millions of dollars has proceeded despite untoward financial conditions making difficult the marketing of bonds bearing a low rate of interest. Purchases at par of the state highway bonds ceased on the open market in October, 1912, when sales had been made amounting to $2,107,000. The Highway Commission continued the work then under way and planned surveys and right of way details, meanwhile casting about for a method of marketing the bonds, since the mandate of the highways act enforced sales at par. The method which was adopted is worthy of special mention for it involves a splendid state patriotism which was reflected from all parts of California. By the cooperation of county officials and banking interests, whereby the depreciation on the bonds was absorbed, further sales were made amounting to $9,124,000, and further subscriptions for bonds not yet taken are $1,178,000. The purchases were made by the various counties and banks, but in a majority of instances were resold, so that a large part of the money realized was thereby brought into the State from the East. Construction has been apportioned in the counties according to the respective amounts of bonds taken.
>
> Upon its organization the Highway Commission made studies in accordance with the provisions of the principal routes to be constructed. Surveys have been completed on all of these routes and the work was well enough in hand in the past summer to justify the commissioners in making similar studies of the mountain and lateral roads constituting the secondary system of routes provided for in the State Highways Act. These studies of laterals which were made in August and September, 1914, are being followed by reconnoissances by engineers in advance of plans for actual construction. On the studies of possible main highways the commissioners and the highway engineer rode over six thousand eight hundred miles of roads, and in going over possible laterals they traveled two thousand one hundred miles. From these main lines and laterals a selection of practically three thousand miles of state highways is made to comprehend the total construction which will comply with the law.
>
> The Highway Commission decided that the main roads traversing the Sacramento and San Joaquin valleys and along the coast and joining the centers of population were of sufficient traffic importance to justify paving, and these are being constructed as concrete roadways. The paving of the main roads was planned and is being constructed in harmony with traffic needs; the width of pavement and type of surfacing are varied according to the volume of traffic to be served. The laterals, since the traffic does not call for so costly a treatment, are generally to be surfaced with gravels or other local materials. The Highway Commission early determined on the following main characteristics for the roads to be constructed: A right of way not less than sixty feet wide, where reasonably possible, and as direct between objective points, as may be consistently obtainable; gradients not exceeding seven per cent, even in mountainous portions of the state; curves as open as possible, and in no case of less than fifty feet in radius; as many culverts as are needed to take care of surface and underground water; a traveled way, under ordinary conditions not less than twenty-one feet in width, and in the mountains not less than sixteen feet wide, with the center paved or surfaced so as to be hard and smooth under all climatic conditions at all times of the year; and smoothly graded roadsides reserved for future tree planting.
>
> The State Highways Act provided that three thousand miles of roads of an adequate and permanent character should be built with an expenditure, including all expenses, of eighteen millions of dollars, obviously a difficult undertaking, and by a number of road authorities deemed impossible of achievement. The bond issue was therefore supplemented by the Highway Commission with a series of savings and economies which amounted practically to several millions of dollars. The counties were requested to secure rights of way without cost to the state and to construct all state highway bridges having more than twenty feet in span. The expensive construction inside the limits of incorporated cities was omitted in favor of country mileage exclusively. Contracts were made with cement and other supply men to purchase materials in large quantities at extremely low prices. The railroads were asked to grant half rates on all materials and machinery hauled for state highway construction. Generous and prompt responses to these requests were received by the Highway Commission, particularly from the county boards of supervisors.

There are now one thousand miles of the state highway completed or under construction, and a total of two thousand miles on which surveys have been completed. Contracts have been completed or are under way in thirty nine of the counties, and more than one hundred forty contracts for construction have been instituted to date. A great deal of painstaking preliminary work, not apparent to the average person, but necessary to insure the permanent character of the highway locations, has been carried out by the Highway Commission. The State controls the entire width of its highway from location line to location line in every respect except the enforcement of regulations for policing. The state highway has been laid out to meet and to anticipate modern traffic requirements, and the records of the highways must be made with great care and accuracy. The old roads were laid out when land was cheap and it was thought unnecessary to exercise any great amount of care in surveys or descriptions; the highway of today, for a multitude of reasons, requires exactness of location and thoroughness in surveys and plans, and this has been the settled policy of the Highway Commission. For the protection of the bond issue alone, if no other reason were apparent, the surveys and plans must be so carefully made that there can be no future questioning of the rights of way. The highway location is the only absolutely permanent feature of the work, and this has been appreciated by the Highway Commission in the care that has been taken to have their preliminary work make for permanence.

The type of pavement adopted by the Highway Commission for the main roads has been tried long enough to prove it suitable and durable under the conditions prevailing in California. Enough experiments have been made in surfacing to justify the use of the bituminous top generally used in state highway construction. The first surfacing of this kind was done near Fresno, where it has been under heavy traffic for two years without showing appreciable wear.

In addition to the construction work and its preliminaries the Highway Commission has under way the organization of maintenance plans for the state highway system, funds for which are derived from the state's share of the motor vehicle license fund.

XIV.

SAN FRANCISCO HARBOR.

During the past two years, the work of developing the docking facilities of the great port of San Francisco and the State Belt Railroad along the water front has continued with increased energy. The design of the Harbor Commissioners has been, with the opening of the Panama Canal, to provide facilities required for increased shipping expected to come to San Francisco Bay. Within the past two years, nine new piers, and three new bulkhead wharves have been built, adding 50 per cent to the existing wharf area. Contracts for others are in the course of fulfillment and when the present contracts are completed, the wharf area of the past four years will have been more than doubled. In addition, the work upon six new ferry slips has been commenced and three of these have been completed. The State Belt Line has completed the connection between the northern and the southern division by an extension across Market street and the total trackage has been more than doubled. Harbor experts concede now that the State, at the San Francisco harbor, has the most complete Harbor Belt Line Railroad switching system in the country. The business of the Belt Line is now more than twice what it was a year ago. The rapid and extensive development was made possible by the $9,000,000 bond issue which became available in 1911, but in addition to this, the harbor board has been able out of the surplus earnings of the harbor to make other improvements to the amount of $300,000. California may well rejoice that the great engineering dream of the age—the Panama Canal—has now been realized, and for the responsibilities that come to us from the completion of this great work, California is prepared.

XV.

SCHOOL FOR GIRLS.

The legislature in 1913 established the California School for Girls, directed the acquisition of an appropriate site and the training thereafter of wayward girls in a separate institution. The school is presided over by a board of directors composed wholly of women, and no board in the state, either in charge of an institution or performing other service for the commonwealth, has been more apt or vigilant or able in the performance of its duty. The new school has been organized at Whittier, and awaits transfer to its selected location in Ventura. It is expected within a very few months that the buildings upon the new site will be ready for occupancy. Under the management of the women who constitute the board of directors, the work with each individual pupil who has been committed to the school, in an enlightened and sympathetic manner, has gone forward; and to no institution with like ultimate purpose can the State look with more hope for good results than to the California School for Girls.

XVI.

SUPERINTENDENT OF CAPITOL BUILDING AND GROUNDS.

The justification for the departure made in 1911 by the legislature in providing for a Superintendent of Capitol Building and Grounds, and putting under him our capitol building, the beautiful park adjacent to it, and the purchase of supplies for State officials, is found at a glance by a comparison of the prices now paid for ordinary office supplies by the State, and the prices paid under the old system. The records show and in the table of the report of the superintendent these are set forth, that the reduction during the incumbency of the superintendent in these purchases generally exceeds 50 per cent.

Again, those who have occasion to view our capitol or its park have an ocular demonstration of the differences between the method once pursued and that now in vogue in the State service.

The Superintendent of the Capitol Building and Grounds is to be congratulated upon the appearance of that which is immediately under his jurisdiction, and upon his efficiency in purchasing for our officials.

XVII.

ENGINEERING DEPARTMENT.

With the growth of our State, the modernizing of our State institutions and the advancement in every department of government, the work of the Engineering Department has expanded to an enormous extent. This department not only has charge of the construction work of the State, but also of state roads and the work upon our rivers. Its expenditures during the biennial period have been:

Architectural	$3,[illegible],578 81
Roads	141,[illegible]1 01
Rivers	300,824 00
Total	$3,667,433 82

What is designated as architectural work includes all work relating to construction from the alteration of an existing building, to the construction of a new hospital for the insane.

The State Engineer reports to me "notwithstanding the fact that 115 out of 136 constructions were of a relatively small total cost, that is between $1,000 and $20,000, we have been able to do the office portion of our work including all special, expert engineering service, for 4½ per cent of the total cost. The corresponding fee in private practice is 6 per cent, not including 1 or 2 per cent for special expert engineering service."

A brief recapitulation will indicate to you something of the extensive and varied character of the engineering department's work:

It is now constructing the hospital for the insane, at Norwalk, in Los Angeles County; the Amusement Hall at Yountville, in the Veterans' Home, Napa County; the model Rural School at Chico, Butte County; together with 130 other constructions. In addition, it is building roads, bridges, and culverts in the different localities of the State, and in addition it is snagging and dredging the Sacramento River, building bank protection on the San Joaquin River, strengthening the levee of the Calaveras River and draining on the Feather River.

The department has become one of the most important as well as one of the most difficult.

XVIII.

UNIVERSITY OF CALIFORNIA.

In the last biennial message it was said:

> We may be justly proud of the academic prominence of the University of California. It has attained an eminence that entitles it today to be ranked among the great institutions of our nation. In enrollment it is the second college in the land, being exceeded in the number enrolled by Columbia alone. Its situation is ideal, the standard of its work equal to any, and I feel that too great praise can not be accorded to those who have brought it to its present high academic efficiency.
>
> I wish it, however, to serve the other purpose as well; to be in touch with the agricultural and horticultural and viticultural interests of the State; to be the Mecca of every man who wishes to know how best to treat or till the soil; to be as useful to our people who have been without academic advantages as it is to those who seek academic advantages. * * * It should contain experts of such standing that those who wish knowledge or instruction in any particular avocation may turn there with the certainty of finding what is sought. It should be in such close and intimate touch with our soil that it should teach those who are upon the soil the best methods of treating the soil, what would be the most prolific and productive and what of greatest advantage.

The suggestion that we should make the University of California the great melting pot for the problems that come to our people, that it be the guiding hand of agriculture and horticulture and that its agricultural college should spread its beneficent work throughout the state, met with sympathetic and ready response from the legislature. The appropriation for the university in 1913 was tremendously increased, and this increase was for the purpose of aiding the people who are engaged in farming, or in any occupation whatever upon the soil The money has been well expended by the State. The University of California is now not only preeminent upon the academic side, but it rivals any institution of learning of the nation in dealing with the every day problems that confront the agriculturist, or horticulturist. Just as this department of the university has been developed we look forward to the day when to the university we may turn for guidance in the best in civic matters and for a full and immediate determination of any civic or governmental problem that comes to us.

It may be that the distance that separates the State Capitol and the university has rendered it impossible, in the past, to have that cooperation and collaboration between the departments of government and the college that should exist; but just as it was my dream respecting the agricultural college, that it might lead, instruct, aid, direct and guide all our tillers of the soil, and as I have seen this dream realized, so it is now my dream that some day the great University of California, second now to no institution of learning in our nation, may be the place to which every perplexed official and every patriotic citizen striving to the utmost of his ability, may turn for the solution of civic and social and governmental problems.

XIX.

NORMAL SCHOOLS.

It is unnecessary to indulge in suggestions to you concerning the normal schools of the State. Singularly fortunate is California in the personnel of those who direct our normal schools. These schools are increasing in attendance with more rapidity than the State is increasing in population, but the increased attendance is well and ably cared for. That there is little to report concerning these schools, except that their standards are high, their work well done, and their management excellent, is perhaps the highest commendation that could be bestowed upon them.

XX.

THE NATIONAL GUARD.

Under the able management of General E. A. Forbes, the National Guard has reached a degree of efficiency and presents a better organization, more able to respond to the nation's call, than ever before in its history.

California had no field artillery prior to four years ago. During that time a full battalion of three batteries and headquarters have been organized and equipped with the most modern guns and material. Its officers have several times attended regular army schools in the East, and most of them are now sufficiently trained to take their places beside similar officers in the field artillery of the United States Army.

A full squadron of cavalry and headquarters have also been organized, and enough horses for each troop for training purposes have been supplied this branch of the service, resulting in a vast improvement among the officers and enlisted men.

The Medical Department has been reorganized to conform to the regular army methods and standards, and is now in a position to perform efficient service under any and all conditions. Included in the Medical Department are a field hospital with one hundred and five beds to care for the sick and wounded in actual campaign, and an ambulance company of twelve ambulances.

The signal corps has been completely equipped with modern wireless and telephonic and other means of communication, and is now a valuable branch of the service.

Armories have been constructed in San Francisco, Los Angeles and Sacramento sufficient to properly house thirty-nine organizations of the National Guard and Naval Militia.

The Naval Militia of California, to which one more division has been added at Los Angeles, has been furnished with modern ordnance by the Navy Department. In addition to the U. S. S. "Marblehead" the Federal Government is about to assign the torpedo boat "Farragut" to the Naval Militia of this State for training purposes, all of which will insure this branch of the State's service maintaining its present position at the head of the naval militia organizations of the United States, with particular reference to successful cruises and target practice at sea under direction and supervision of its own officers.

Target ranges have been constructed for more than forty organizations, where at the beginning of the present administration there were target facilities for but sixteen organizations. There is no better balanced National Guard in the country than that of California.

XXI.

STATE MINING BUREAU.

This bureau, pursuing the policy now general in the State, has brought itself of late directly in touch with the great industry it was designed to aid. A complete general report upon the mines and mineral resources of the State has been undertaken. Field assistants with technical education and practical experience have completed this record for thirty-four of our counties. Because of the importance of our petroleum resources, a special report has been deemed advisable in reference to the industry. The water conditions in the great oil fields have been analyzed and reports have been distributed to those interested. In general, the State Mining Bureau has dealt with every subject pertaining to mines and minerals, and by publications and personal contact has rendered its assistance to our great mining industry.

XXII.

STATE BOARD OF EDUCATION.

A radical departure was made two years ago in the State Board of Education. The old unwieldy organization, consisting of superintendents of normal schools and various other officers, who constituted the early board, was abolished and a new State Board of Education created. This board, composed of educators, both men and women of the highest rank, has performed excellent service. I await their detailed report that I may transmit it to you and that you may have before you a full statement of the achievement of the new board.

There are many other departments of the State government whose work is important and whose activities have been praiseworthy. It is impossible to refer to all of these. Generally it may be said of those now in the service of the State, that all are actuated by ambition to accomplish results and to render unto the State the best possible service.

RECOMMENDATIONS.

NON-PARTISANSHIP.

Most earnestly do I suggest to you that our State officers be elected without party designation of any sort. The advance to non-partisanship in our State will be neither an extended nor a difficult step. The political units that compose the State have all adopted non-partisanship in the election of their officials. The desideratum of all government is efficiency—to obtain honest and able officials devoted exclusively to the government. To govern well is to govern for all and not for a part or a class. To act in official capacity should be to act solely for the benefit of the State, and that official acts best who forgets every other consideration, but the interest of the State. Long ago this lesson was learned by cities. In California, as in many states, cities elect their officials without regard to party affiliations at all, and without party designation. Why? Because experience taught these cities that thus they obtained better officials and greater efficiency. It is within the memory of all of us that these cities frequently changed their officials, city clerks and the like, because of their partisan affiliations. Progress in city government swept from existence this old system, that had obtained so long, and its destruction was necessary in order that the best government be obtained. Recently the counties of the State adopted the plan that has been in vogue in cities, and elected all of the county officials without party designation. Trial among the counties has demonstrated that this method has met with almost universal approval, and it is hoped that the counties, in service, will be benefited just as the cities, in service, have been benefited. We now suggest applying the principle to the State as well, so that candidates for State positions will come before the people upon what they themselves are, not upon what their ancestors were; that they will ask the suffrages of the electorate upon their record or lack of record; their merits or their demerits, rather than upon the blind partisanship of themselves or their forefathers. There is nothing thus presented to you that seeks to destroy or even to affect political parties nationally. The government of the State has become now a matter of efficient business management, and efficient business management may be best obtained without politics. The one argument most frequently heard against the course we suggest, is that parties stand for definite policies, and that they are necessary therefore, to preserve or to adopt some definite governmental tenets, and that for the adoption or failure to adopt these tenets, responsibility is fixed upon the *party* in power. The fallacy of this argument is found within the memories of all of us. In the State government today, none holds a particular party responsible for any specified act. All hold responsible the individual who is supposed to have caused the act. In the government of municipalities no party ever was held responsible for the acts of its agents who were officials, but the individuals were held responsible. In the government of the county today for the specific act of an official, no party is held responsible, but the individual himself must answer to the people. Were the subject one of national import, which it is not, events of recent occurrence could readily be cited to show that the theory of party responsibility is now a mere political fiction. If a [illegible] of a corrupt boss or a number of corrupt bosses, to speak of party [illegible]. If a party [illegible] presents to the people a platform with [illegible] and the individual in power [illegible] the responsibility rests with the individual. But [illegible] or the State, experience, the greatest teacher of all, has [illegible] that there is, in reality, no party [illegible]. The people of the State of California, at the [illegible] partisanship in California, and they [illegible] that in the selection of their [illegible]. If the voice of the people [illegible] the people non-partisanship in our State elections will be assured.

While political economists may often speak of the necessity of parties, there is none but decries blind party worship. Blind partisanship is ever the refuge of the unworthy [illegible] his record that insists upon [illegible]. Of late years we have emerged from the darkness [illegible] and our counties. It is our fond hope that in this, as in other steps of progress, we may point the way for our sister states.

UNEMPLOYMENT.

In the latter part of 1913, a condition which, perhaps, in some degree, had always existed in our state became critical or acute. Those who were out of employment began to organize, and what [illegible] in its unorganized or unmassed state, had attracted little public attention, became, when massed and organized, a burning problem. At that time, I asked some of the best minds in California to aid the state in finding some solution of what apparently would be an ever recurring difficulty. Publicly I solicited contributions from those who had thought upon the subject, and [illegible] of the State dealing with social questions to devote themselves collectively and individually as well to the problem, and its remedy. I received very, very many communications and all of these finally were placed in the hands of the Commission of Immigration and Housing, consisting of Simon J. Lubin, Rev. E. J. Hanna, Mrs. Mary Gibson and Paul Scharrenberg, and [illegible] each proposed [illegible] sions. A similar request was also made of the Industrial Welfare Commission, composed of Judge [illegible] Mrs. Katherine Philips Edson and Walter [illegible]. In addition to these, [illegible] and patriotic individuals were [illegible] what the State could do. I am in receipt of reports from the Immigration and Housing Commission and the Industrial Welfare Commission. The former in great detail and at length discusses the subject, and I feel that personally I am deeply indebted to that Commission, and that the State as well owes it a great obligation. I will not attempt to discuss with you the causes of unemployment, nor to trace the situation historically. I lay aside as well those suggested solutions which involve the destruction of the social fabric. What action we take must be taken within the limits of the law and the constitution, as they exist today. We can not, with the power that is ours, issue millions of bonds or take over enormous tracts of land; and generally speaking, therefore, plans involving the acquisition of all of the land of the State of California, that is vacant, and the issuance of all the bonds that may be required to relieve suffering, may be eliminated. Very many good people have come to me in the past few months, with various elaborate plans; and indeed, to no subject has greater thought been given than to this subject under consideration. Many of those who understand, and understanding have their hearts enlisted, present schemes of relief in which the ultimate object sought—the relief to be given—is clear, but in which the initial work and the details are forgotten. I acknowledge the sympathetic interest of all of those who have been working for the common good in this matter, and while many of the plans proposed are impossible of execution, they detract nothing from the gratitude that I feel for the earnest purpose with which they have been worked out.

I commend to you the report of the Commission of Immigration and Housing and ask your very careful consideration of that report. What engages me, as the executive head of the government, is not a philosophical discussion of unemployment, in which I confess an intense interest, but what, practically, can be done with this condition that now confronts us.

All agree that the problem, after all, is national in character, and that if there is ever a real solution of it, this solution must come from the nation. What we, as a State, can do is merely palliative, and is very little, indeed. All, however, agree upon one concrete thing, and that is that we may slightly aid by establishing free employment exchanges. These free employment exchanges are merely free employment offices, maintained by the State, in different localities of the State, the design of which is to bring the man and the job together. They can not make jobs, but by a system of daily exchange they may shift unemployed from one locality where there is no work into another where there may be some. These agencies as well can undertake [illegible] ployed into various classes. The greatest difficulty has been found, not with the man [illegible] ment for himself nor those about him, who preaches disorder, violence and anarchy, [illegible]

[illegible]

In March, 1914, I asked the aid of the California Highway Commission and [illegible] unemployed. The [illegible]

[illegible] Relief Committee of [illegible] 40 per cent inefficient, but the percentage became somewhat less as the men became [illegible]

> [illegible] relief that was worth while.

[illegible] and its pathos.

[illegible] state is devoting itself to the problem and within its limitations, will pursue an [illegible]

DIRECT LEGISLATION

I am quite as strong an advocate of direct legislation and the recall as when in 1911 [illegible] tion stood the acid test. Upon the ballot were forty-eight propositions, too many all concede; but who will deny that the questions submitted were decided intelligently [illegible] could be devised have been wholly justified. We may have disagreed with the uses [illegible] abuses in the early trial of new policies ever will arise. It is our duty to remedy those abuses, if possible; and therefore, I direct your attention to the fact that solemn acts of the legislature have been held up and presented to the people by referendum upon petitions that in part, at least, were fraudulent. The fish and game bill was passed by the legislature, signed by the Governor, and received the solemn sanction that the constitution requires for the making of a law. A referendum petition was presented against this bill, part of which was founded upon rank forgery. The referendum of the redlight abatement bill was in part composed of forged signatures. It is stated that the first recall petition presented against Senator Grant in San Francisco, likewise had upon it many forged signatures. The initiative and referendum are the very highest prerogatives of the people. To permit their use through fraud or forgery is to pollute at its very source our government. So scandalous were the frauds upon the referendum petitions that some months ago I asked the Attorney General to investigate them and to take charge of cases pending in San Francisco. Recently I have asked him to advise us of what, in his opinion, may be done to prevent the recurrence of these frauds in the future. Within a brief period, the Attorney General will report to me and I shall take pleasure in transmitting to you that report.

I ask your very earnest attention to the abuses of the initiative, referendum and recall, and that you pass such appropriate legislation as will, in your view, prevent those abuses hereafter.

RURAL CREDITS.

For some years past in the United States, among those who realize the importance of developing and encouraging agriculture, the question of extending credit to farmers in order that the land might be rendered more productive, or to those about to acquire agricultural lands, has been widely discussed. Finally the discussion has crystallized into a general advocacy of a system of rural credits. The first rural credit system was developed in Prussia in 1770, and was originally established for the relief of the larger land owners. Finally, nearly a century later, the plan was applied to the small farmer, and for him perfected, and from that time it has grown and has been a source of untold advantage, not only to the individuals but to the State as well. Great Britain very recently has proved its beneficent results in dealing with the land question in Ireland. Australia and New Zealand have carried out with marked success and extraordinary benefit their rural credits plan. California presents a singularly fertile field for the development of a system of rural credits, and limitless are our possibilities if such a system could be carried out as successfully as it has been in the countries mentioned.

Mr. Harris Weinstock on the one hand and Mr. D. W. Ross, on the other, have submitted the detail of a rural credit system, the one depending upon cooperation, and the other upon the establishment of a State bank. It is not my wish, and in this I am sure you will agree with me, to rush hastily into any particular scheme. My hope is that we may finally, in California, carry out a plan which will populate our rural territory, develop it thoroughly, increase many times its productivity, and that will enable those who contribute to this result and go upon the land, to purchase that land and what is necessary for its cultivation or improvement upon long-term payments with small rates of interest.

Such an undertaking as this is so vast and so important and fraught with such possibilities, that I suggest to you that a special committee with peculiar knowledge of matters of this sort, be appointed, to which committee will be referred all measures involving rural credit schemes; and which will devote the month of February, during the recess of the legislature, to a scientific study of the question and to the determination of whether or not, under our constitution, we may enter this new field of activity.

Our national government stands pledged to a system of rural credits; but in the stress of other matters has deferred action. Here in California, with an empire's domain, with a farming population far less than it should be, with land sufficient to accommodate and assimilate readily and easily ten times our present population, we may well investigate, and after due deliberation adopt a system elsewhere demonstrated—a system by which the wealth of the State is immeasurably increased, and the happiness of its citizens augmented.

I recapitulate to you the suggestions of this message:

1. *Increase the rates of taxation of the corporations described.*
2. *Make the election of State officers non-partisan.*
3. *Create free labor exchanges.*
4. *Establish a system of rural credits.*
5. *Prevent abuses of the initiative, referendum and recall.*

As occasion may arise, I shall communicate with you by special message. There are many matters, some of great importance and involving constructive policies, in which the State is engaged, and for which your effort and action will be asked. Our State has grown so rapidly, its resources are so unbounded, its activities so manifold, that within the limits of a single message, little more can be done than to indicate the most important of the subjects that engross us. To you for legislative sanction and to me for executive action this marvelous commonwealth is for the time entrusted. That we may in disinterested and patriotic spirit cooperate for the advancement, prosperity and happiness of the people is my fervent wish; and if, when our task is finished, we may leave our state and our people, a little better or happier because of us, our efforts will not have been in vain.

January 5, 1915.

HIRAM W. JOHNSON,
Governor.

APPENDIX

PARDONS

Gabriel Giraud, pardoned January 25, 1913. Convicted in the city and county of San Francisco of burglary and sentenced June 24, 1903, to a term of fifteen years at Folsom. He was paroled on June 24, 1910, and his sentence expired on December 16, 1912. His conduct had been exemplary in prison and after his release on parole, and many persons who knew him personally and came in contact with him joined in recommending that a pardon be granted in order to restore him to full rights of citizenship.

Charles Johnsson, pardoned January 21, 1913. Convicted in San Francisco on two charges of burglary in the first degree and sentenced on April 25, 1903, to consecutive terms of fifteen years each at San Quentin. The second offense was based on the fact that he had passed through an adjoining room to enter the one which he robbed. He was only seventeen years old at the time and the pardon was granted after he had completed service of his first term. Favorable recommendation had been made by five Justices of the Supreme Court.

Leroy Logan, pardoned January 7, 1913. Convicted in Sacramento County of violating State drug law and sentenced July 9, 1912, to one year in San Quentin. The offense consisted of smuggling morphine into the county jail for use by Logan's sister, who was a confirmed drug victim and was then confined in the jail. His aged mother was wholly dependent upon him for support, and he had never been in trouble before. His pardon was recommended by Judge J. W. Hughes, before whom the case was tried, and by District Attorney E. S. Wachhorst, who conducted the prosecution.

Andrew E. Warmington, pardoned April 4, 1913. Pleaded guilty in the Superior Court of Los Angeles County to two charges of forgery and was sentenced to serve two consecutive terms at San Quentin, the first of five years and the second of two years. Pardon on the second sentence of two years was recommended by the Justices of the Supreme Court.

Yee Foo, pardoned May 5, 1913. Convicted on January 12, 1912, in Fresno County of murder and sentenced to life imprisonment at Folsom. Evidence adduced was wholly from Chinese witnesses, all of whom were members of rival tongs. The crime was committed in one of the wars of these organizations. Subsequent to trial and conviction, strong evidence was obtained showing that Yee Foo was not in Fresno County at the time. Seven members of the jury and Superior Judge George E. Church, former District Attorney D. S. Church, Deputy District Attorney Frank Kauke, and former Sheriff J. D. Collins recommended a pardon.

T. P. Haydon, pardoned June 3, 1913. Convicted of murder in Trinity County and sentenced May 28, 1912, to twenty years at San Quentin. The prisoner was critically ill and the prison physician reported that he could not live more than a month or two. Application was made by relatives to take him home and favorable recommendation was made by President Dennis M. Duffy, of the Board of Prison Directors, and Warden John E. Hoyle.

Joseph Zuincar, pardoned July 1, 1913. Convicted in the police court of Los Angeles of vagrancy and sentenced on May 6, 1913, to a term of 180 days in the city jail. W. W. Dodge, prosecuting attorney, and W. L. Williams, police judge, who imposed sentence, recommended clemency, setting forth that the prisoner had already undergone sufficient punishment.

William J. Danford, pardoned July 28, 1913, the day before the expiration of his sentence. Convicted in Los Angeles County of delivering a false and forged telegram and sentenced in March, 1911, to three years' imprisonment at San Quentin. The term expired on July 29, 1913. Many reputable citizens of Los Angeles recommended a pardon after Danford had paid the penalty exacted by the law, in order that he might again enjoy full rights of citizenship.

Clare W. Fish, pardoned August 13, 1913. Convicted in Los Angeles County of embezzlement and sentenced in March, 1909, to ten years at San Quentin. He had been on parole for two years and showed every evidence of earnest purpose to redeem himself. Superior Judge Curtis D. Wilbur, who presided at the trial and imposed the sentence, together with the man's employers and associates, strongly recommended clemency.

S. H. Abrams, pardoned on August 27, 1913, one day before the expiration of his sentence. Convicted in Fresno County of embezzlement and sentenced December 26, 1911, to two years in San Quentin. Clemency was recommended by Harris Weinstock and Aaron L. Sapiro of San Francisco.

John L. Owen, pardoned September 11, 1913. Convicted in Solano County of murder in the first degree and sentenced on July 17, 1909, to life imprisonment at Folsom. He was paroled on November 1, 1909, and the record of his conduct was excellent. Superior Judge A. J. Buckles and District Attorney Joseph M. Raines of Solano, and E. M. Norton, Attorney at Law, at Healdsburg, recommended that a pardon be granted.

Harry M. McKee, pardoned September 12, 1913. Convicted in San Diego County of conspiracy and sentenced to the county jail for three months and to pay a fine of $300, and in the event of failure to pay said fine to imprisonment for one day for each $2.00 thereof. McKee had served the larger part of the prison sentence, and after investigation it was found that the demands of the law had been fully satisfied.

Fritz Hoffman, pardoned September 15, 1913. Convicted in San Joaquin County of robbery and sentenced on April 26, 1908, to twenty years at San Quentin. He was paroled on March 1, 1911, and a showing of good conduct was made. A pardon was recommended by Superior Judge W. B. Nutter, who sentenced him, Rev. Father Dempsey, of San Francisco, and others.

Charles Buess, also known as Joseph C. Buess, pardoned September 20, 1913. Convicted in Calaveras County of grand larceny and sentenced June 18, 1906, to serve one year at San Quentin. Completed his sentence on April 18, 1907. Many recommendations were filed in his behalf certifying to his worthiness to exercise again the full rights of citizenship. As a miner he had been handicapped in the matter of locating mineral claims.

Henry Prunzel, pardoned October 7, 1913. Convicted in Los Angeles County of rape and sentenced on January 6, 1910, to a term of twenty years at Folsom. The prosecuting witness filed an affidavit to the effect that Prunzel was not guilty, explaining that she had placed the blame on him in order to shield a boy friend who was the guilty party. Superior Judge Frank R. Willis, who imposed the sentence, recommended a pardon. Warden Jas. A. Johnston examined the case thoroughly and joined in the recommendation. The father of the girl believed Prunzel to be innocent.

Earl W. Johnson, pardoned September 26, 1913. Convicted in Kern County of burglary and sentenced to four years in San Quentin. His mental condition necessitated removal to the State Hospital at Stockton, where he recovered. Dr. Clarke, the Hospital Superintendent, gave it as his opinion that Johnson was insane at the time of his offense. Warden Hoyle recommended clemency and District Attorney Irwin had no objection to offer.

E. E. Kirk, pardoned October 1, 1913. Convicted in San Diego County of conspiracy and sentenced to six months in the county jail and to pay a fine of $300, and in the event of failure to pay the fine to imprisonment for one day for each $2.00 thereof. He had served three months in the county jail and it was clear that the demands of the law in the premises had been satisfied.

Lee B. Warren, pardoned October 7, 1913. Convicted in Los Angeles County of grand larceny and sentenced September 20, 1909, to six years in San Quentin. A pardon was recommended by Superior Judge S. E. Crow, who imposed the sentence, and by Asa Keyes, Deputy District Attorney of Los Angeles County. Letters from employers vouched for his good conduct and earnest purpose.

Walter J. Miller, pardoned October 8, 1913. Convicted in San Joaquin County of forgery and sentenced February 27, 1908, to twelve years in Folsom. Clemency was recommended by W. B. Nutter of Stockton who as Superior Judge presided at the trial and imposed the sentence, and by George F. McNoble, who, as District Attorney, conducted the prosecution; by Frank B. Briare, Chief of Police of Stockton; by Hillard E. Welch, who cashed the forged check for Miller, by H. H. Adams, employer of Miller during period he had been on parole.

Percy L. Peters, pardoned October 8, 1913. Convicted in San Francisco of passing a fictitious check and sentenced on May 27, 1911, to three years in Folsom. He had completed his term of imprisonment and made a showing that he was entitled to another chance to exercise the full rights of citizenship.

Harry R. Radcliffe, pardoned November 11, 1913. Convicted in San Francisco of murder in the second degree and sentenced on March 28, 1905, to seventeen years in San Quentin. He had been on parole about two years. Superior Judge Carroll Cook, before whom Radcliffe was tried and by whom sentenced, Lewis F. Byington, who, as District Attorney, conducted the prosecution, Miss Josephine T. Molloy, of San Francisco, H. G. Parsons, J. W. Sutherland, Chester H. Rowell, and Sheriff W. S. McSwain, all of Fresno, and Frank W. Hetherington of Selma, recommended clemency.

Niels H. Hald, pardoned November 11, 1913. Convicted in San Mateo County of rape and sentenced on January 23, 1909, to ten years in San Quentin. He was released on parole on May 1, 1911. Judge George H. Buck, who presided at the trial, and Franklin Swart, District Attorney, who prosecuted, recommended that a pardon be granted. An overwhelming number of testimonials as to the good character and belief in the innocence of the man was filed. Developments subsequent to conviction raised a grave question of doubt as to the justice of it.

THOMAS G. [illegible], pardoned November 20, 1913. Convicted in San Francisco in 1902 of murder. Paroled in September, 1910. His conduct has been exemplary and many friends [illegible] appeal in his behalf. [illegible] John I. Nolan, Labor Commissioner McLaughlin, [illegible]. There was every reason to believe that [illegible] would be an honorable and upright member of society.

BENJAMIN B. LEE, pardoned November 20, 1913. Convicted in San Francisco of manslaughter and sentenced to five years' imprisonment. While on parole he made a splendid record and justified all the representations [illegible] made in his behalf. Only a brief period of the sentence remained to be served.

BERT FORD, pardoned December 12, 1913. Convicted in Sacramento County of attempt to commit petty larceny and sentenced on November 18, 1913, to [illegible] in the county jail. Superior Judge Hughes, who imposed the sentence, and C. T. Jones, Chief Deputy District Attorney, who prosecuted the case, petitioned that a pardon be granted.

JAMES PAYNE, pardoned December 12, 1913. Convicted in San Francisco of robbery and sentenced on May 10, 1909, to fifteen years in San Quentin. He was eighteen years old when the crime was committed. He was paroled after he had been in prison about two and one half years [illegible] had taken a deep interest in the young man. [illegible] Peabody in appealing for a pardon [illegible] new influences, developed a splendid type of manhood.

CHARLES MAYFIELD, pardoned December 18, 1913. Convicted in Mendocino County of destroying [illegible] and sentenced on May 2, 1911, to [illegible] years in San Quentin. The offense was the result of a drinking spree. He was about twenty-one years old. His family and friends, among them [illegible], Justice of the Peace, L. M. W[illegible], [illegible], and [illegible], all of Willits, urged that further imprisonment [illegible] young man and gave assurance that if he were released they would [illegible] to place him under new influences [illegible]. It was evident that the young man had learned a sufficient lesson and that no good purpose would be served by further imprisonment.

HARRY WILLIAMS, pardoned December 20, 1913. Convicted in San Joaquin County of two charges of grand larceny and sentenced on [illegible] 27, 1907, to a term of eight years and five years, running consecutively, at Folsom. After having served nearly six and a half years he was released on parole. A showing was made that the total of the sentences was an excessive penalty. Judge [illegible], District Attorney Don C. Brooks, Sheriff [illegible], [illegible] of Ventura, and Geo. F. McNoble of Stockton, who was assistant district attorney of San Joaquin County when Williams was convicted, [illegible] recommended a pardon.

JOHN E. BURKE, pardoned December 22, 1913. Convicted in Sacramento County of robbery and sentenced on February 9, 1898, to [illegible] years at Folsom. He was nineteen years of age at the time. He had been on parole for two years and in every way justified the confidence reposed in him. Only [illegible] of his sentence remained. Clemency was recommended by Chief Justice W. H. Beatty of the Supreme Court and by Associate Justices F. M. Angellotti, M. C. Sloss, F. W. Henshaw, W. G. Lorigan, Appellate Justice [illegible] Hart, [illegible] Superior Judge of Sacramento County, presiding at the trial, and District Attorney [illegible] of the same county, and Sheriff Frank Barnet of Alameda County [illegible] a pardon.

GEORGE ALLEN BEATTY, pardoned January 9, 1914. Convicted in Los Angeles County of burglary and sentenced Jan. 29, 1909, to eight years in Folsom. He was paroled May 1, 1912. Superior Judge Willis and all the officials connected with the prosecution of the case, together with Dr. John White of Sacramento, by whom Beatty had been employed, urged clemency.

GEORGE A. BESSETTE, pardoned January 23, 1914. Convicted in Los Angeles of robbery and sentenced on November [illegible], 1892, to [illegible] years imprisonment. He was again sentenced, on November 29, 1899, on a second conviction of robbery, in Los Angeles, to a term of twenty years. He was discharged on May 28, 1910, after he had paid the full penalty exacted by the law. Bessette had married and was establishing a home. He was clearly entitled to [illegible] the full rights of a citizen. A favorable recommendation was made by Associate Justices F. M. Angellotti, F. W. Henshaw, W. G. Lorigan, H. A. Melvin and Lucien Shaw, of the Supreme Court.

EDWIN S. ROWLAND, pardoned January 30, 1914. Convicted in Sonoma County of embezzlement and sentenced on April 23, 1908, to six years in San Quentin. A pardon was granted on the day his term expired. Superior Judge Emmett Seawell and District Attorney Clarence F. Lea of Sonoma County, James Mason, City Marshal of Healdsburg, and Herbert W. Slater, member of the Assembly, and other citizens of Sonoma County, joined in the appeal in behalf of the prisoner.

John S. DeLancey, pardoned February 7, 1914. Convicted in Alameda County of embezzlement and sentenced to six years in San Quentin, where he was received on December 20, 1909. The pardon was made effective on day of release. Recommended by Superior Judge Wm. H. Donahue, Rev. Elbert R. Dille, John W. Stetson, and other citizens of Alameda County.

Clarence Hines, pardoned February 7, 1914. Convicted in San Francisco on two charges of robbery and sentenced on December 19, 1907, to serve two sentences of ten years each in San Quentin. He was sixteen years of age at the time of his offense. He had served more than six years. The prison physician, Dr. Stanley, and Warden Jas. A. Johnston, reported that the physical condition of Hines was very poor. The pardon was recommended by Associate Justices H. A. Melvin, F. M. Angellotti, F. W. Henshaw and W. G. Lorigan, of the Supreme Court.

Lucien T. Healey, pardoned February 19, 1914. Convicted in Los Angeles of murder and sentenced on January 24, 1895, to life imprisonment. He was paroled in June, 1911. Superior Judges Leslie R. Hewitt and F. G. Finlayson made emphatic representations that a pardon was deserved. They declared that there were extenuating circumstances and that seventeen years of actual imprisonment and two years of parole were sufficient punishment. Other citizens of Los Angeles strongly urged that Healey be granted his freedom.

Jacob S. Votts, pardoned February 9, 1914. Convicted in Placer County of burglary and attempted jail breaking, and sentenced January 5, 1909, to serve a sentence of seven years and two years running cumulatively. He was nineteen years of age at the time of his conviction. He had already completed service of the seven-year sentence and several months of the two-year sentence. It was shown that he was a farm boy who had run away from his Dakota home and become implicated in crime chiefly through associations he formed while beating his way across the continent. A pardon as to the two-year sentence for jail breaking was recommended by Chief Justice W. H. Beatty and Associate Justices H. A. Melvin, M. C. Sloss, F. M. Angellotti, and F. W. Henshaw, of the Supreme Court.

Jack French, pardoned March 12, 1914. Convicted in San Diego County of burglary in the second degree and sentenced on May 14, 1913, to serve one year in San Quentin. The pardon was made effective on day of his release from prison. He was twenty-three years of age. Favorable recommendation was made by Superior Judge W. A. Sloane, of San Diego.

Wm. H. Ryan, pardoned March 18, 1914. Convicted in Plumas County of murder in the second degree and sentenced October 26, 1905, to fourteen years in San Quentin. He had been out on parole for two years. Superior Judge J. O. Moncur and District Attorney M. C. Kerr of Plumas County, and C. E. McLaughlin of Sacramento, and others urged clemency.

Albert Peirce Coombes, pardoned March 25, 1914. Convicted in Sacramento of assault to murder and sentenced December 21, 1908, to ten years' imprisonment. He had been out on parole for a year. Superior Judge J. W. Hughes, District Attorney E. S. Wachhorst, and others recommended a pardon. Coombes had made a splendid record while on parole and was giving valuable aid and service in church and reform work.

Edward Kaelen, pardoned April 6, 1914. Convicted in Sacramento County of rape and sentenced on May 2, 1905, to forty-five years' imprisonment at Folsom. The offense was statutory. Appellate Justice E. C. Hart, who, as Superior Judge, had tried and imposed the sentence, and A. M. Seymour, who, as district attorney, conducted the prosecution, recommended a pardon. Kaelen had been on parole for a considerable period and his record was excellent.

Mose A. Anderson, pardoned April 13, 1914. Convicted in San Francisco of assault to murder and sentenced on March 15, 1912, to three years in San Quentin. He had been on parole since July, 1913. Superior Judge Wm. P. Lawlor and the district attorney, together with numerous friends of Anderson's, recommended clemency.

George B. Crandall, pardoned May 5, 1914. Pleaded guilty on July 20, 1900, in Amador County to burglary and sentenced to two years in San Quentin. District Attorney M. G. Snyder of Amador County and former District Attorney C. P. Vicini of the same county, Rev. Robert Sesnon of Mill Valley and W. G. Morrow of Sausalito joined in the appeal for clemency. Crandall had paid all the penalty exacted by the law and for several years had conducted himself in a manner to earn regard and respect of all those who came in contact with him. The pardon was granted to restore him to full rights.

Percy Pembroke, pardoned May 18, 1914. Convicted in Alameda County of robbery and sentenced April 15, 1907, to a term of ten years in San Quentin. He was between fifteen and sixteen years old at the time. One month of his sentence remained to be served. Pembroke had been on parole and abundant assurances of his good conduct were given. Among those recommending clemency for him were G. B.

Daniels of Oakland, Superior Judge Everett J. Brown of Alameda County, August Vollmer, Chief of Police of Berkeley, Charles E. Snook and [illegible] of Oakland, F. N. [illegible] of San Francisco, [illegible] of Oakland, Attorney, Judge Henry A. Melvin, who as Superior Judge presided at the trial, Superior Judge Wm. H. Waste of Alameda County, former Governor George C. Pardee, Mme. Olga Nethersole, and others.

WALTER THOMAS, pardoned May 22, 1914. Convicted in Santa Clara County of violating section 503 of the Penal Code and sentenced on July 28, 1913, to one year in Folsom. Clemency was recommended by District Attorney A. M. Free and by many reputable citizens of Santa Clara County. Thomas was [illegible] years old and only a few days remained of his sentence to be served.

WILLIAM M. AMER, pardoned May 22, 1914. Convicted in Modoc County of embezzlement and sentenced June 28, 1907, to [illegible] years' imprisonment in San Quentin. Only a week remained of his sentence to be served. He had been on parole and was living with his family in Modoc County. Among those who recommended a pardon were Superior Judge Wm. [illegible], District Attorney W. H. [illegible], former District Attorney R. R. Fowler, Attorney Jos. Barcroft, Sheriff S. W. [illegible], Robert L. Hargrove, J. L. [illegible], J. M. [illegible] and many other citizens of Modoc County.

FRED WEINBERG, pardoned June 9, 1914. Convicted in Yolo County of burglary in the first degree and sentenced to two years' imprisonment in Folsom, where he was received September 28, 1912. Superior Judge N. A. Hawkins and District Attorney A. G. Bailey of Yolo County represented that further imprisonment would be an injustice.

WILLIAM LEE WILLIAMS, pardoned June 13, 1914. Convicted in San Joaquin County of burglary and sentenced to one year in San Quentin, where he was received December 9, 1901. He completed service of his sentence on October 6, 1902. Four years later he was convicted of grand larceny in Contra Costa County and sentenced to eight years in Folsom, where he was received on December 6, 1906. He was paroled in 1911 and his sentence expired on April 6, 1912. Since his release he has made a worthy record. He had married, built a home, reestablished himself in a manner to earn the high esteem of all those who know him. Superior Judge John Hancock, former Assemblyman E. G. [illegible], Phillip [illegible], and other citizens of Calaveras County made the appeal for clemency. A favorable recommendation was made by Associate Justices F. M. Angellotti, Lucien Shaw, M. C. Sloss and F. W. Henshaw of the Supreme Court.

MILTON A. NATHAN, pardoned June 18, 1914. Convicted in San Francisco of a misdemeanor and conspiracy and sentenced on September 26, 1912, to pay a fine of $300. Superior Judge G. H. Cabaniss, who presided at the trial through some of its stages, and Superior Judge E. P. [illegible], who completed the trial as judge; Appellate Judge F. C. [illegible], and many others recommended a pardon.

WILLIAM L. HARVEY, pardoned June 22, 1914. Convicted of murder in the second degree and sentenced March 1, 1907, to fifteen years in San Quentin. He was paroled August 1, 1910. An investigation established the fact that Harvey had paid all the penalty that justice demanded. The authorities and many citizens of San Diego expressed emphatic opinions that the circumstances of the crime were such that Harvey had paid an ample penalty.

JAMES McROBERT, pardoned June 30, 1914. Convicted in Yolo County of murder in the second degree and sentenced August 24, 1904, to six years in Folsom. He was paroled November 1, 1909, and only a few weeks remained of his term. E. E. Gaddis, of Woodland, who was Superior Judge of Yolo County when McRobert was tried, and W. A. Anderson, of the same city, who, as district attorney, prosecuted the case, recommended the pardon. Many other citizens testified as to Robert's worthiness and urged that inasmuch as he had paid the penalty exacted of him, he be given a pardon in order that he might enjoy the full rights of citizenship.

ALLEN LEZINSKY, pardoned July 3, 1914. Convicted in San Francisco of uttering a fictitious check and sentenced October 11, 1913, to one year in San Quentin. He was twenty-five years of age at the time of his offense. Superior Judge George H. Cabaniss, who imposed the sentence, made a strong appeal that Lezinsky's application for a pardon be granted. Dr. Martin A. Meyer, of San Francisco, and others also petitioned clemency.

HENRY SIEMER, pardoned July 23, 1914. Convicted in Alameda County of rape and sentenced on January 30, 1896, to a term of twelve years in Folsom. He completed service of his term on September 28, 1903. Chas. E. Snook, who was district attorney when Siemer was convicted; the present district attorney of Alameda County, and other officials and citizens recommended a pardon at this time in order that Siemer might enjoy the rights of citizenship.

John H. Johnson, pardoned July 25, 1914. Convicted in Kings County of burglary and sentenced to nine years' imprisonment in Folsom, where he was received on January 4, 1896. He completed his term in December, 1901. District Attorney Rowen Irwin, of Kern County, and District Attorney J. L. C. Irwin, of Kings County, recommended that Johnson was worthy of exercising the full rights of citizenship.

J. T. Grubbs, pardoned August 31, 1914. Convicted in Butte County of murder in the second degree and sentenced March 8, 1899, to a term of thirty years in San Quentin. Superior Judge H. D. Gregory, District Attorney Geo. F. Jones, Sheriff J. B. Webber, J. A. Tyler, C. E. Porter, E. C. Wilson, County Clerk E. C. Belding, and many other officials and citizens joined in the petition in behalf of Grubbs. An investigation of the circumstances of the offense made it appear that the sentence was unduly severe and the conduct of Grubbs while he was on parole showed that he was entitled to consideration.

Charles H. Mills, pardoned September 16, 1914. Convicted in San Francisco of rape and sentenced on May 10, 1913, to serve five years in San Quentin. The pardon granted on the urgent recommendation of Superior Judge G. H. Cabaniss, who had imposed the sentence and who had expressly stated on that occasion that the minimum sentence established by law was in this instance excessive punishment, and that after a period of a year he would appeal to the executive authority to reduce the penalty.

George Shelley, pardoned September 21, 1914, on condition that he pay one half of the amount of the fine. Convicted in San Diego County of resisting an officer and sentenced to pay a fine of $500 and to be imprisoned in the county jail for six months. Superior Judge T. L. Lewis, before whom the case was tried and by whom the man was sentenced, recommended the clemency that was extended. The condition was subsequently complied with and the pardon became effective.

Alexander W. McPherson, pardoned September 30, 1914. Convicted in San Francisco in May, 1891, of obtaining money by false pretenses, and sentenced to serve one year in San Quentin. He was again convicted in San Francisco in December, 1905, of extortion and sentenced to serve eighteen mouths in San Quentin. In both instances he paid all the penalty the law demanded. Chief Justice Matt I. Sullivan and Associate Justices F. W. Henshaw, F. M. Angellotti, and Lucien Shaw, of the Supreme Court, recommended that McPherson be pardoned. Superior Judge F. H. Dunne joined in the recommendation.

Wendell D. Smith, pardoned November 18, 1914. Convicted in San Francisco of uttering a fictitious check and sentenced to serve three years in the State Prison at San Quentin where he was received on March 19, 1914. Warden Jas. A. Johnston and the resident physician presented a statement to the effect that the prisoner was in the last stages of tuberculosis and that death was impending.

COMMUTATIONS.

Manuel Bombela, commuted on February 1, 1913, to life imprisonment. Convicted in Orange County of murder in the first degree and sentenced on July 28, 1912, to be hanged. Superior Judge Z. B. West, before whom the case was tried and by whom sentence was imposed and the District Attorney who conducted the prosecution recommended that the death penalty be commuted.

George Maracich, commuted April 4, 1913, from a term of fifty years to ten years. Convicted in Contra Costa County of dynamiting. The testimony showed that Maracich was merely a tool of another person. Superior Judge R. H. Latimer and District Attorney A. B. McKenzie and H. V. Alvarado, former District Attorney, and Sheriff R. R. Veale recommended that sentence be commuted.

Lawrence Maracich, commuted on April 4, 1913, from twenty years to a term of ten years. Convicted in Contra Costa County of dynamiting. Evidence showed that he and his brother were mere tools of one Barnnovich. Favorable recommendations were made by Judge R. H. Latimer, District Attorney A. B. McKenzie, former District Attorney H. V. Alvarado and Sheriff R. R. Veale.

J. L. Hutchinson, commuted on September 12, 1913, from life imprisonment to a term of ten years. Convicted in San Joaquin County of murder in the first degree and sentenced April 22, 1908. Superior Judge W. B. Nutter, before whom the case was tried and by whom sentence was imposed, represented that the verdict should have been for manslaughter and strongly urged that the sentence be reduced. Superior Judge J. A. Plummer, also of San Joaquin County, and George F. McNoble, former District Attorney, who prosecuted Hutchinson, and many citizens joined in the recommendation.

Walter H. Westwood, commuted on September 17, 1913, from life imprisonment to a term of twenty years. Convicted in the city and county of San Francisco of highway robbery and sentenced November 24, 1906. Superior Judge Frank H. Dunne, who sentenced the prisoner, Superior Judge Frank A. Murasky, and the

District Attorney [illegible] when the crime was committed [illegible] the dominance of older and more [illegible].

AUGUST GEBER, commuted on September 22, 1913, from [illegible] ment. He was sentenced on January [illegible], 1906, [illegible] San Francisco, after conviction of [illegible] in the first degree. While an appeal to the Supreme Court was pending the records were destroyed in the San Francisco disaster in April, 1906. Subsequently an [illegible] the Supreme Court and Attorney General [illegible] imprisonment. The wiping out of the record [illegible] rights.

FREDERICK J. PETERSON, commuted September [illegible], 1913, from [illegible] to a term of twenty years. Convicted in the [illegible] of San Francisco of murder in the first degree and sentenced November [illegible]. He was [illegible] years of age when the crime was committed, [illegible] influences than those [illegible] folly in which a [illegible]. The purpose in commuting the sentence was to afford an opportunity to parole the prisoner.

WILLIAM MCADAMS, commuted on September [illegible], 1913, from [illegible] to five years. Convicted in Santa Clara County of murder in the second degree. Judge John E. Richards, who presided at the trial, [illegible] unjust. District Attorney A. M. Free, Sheriff Arthur B. Langford, the trial jurors, and many citizens joined in the appeal for clemency.

WILLIAM HENRY MEARES, commuted on October [illegible], 1913, from life imprisonment to twenty years. Convicted in San Francisco of robbery. He was [illegible] of age and was one of a group of [illegible] ended in murder. The commutation was granted in order to afford an opportunity to grant a parole.

JAMES W. LINLEY, commuted on October 31, 1913, from death to life imprisonment. Convicted in Sacramento County of assault with deadly weapon, with malice aforethought, the defendant [illegible] made an attack upon a guard. No life was taken by Linley. James A. Johnston, then warden at Folsom, made a thorough investigation of all the facts and circumstances, the result of which was a recommendation that the sentence be commuted.

FRANKLIN D. [illegible], commuted on November [illegible], 1913, from life imprisonment to twenty years. Convicted in San Francisco of murder in the second degree and sentenced February 12, 1907. [illegible] was a companion in crime of [illegible], Petersen and Meares, whose sentences [illegible] had previously been commuted to twenty years. For the same reasons that clemency was granted to them, a commutation was granted to [illegible].

SING, a Chinese, commuted on December 3, 1913, from [illegible] imprisonment. Convicted in Butte County of rape and sentenced on March [illegible]. The offense was statutory [illegible] justice did not demand exaction of the sentence imposed. Judge [illegible] of the Appellate Court and others familiar with the case joined in the appeal for clemency.

ANTHONY CURTIN, commuted December 22, 1913, from [illegible] and five months' imprisonment. Convicted in San Francisco of burglary in the second degree and sentenced on May [illegible]. An appeal [illegible] when the records were completely destroyed in the San Francisco fire in April, 1906, and he was thereby deprived of [illegible] rights. After [illegible] in the county jail for three years and nine months, restoration of the record was effected sufficiently to commit him to the penitentiary [illegible]. Counting the time of his imprisonment in the county jail [illegible] was wiped out, together with [illegible] considerably in excess of a [illegible] sentence. Clemency was recommended by Chief Justice W. H. Beatty and Associate Justices F. M. Angellotti, Lucien Shaw, M. C. Sloss, F. W. Henshaw, and H. A. Melvin, of the Supreme Court.

E. C. BURKE, commuted January 23, 1914, from twenty-five years' imprisonment to a term expiring January 24, 1914, conditioned upon his departure from the State of California, and returning to his relatives in New York. Superior Judge [illegible] Shields, who imposed the sentence, [illegible] that it had transpired that the offense was not [illegible] appeared at the trial. Warden J. J. Smith of Folsom personally [illegible] the recommendation.

JOHN WELCH, commuted February 4, 1914, from five years to two years' imprisonment. Convicted in San Joaquin County of a crime against nature and sentenced January 3, 1914. Superior Judge J. A. Plummer, District Attorney [illegible] Foltz, and Deputy District Attorney C. P. Rendon made urgent appeal for the reduction of the sentence.

Evan B. Johnson, commuted on March 18, 1914, from four years to one year. Convicted in San Joaquin County of uttering a fictitious check and sentenced May 26, 1913. He was a victim of alcohol and his offense was committed while under its influence. Warden J. J. Smith, Folsom Prison, recommended a reduction of sentence, setting forth that the man had undergone sufficient punishment to learn an effective lesson.

Chew Lin Jan, commuted on August 28, 1914, from life imprisonment to a term expiring August 29, 1914, on condition that he on that day depart for China and never return to the United States of America. Convicted in San Francisco of murder in the first degree and sentenced to imprisonment in San Quentin, where he was received May 12, 1892. On May 25, 1909, he was removed on account of his mental condition to the State Hospital at Stockton. It is the policy of the State Hospital management to send Chinese patients back to their native country when their condition will permit and when friends give assurance of proper and humane treatment. Chew Lin Jan was hopelessly insane, and the demands of the law for punishment could never be exacted of him. Commuted on recommendation of Dr. F. W. Hatch, Superintendent of State Hospitals, and of the Supreme Court of the State.

Frank Ballard, also known as Anthony Kurfess, commuted August 31, 1914, from ten years' imprisonment to a term ending on September 2, 1914. Convicted in San Francisco of robbery and sentenced on June 9, 1904, to ten years' imprisonment in Folsom. He appealed from the judgment of conviction and it was pending in April, 1906, when the records in the case were wiped out by the great conflagration. He remained in the county jail for four years awaiting disposition of his case, when finally the record was sufficiently restored in order that he might begin service of his term in Folsom. Associate Justices F. W. Henshaw, W. G. Lorigan, M. C. Sloss, and Lucien Shaw, of the Supreme Court, Superior Judge F. H. Dunne, who presided at the trial, the District Attorney of San Francisco, Warden Jas. A. Johnston of San Quentin and Warden J. J. Smith of Folsom recommended clemency.

John Hendricks, commuted October 13, 1914, from three years to a term ending on October 14, 1914. Convicted in Lassen County of assault to murder and sentenced to San Quentin, where he was received in November, 1913. Warden J. A. Johnston and the prison physician, Dr. L. L. Stanley, reported that the prisoner was near death's door, a victim of tuberculosis. Judge H. D. Burroughs and District Attorney G. P. Johnson, of Lassen County, and Carl Westerfeld, a member of the Fish and Game Commission, made favorable recommendations.

REPRIEVES.

Manuel Bombela, convicted of murder in the first degree in Orange County and sentenced July 28, 1912, to be hanged on October 17, 1912. Reprieved on January 7, 1913, until February 7, 1913, on showing from the Hon. A. Leon Grajeda, Consul General of Mexico, that he had important affidavits to prepare for an appeal for clemency.

Ah Lee, reprieved on April 14, 1913, from April 18, 1913, to May 23, 1913, in order that investigation might be made of merits of appeal. Reprieved May 19, 1913, from May 23, 1913, to July 11, 1913, in order to afford further time for investigation of application for commutation. Reprieved on July 9, 1913, from July 11, 1913, to August 8, 1913, investigation of application for commutation not having been concluded. Reprieved on August 4, 1913, from August 8, 1913, to September 5, 1913, in order that further investigation might be made of the case. Commuted to life imprisonment, on August 27, 1913, on recommendation of Superior Judge L. W. Fulkerth, Sheriff A. S. Dingley, and members of the jury of Stanislaus County.

Frank Bauwerarts, reprieved May 19, 1913, from May 23, 1913, to July 11, 1913, in order that investigation might be made of merits of application for commutation.

Jacob Oppenheimer, reprieved June 5, 1913, from June 6, 1913, to June 20, 1913, the condemned man having appealed to the Supreme Court of the United States. Reprieved June 19, 1913, from June 20, 1913, to July 11, 1913.

Louis A. Larsen, reprieved on November 5, 1914, from November 6, 1914, to December 4, 1914, in order that investigation might be made of merits of appeal. Reprieved on December 1, 1914, from December 4, 1914, to January 22, 1915, to afford further time for investigation.

Ferando Mammilato, reprieved November 17, 1914, from Friday, November 20, 1914, to Friday, December 18, 1914, in order that investigation might be made of merits of application for commutation. Reprieved on December 14, 1914, from December 18, 1914, to January 8, 1915, to afford further time for investigation.

John Bostic, also known as Ralph Fariss, reprieved November 23, 1914, from November 27, 1914, to January 15, 1915, in order that further investigation might be made.

SAM RABER, reprieved December 11, 1914, from December 18, 1914, to January 15, 1915, in order that investigation might be made of merits of application for commutation.

ADJOURNMENT

At ten o'clock and fifty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Thursday, January 7, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Wolfe, and Mr. President—37.

Quorum present.

PRAYER

Prayer by the Chaplain, Rev. Father Henry L. Stark.

READING OF THE JOURNAL

During the reading of the Journal of Wednesday, January 6, 1915, the further reading was dispensed with, on motion of Senator Rush.

RESOLUTION

The following resolution was offered:

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

A. W. Carlson, Press Mailing Clerk	$4 00 per day
John T. Young, Assistant Sergeant-at-Arms	5 00 per day
J. J. Bisbee, Gatekeeper	3 00 per day
T. A. McEachen, Cloakroom Clerk	4 00 per day
H. W. Dexter, Assistant Sergeant-at-Arms	5 00 per day
Wilbur S. Spencer, Assistant History Clerk	5 00 per day
W. B. Coombs, History Clerk	6 00 per day
C. H. Twine, Gatekeeper	3 00 per day
Joseph A. Beek, Assistant Secretary	6 00 per day

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—37.

NOES—None.

RECESS.

At ten o'clock and ten minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until three o'clock p.m.

RECONVENED.

At three o'clock p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

APPOINTMENT BY PRESIDENT.

The following communication was received and read:

> I beg leave to inform you that I have appointed Charles Noonan as Page at a per diem of $2.50 and respectfully request the consent of the Senate thereto.
>
> JOHN M. ESHLEMAN, President of the Senate.

Senator Breed moved that the appointment be confirmed by the Senate.

The question being on the confirmation of the appointment.

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—37.

NOES—None.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Campbell:

> *Resolved*, That, as soon as printed, the Mailing Clerk of the Senate, be, and he is hereby directed to mail to each county clerk in the several counties of the State of California, one printed copy of all bills introduced in the Senate, together with any and all amendments thereto; one printed copy of all bills finally passed by the Senate; and one printed copy of the Senate History as often as the same is printed; and that said mailing of said printed copies of said bills and histories continue during the session of the Legislature.

Resolution read and referred to Committee on Contingent Expenses.

LEAVE OF ABSENCE.

Senator Scott was, on motion of Senator Wolfe, granted leave of absence for this day.

REPORTS OF SPECIAL COMMITTEES.

The following reports of special committees were received and read:

ON CONTINGENT EXPENSES AND MILEAGE.

MR. PRESIDENT: Your Committee on Contingent Expenses and Mileage to whom was referred the following resolutions:

Resolved, That the Secretary of the Senate be and he is hereby directed to procure for the use of the members of the Senate and Senate committees the necessary index letter files, and the Controller of State is authorized to draw his warrant for the payment of the same, and the Treasurer is hereby directed to pay the same.

Also:

Resolved, That the Secretary of the Senate be and he is hereby directed to procure for the use of the Senators forty tin office boxes for care of private papers.

Also:

Resolved, That the Lieutenant Governor and each member of the Senate be, and he is hereby, allowed $25 for contingent expenses, as provided by the Constitution, payable out of the appropriation for the contingent expenses of the Senate. have had the same under consideration, and respectfully report the same back and recommend that they be adopted.

BENEDICT, Chairman.

Report read.

Senator Benedict moved the adoption of the several resolutions referred to in the foregoing report.

The question being on the adoption of the resolutions,

The roll was called, and the resolutions adopted by the following vote:

AYES—Senators Anderson, Ballard, Benson, Benedict, [illegible], Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, [illegible], [illegible], Owens, Purkitt, Rush, Shearer, Slater, Strobridge, [illegible], Thompson, Tyrrell, and Wolfe—38.

NOES—None.

Also:

ON RULES

MR. PRESIDENT: Your Special Committee on Rules begs leave to submit the following as the standing rules for the forty-first session of the Legislature of the State of California and respectfully recommends that they be adopted.

STANDING RULES OF THE SENATE

Rule 1. The sessions of the Senate shall be daily (Sundays excepted), beginning at 10 o'clock a.m. and commencing on the second day of the session following the constitutional recess, a recess shall be taken at 12.30 p.m. to 2 p.m., unless otherwise ordered by vote of the Senate.

Calling to Order.

2. The President, President pro tem., or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

Order of Business.

3. Order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and approval of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Assembly.
6. Messages from the Governor.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions, and Notices.
10. Introduction and First Reading of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Order of the Day.

Reports from the Committee on Engrossment and Enrollment shall at all times be in order; *provided*, that messages from State officers, other than the Governor, and from the Assembly, may, on motion of any Senator, be considered at any time.

President—His Powers and Prerogatives.

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

President May Order Lobbies Cleared.

5. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have power to order the same cleared.

President May Call Senator to Chair.

6. The President shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

Appointment to Committees.

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

Standing Committees.

8. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture, nine members.
2. Banking, eleven members.
3. Civil Service, five members.
4. Commerce and Navigation, nine members.
5. Contingent Expenses, three members.
6. Corporations, eleven members.
7. County Government, eleven members.
8. Drainage, Swamp and Overflowed Lands, five members.
9. Education, fifteen members.
10. Elections, eleven members.
11. Engrossment and Enrollment, three members.
12. Federal Relations, five members.
13. Finance, seventeen members.
14. Fish and Game, seventeen members.
15. Hospitals and Asylums, eleven members.
16. Insurance, eleven members.
17. Irrigation, five members.
18. Judiciary, seventeen members.
19. Labor and Capital, eleven members.
20. Military Affairs, three members.
21. Mines and Mining, five members.
22. Municipal Corporations, nine members.
23. Oil Industries, five members.
24. Prisons and Reformatories, thirteen members.
25. Public Health and Quarantine, eleven members.
26. Public Morals, seven members.
27. Public Utilities, nine members.
28. Revenue and Taxation, fifteen members.
29. Revision and Printing, three members.
30. Roads and Highways, fifteen members.
31. Rules, five members.

President pro tem.—His Powers and Privileges.

9. The President pro tem. shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem. shall vote only as any other member of the Senate.

Duties of the Secretary.

10. 1. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all attaches and employees of the Senate. To assign, reassign or transfer all attaches or employees to their respective duties. To certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

Records or Papers Not to be Taken From Desk.

11. The Secretary of the Senate shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment and Enrollment, and take receipts therefor.

Sergeant-at-Arms.

12. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the

disturbance of the Senate. The actual expenses of the Sergeant at Arms for every arrest, for each day's custody and releasement, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant at Arms to keep the accounts for pay and mileage of Senators.

Printed Bills, etc., Must be Placed on Desks.

13. The Sergeant at Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and petitions and histories, when printed, on the desks of Senators at least one hour previous to the opening of session.

Gatekeeper.

14. It shall be the duty of the gatekeeper to prevent all persons, except Senators, ex Senators, members of the Assembly, State officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them by the President, from coming within the bar of the Senate, unless upon written invitation of the President or a Senator; *provided*, that no visitor shall be allowed upon the floor while the Senate is in session.

Lobbying.

15. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tem. are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

Attendance, Duties and Obligations of Senators.

16. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant at Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for non-attendance as shall be made to the Senate, when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directed to the Sergeant at Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process, unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant at Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

Decorum and Debate.

17. 1. When a Senator desires to address the Senate he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Senator Entitled to Floor.

18. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

Senator, When Called to Order, Must Sit Down.

19. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

Voting.

20. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by

him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

Printing.

21. Fifteen hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

Number of Copies to be Printed.

22. Seven hundred and fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

Number of Copies to be Printed of Journal.

23. The Superintendent of State Printing shall print one thousand copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies properly paged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

What Shall be Printed in the Journal.

24. Messages from the Governor (other than biennial messages and inaugural address), joint and concurrent resolutions and constitutional amendments, when adopted, and the titles of all bills, joint and concurrent resolutions and constitutional amendments, when acted upon by the Senate shall be printed in the Journal in full.

Record of Votes and Petitions.

25. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

When Not in Committee of the Whole, Proceedings Must be Entered in the Journal.

26. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

Printing for the Senate.

27. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the Secretary. The Secretary may, when necessity requires, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under a specially prepared written order, to be known as a "Rush Order."

Introduction and Reading of Bills.

28. 1. A Senator desiring to introduce a bill shall rise in his place and address the President, and upon being recognized shall present the bill. The title shall be announced by the Secretary, the bill shall be read the first time and thereupon referred by the President to a standing committee. No bill shall be introduced in the Senate by any member after the constitutional recess without the consent of three fourths of the members of the Senate nor shall more than two bills be introduced by any one member after such recess. Every bill shall be read on three several days previous to its passage (unless, in case of urgency, two thirds of the Senate shall by vote of ayes and noes, dispense with this provision), and the last reading shall be at length. The President shall give notice, at each of the second and third readings, which reading it is, and no bill shall be read at either reading until the Senate has so determined by a vote (should any Senator object to such reading). Joint and concurrent resolutions shall be treated the same as bills, provided they shall be read but once, unless the Senate, by a majority vote of all the Senators present, otherwise direct; *and provided, further*, that joint and concurrent resolutions and constitutional amendments shall not be deemed bills within the meaning of section 2 of article IV of the Constitution and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction.

2. The titles of all bills, joint and concurrent resolutions, and constitutional amendments introduced shall be printed in the Journal.

3. When a bill amending a code section is introduced, the author of the bill shall cause the new matter, if any, to be underscored, and the place in the bill where portions of the law are proposed to be omitted, if any, to be indicated by closed brackets; *provided, however*, that where the subject consists of an entirely new section the words thereof need not be underscored, and when any bill introduced repeals an existing law in whole the matter repealed need not be indicated.

All bills reported favorably or for consideration, if reported with amendments, shall have the new matter, if any, underscored, and the place of omission of parts of the law proposed to be omitted, if any, shall be indicated by brackets. All bills reported with amendments shall be immediately reprinted.

All matter underscored in the draft or amendment of any bill shall be printed by the Superintendent of State Printing in italics, and all brackets shall be reproduced.

Order of Engrossing and Enrolling Bills

29. All bills ordered engrossed shall be delivered by the Secretary of the Senate to the Committee on Engrossment and Enrollment or to the clerk of that committee, and a receipt in writing taken therefor, and all said bills shall be engrossed in the order of their receipt by that committee or its clerk. All Senate bills shall, after their final passage by, and receipt from the Assembly, be delivered by the Secretary of the Senate in the order of their receipt from the Assembly, to the Committee on Engrossment and Enrollment or its clerk and a receipt in writing taken therefor; and said bills shall be enrolled in the order of their receipt from the Secretary of the Senate.

Engrossed Bills to be Examined and Reported

30. All bills, amendments and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossment and Enrollment; the engrossed copy to be transmitted to the Assembly with proper endorsements, and the original retained by the Senate.

Disposition of Assembly Bills

31. When an Assembly bill has been received by the Senate, with a message announcing that it has passed the Assembly, such bill shall be read the first time and be referred by the President to a standing committee; *provided, however*, that when an Assembly bill is received, the text of which is found by a committee to be identical with that of a Senate bill, which has already been considered and reported by a standing committee of the Senate, such Assembly bill shall be referred to the Committee on Engrossment and Enrollment for comparison, which committee shall report without delay, whether or not such bill is identical with the Senate bill. If reported identical, such Assembly bill shall be substituted for the Senate bill, shall take its place on the second-reading file and be considered as having received the same committee recommendation as the Senate bill; *provided*, that the fact that the bills are identical shall be entered in the journal. Such Senate bill shall thereupon be placed upon the file of unfinished business.

Reference of Bills to Finance Committee

32. All bills appropriating money from any fund shall be referred to the Committee on Finance before being read the second time.

Committee Amendments—How Made

33. When amendments to a bill are reported by a committee, the clerk of such committee shall prepare three copies of each amendment, one to go with the bill to the Superintendent of State Printing, one to the Minute Clerk, and one to the Secretary of the Senate.

Committee—When to Report

34. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Senate may at any time, by a majority vote, recall a bill from any committee.

Standing Committee, Quorum of—What Constitutes

35. Each standing committee shall determine its own quorum; *provided*, that not less than one third of the number of members constituting said committee shall in any case constitute such quorum.

Leave of Absence to Committee

36. When leave of absence shall be granted to any committee, special or standing, to visit public buildings or institutions, or for any other purpose, such leave shall be granted only by two thirds vote, and no expenses or mileage of attachés shall be allowed.

Claims on Contingent Fund Must Go to Committee on Contingent Expenses

37. No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses.

Executive Communications and Nominations to Committee

38. When executive communications or nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

The General File: Its Hours—Special Order of Bills on File.

39. The General File shall be the special order for each day between such hours as the Senate may determine, unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

Bills Passed on File Placed at Foot of File.

40. When bills have been passed on file for the second time they must be placed at the foot of the file in their regular order, unless otherwise ordered by the Senate.

Consideration of Bills.

41. All bills, after the second reading (if the same be not committed, then upon being reported), shall be placed upon the general file and shall be taken up for consideration and passage in the order of their being placed on file.

Order of Questions on Motion to Refer.

42. When a resolution shall be offered, or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

Order of Questions Under Debate.

43. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

Motion Not to be Debated Until Seconded and Announced.

44. No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

Reading of a Paper, if Objected to, Determined Without Debate.

45. When the reading of a paper (except a petition) is called for, and the same is objected to by any Senator, the question shall be determined by a vote of the Senate.

Amendments and Substitutes—When in Order.

46. Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment; and when adopted shall take the place of the original bill or resolution, and shall be open to amendment.

Amendments and Substitutes—Must be Germane.

47. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

Least Sum and Shortest Time in Filling Blanks.

48. In filling up blanks, the least sum or number and the shortest time shall be put first.

Constitutional Amendments and Bills Requiring a Two-third Vote May be Amended by a Vote of Majority of Those Voting.

49. A constitutional amendment or bill requiring a vote of two thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

Notice of Reconsideration.

50. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on motion of any Senator; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion for reconsideration shall have precedence over every other motion, except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill, concurrent or joint resolution has been passed or defeated, and twenty-seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been passed or defeated. Notice of reconsideration shall not be in order on the day preceding the last day of the session.

Reconsideration of Bills Sent to Assembly.

51. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same; which last named motion shall be acted upon immediately and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

Secretary, Upon Notice of Reconsideration, Not to Report Bill to Assembly.

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired, unless the bill or resolution has already been transmitted to the Assembly.

Motion to Reconsider May Be Debated.

53. A Senator, after a notice to reconsider is given as provided in Rule 50, may, at the reconsideration thereof, present the main question in his argument thereon, and the same may be debated by the Senate, provided that the subject matter is debatable.

Amendment to Original Question.

54. 1. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

2. If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out; nor shall the rejection of a motion to strike out prevent a motion to strike out and insert. Pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. Motions to amend the part to be stricken out shall have precedence.

Final Question on Second Reading of Bill. No Amendment on Third Reading, but May Commit.

55. The final question on the second reading of every bill originating in the Senate shall be: "Shall the bill be engrossed?" And no amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its commitment under special instructions to amend.

Special Orders.

56. Any subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

Form of Previous Question—Call of Senate.

57. The previous question shall be put in the following form: "Shall the question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division; and its effect shall be to put an end to all debate except that the author of the bill or the amendments shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order.

Ayes and Noes; Members Must Answer. No Vote After Announcement of Vote.

58. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

Rules in Senate and Committee of the Whole.

59. The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times a Senator may speak, and except that the ayes and noes shall not be taken.

Suspending or Changing Rules.

60. No standing rules or order of the Senate shall be rescinded or changed without a vote of two thirds of the entire Senate, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two thirds of the members of the Senate, except that portion of Rule 29, relating to the order of enrolling bills. All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

Executive Session.

61. When a motion is adopted to close the doors of the Senate, on the discussion of any business, which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary and Sergeant-at-Arms to withdraw, and during the discussion of said business, the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

Messengers, When Introduced.

62. Messengers may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a Senator is addressing the Senate.

Smoking.

63. No smoking shall be allowed within the Senate Chamber.

Leaves of Absence of Members of the Senate Visiting Public Institutions

64. No leave of absence shall be granted any committee, special or standing, to visit any public institutions of the State or for any other purpose. Whenever any committee shall report to the Senate that it is desirable that such committee receive information concerning any public institution, the Senate may, by a two thirds vote of all its members, grant a leave of absence to not more than three members of such committee, to be designated by the Chairman thereof. Application for a leave of absence of such members of a committee shall be made to the Senate in writing by the Chairman thereof, and such application shall give the name of the institution or institutions to be visited and briefly recite the occasion and necessity for visiting the same, together with the names of the committeemen designated for that purpose. Such application shall immediately, and without debate, be referred to the Committee on Rules, with instructions, to report upon the same on the next legislative day. Said members shall be allowed their actual expenses.

Cases Not Provided For, Robert to Govern.

65. In all cases not provided for by these rules, the Senate shall be governed by the laws and practices as laid down in Robert's Rules of Order.

THOMPSON, Chairman.
STROBRIDGE.
SLATER.

MOTION.

Senator Thompson moved that the report and the proposed standing rules of the Senate be adopted.

Motion duly seconded.

The question now being upon the adoption of the report and rules.

The roll was called, and the report and rules adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrell, and Wolfe—38.

NOES—None.

APPOINTMENT OF STANDING COMMITTEES.

The President announced that he had appointed the Senate standing committees, as follows:

I beg leave to inform you that I have appointed the following standing committees under the rules of the Senate:

Agriculture—King, Mott, Rush, Anderson, Cogswell, Scott, Cohn, Duncan, Stuckenbruck.

Banking—Hans, Thompson, Breed, Mott, Benson, Brown, Benedict, Ballard, Wolfe, Campbell, Shearer.

Civil Service—Gerdes, Flint, Brown, Scott, Irwin.

Commerce and Navigation—Brown, Breed, Flint, Finn, Strobridge, Luce, Owens, Cohn, Maddux.

Contingent Expenses—Beban, Lyon, Purkitt.

Corporations—Jones, Tyrrell, Gerdes, Hans, Butler, Carr, Crowley, Lyon, Wolfe, Irwin, Shearer.

County Government—Breed, Kehoe, Strobridge, Gerdes, Benson, Lyon, Cogswell, Benedict, Slater, Maddux, Purkitt.

Drainage, Swamp and Overflowed Lands—Chandler, Benson, Rush, Stuckenbruck, Duncan.

Education—Anderson, Strobridge, Thompson, Jones, Cogswell, Kehoe, Butler, Hans, King, Crowley, Scott, Wolfe, Ballard, Slater, Irwin.

Elections—Benson, Finn, Carr, Breed, Anderson, Jones, Tyrrell, Lyon, Flaherty, Maddux, Slater.

Engrossment and Enrollment—Flaherty, Luce, Stuckenbruck.

Federal Relations—Rush, Breed, Cogswell, Thompson, Chandler.

Finance—Strobridge, Thompson, Breed, Birdsall, Rush, Tyrrell, Finn, Jones, Brown, Cogswell, Gerdes, Hans, Mott, Beban, Wolfe, Campbell, Owens.

Fish and Game—Flint, Birdsall, Gerdes, Breed, Beban, Brown, Strobridge, Butler, Mott, Tyrrell, Scott, King, Flaherty, Campbell, Owens, Shearer, Cohn.

Hospitals and Asylums—Crowley, Rush, Birdsall, Beban, Butler, Tyrrell, King, Jones, Purkitt, Slater, Stuckenbruck.

Insurance—Benedict, Thompson, Butler, Kehoe, Beban, Crowley, Wolfe, Ballard, Shearer, Cohn, Slater.

Irrigation—Maddux, Mott, Anderson, Luce, Duncan.

Judiciary—Kehoe, Anderson, Tyrrell, Carr, Benson, Thompson, Jones, Butler, Benedict, Luce, Maddux, Wolfe, Ballard, Campbell, Purkitt, Irwin, Duncan.

Labor and Capital—Lyon, Kehoe, Flint, Carr, Chandler, Crowley, Flaherty, Scott, Luce, Campbell, Purkitt.

Military Affairs—Scott, Lyon, Shearer.

Mines and Mining—Cohn, Kehoe, Birdsall, Ballard, Stuckenbruck.

Municipal Corporations—Tyrrell, Carr, Benson, Hans, Benedict, Scott, Ballard, Duncan, Purkitt.

Oil Industries—Mott, Birdsall, Carr, Campbell, Ballard.

Prisons and Reformatories—Finn, Cogswell, Flint, Rush, Benson, Brown, Lyon, King, Crowley, Cohn, Owens, Stuckenbruck, Irwin.

Public Health and Quarantine—Butler, Mott, Brown, Crowley, Finn, Beban, Benson, Hans, Flaherty, Irwin, Purkitt.

Public Morals—Luce, Brown, Anderson, Benedict, Chandler, Flaherty, Duncan.

Public Utilities—Carr, Finn, Breed, Chandler, Hans, Flaherty, Maddux, Irwin, Cohn.

Revenue and Taxation—Cogswell, Thompson, Kehoe, Birdsall, Strobridge, Tyrrell, Flint, Finn, Chandler, Beban, King, Wolfe, Owens, Maddux, Shearer.

Roads and Highways—Birdsall, Strobridge, Cogswell, Kehoe, Carr, Flint, Jones, Mott, Rush, Chandler, Luce, Campbell, Owens, Slater, Shearer.

Rules—Thompson, Gerdes, Anderson, Benedict, Owens.

Revision and Printing—Slater, Gerdes, King.

JOHN M. ESHLEMAN, President of the Senate.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Anderson: Senate Bill No. 1—An Act to regulate the distribution of date palms and date palm offshoots and to hold the same in quarantine under the supervision of the State Commissioner of Horticulture until they are free from Marlatt scale (*Phoenicococcus marlatti*) and Blanchard scale (*Parlatoria blanchardii*) when introduced from or grown in, any infected locality within the State or from other states, or if of foreign introduction, after they have been released by the Federal Horticultural Board, and to fix a penalty for violation of this Act.

Bill read first time, and referred to Committee on Agriculture.

By Senator Beban: Senate Bill No. 2—An Act to amend an Act entitled "An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act." Approved March 22, 1905, as amended March 23, 1907, by amending section 1, subdivision 1; and section 5, subdivisions 1, 2 ,3, 4, 5, and adding thereto a new subdivision to be numbered subdivision 6.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Benson: Senate Concurrent Resolution No. 3—Relative to approving certain amendments to the charter of the city of San Jose, a municipal corporation in the county of Santa Clara, State of California, voted for and ratified by a majority of the qualified electors of said city of San Jose at a general election held therein on the 18th day of May, 1914.

Resolution read, and referred to Committee on Municipal Corporations.

By Senator Birdsall: Senate Bill No. 3—An Act to amend section six hundred thirty-two of the Civil Code of the State of California, relating to the right to shut off supply of gas or electricity.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Breed: Senate Bill No. 4—An Act to amend section five hundred seventy of the Code of Civil Procedure of the State of California relating to the disposition of unclaimed funds in the hands of a receiver.

Bill read first time, and referred to Committee on Judiciary.

By Senator Butler: Senate Bill No. 5—An Act to amend section one thousand four hundred two of the Civil Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Senator Chandler: Senate Constitutional Amendment No. 1—Proposed amendment to article 6 of the constitution, relative to the method of selecting the Justices of the Supreme Court, Justices of the District Courts of Appeal and Judges of the Superior Courts.

Constitutional amendment referred to Committee on Judiciary.

By Senator Cohn: Senate Bill No. 6—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento, California.

Bill read first time, and referred to Committee on Agriculture.

By Senator Crowley: Senate Bill No. 7—An Act to amend section fourteen hundred fifty-four of the Code of Civil Procedure relating to the collection by surviving heirs of money in banks.

Bill read first time, and referred to Committee on Judiciary.

By Senator Duncan: Senate Bill No. 8—An Act to amend sections one, two and eleven of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option: authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911.

Bill read first time, and referred to Committee on Public Morals.

By Senator Finn: Senate Bill No. 9—An Act relating to the sale and carrying of dangerous weapons.

Bill read first time, and referred to Committee on Judiciary.

By Senator Flaherty: Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Hans: Senate Bill No. 11—An Act to amend section two thousand five hundred fifty-two of the Political Code of the State of California, relating to the salaries and compensation of the officers of the Board of State Harbor Commissioners of San Francisco and the employees of the State of California employed by and under said Board of State Harbor Commissioners of San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Irwin: Senate Bill No. 12—An Act to amend sections three thousand four hundred fifty-seven and three thousand four hundred sixty-six of the Political Code of the State of California relating to reclamation and swamp-land districts.

Bill read first time, and referred to Committee on Drainage, Swamp, and Overflowed Lands.

By Senator Jones: Senate Bill No. 13—An Act to amend the Code of Civil Procedure of California by adding thereto a new section to be numbered and known as section one thousand eight hundred seventy-one, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

Bill read first time, and referred to Committee on Judiciary.

By Senator Kehoe: Senate Bill No. 14—An Act to amend section six hundred thirty-two and one-half of the Penal Code of the State of California, relating to the protection of steel head trout.

Bill read first time, and referred to Committee on Fish and Game.

By Senator King: Senate Bill No. 15—An Act to amend sections six hundred twenty-six, six hundred twenty-six *f*, and six hundred twenty-six *g* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Luce: Senate Bill No. 16—An Act increasing the number of Judges of the Superior Court of the County of San Diego, State of California, and for the appointment of such additional Judge.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 17—An Act creating small debtors' courts in counties of the first, second and third classes, and defining their powers, jurisdiction and procedure.

Bill read first time, and referred to Committee on Judiciary.

By Senator Mott: Senate Bill No. 18—An Act authorizing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Agricultural Park in the City of Sacramento, State of California, to be known as the Woman's Building and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

By Senator Owens: Senate Bill No. 19—An Act to amend section four thousand and two hundred forty-five of the Political Code of the

State of California relating to the salaries, fees, and expenses of officers in counties of the sixteenth class.

Bill read first time, and referred to Committee on County Government.

By Senator Purkitt: Senate Bill No. 20—An Act to license and regulate the business of private detectives and detective agencies.

Bill read first time, and referred to Committee on Judiciary.

By Senator Scott: Senate Bill No. 21—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eight fiscal year making certain acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers, and fixing his compensation,' approved February ninth, nineteen hundred, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April first, eighteen hundred ninety-seven; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the commissioner of public works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March seventeenth, eighteen hundred ninety-seven, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March twenty-fourth, eighteen hundred ninety-three, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe wagon road commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April first, eighteen hundred ninety-seven, and all Acts or parts of Acts amendatory thereof," approved March eleventh, nineteen hundred and seven, and all Acts or parts of Acts amendatory thereof, by amending sections six *a* and seventeen thereof, relating to the officers and employees of the department of engineering, their powers, duties and salaries.

Bill read first time, and referred to Committee on Finance.

By Senator Slater: Senate Bill No. 22—An Act to amend sections eleven hundred ninety-seven, twelve hundred five and twelve hundred eleven of the Political Code of the State of California, relating to election ballots, manner of voting and the conduct of elections.

Bill read first time, and referred to Committee on Elections.

By Senator Stuckenbruck: Senate Bill No. 23—An Act making an appropriation for the location, survey, and construction of a proposed state road from the junction of the counties of San Joaquin, Calaveras, and Amador to Jackson, Amador County.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Thompson: Senate Bill No. 24—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to carry into effect the provisions of section fourteen of article thirteen of the constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation,' approved April 1, 1911, by amending sections two, three, four, five twenty four and thirty-five," approved February 3, 1913, by amending sections one, two, three, four and six thereof.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No 25—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered section fifty-four *c*, concerning contributions by corporations for political purposes, and the soliciting or receiving thereof.

Bill read first time, and referred to Committee on Elections.

By Senator Slater: Senate Concurrent Resolution No. 4—Approving eleven certain amendments to the charter of the city of Petaluma.

Resolution read, and referred to Committee on Municipal Corporations.

By Senator Purkitt: Senate Bill No. 26—An Act to add a new section to the Civil Code of the State of California, to be numbered section one hundred seventy-two and one half, relating to community property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Owens: Senate Joint Resolution No. 1—Relative to aid from the government of the United States for furnishing means of employment and sustenance to citizens of the United States who have been thrown out of employment by reason of the use of labor saving machinery and devices; setting aside of certain lands to be used in establishing farming colonies and providing for the disposition of the products of such lands.

Resolution read, and referred to Committee on Labor and Capital.

By Senator Lyon: Senate Bill No. 27—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding a new section to said Act, to be known as section 6*a*, relating to doing of public work by municipalities.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator King: Senate Bill No. 28—An Act to amend section six hundred thirty-two of the Penal Code of the State of California, relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Kehoe: Senate Bill No. 29—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the insurance commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules and providing a penalty therefor.

Bill read first time, and referred to Committee on Insurance.

By Senator Jones: Senate Bill No. 30—An Act creating a state recreation commission, providing for the employment by said commission of a secretary and other employees and authorizing said commission to fix their compensation, prescribing the powers and duties of said commission, and making an appropriation for the purpose of carrying out the provisions hereof.

Bill read first time, and referred to Committee on Education.

By Senator Irwin: Senate Bill No. 31—An Act to add a new section to the Political Code of the State of California to be numbered section three thousand four hundred seventy-six and one-half, relating to reclamation and swamp-land districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Hans: Senate Bill No. 32—An Act to amend the Civil Code of the State of California by adding a new section thereto to be numbered five hundred fifty *a*, relating to the furnishing of water for family use.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Flaherty: Senate Bill No. 33—An Act to compel every person, company, association or corporation carrying on or conducting the business of supplying water in any city, city and county, or town, to supply all the inhabitants thereof.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Finn: Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, by adding to article six of said constitution a new section to be numbered section six and one-half, relating to the term of office of Judges of the Superior Court.

Constitutional amendment referred to Committee on Judiciary.

By Senator Duncan: Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by amending section one of article four thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the constitution and to enact the same at the polls, independent of the legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the legislature.

Constitutional amendment referred to Committee on Elections.

By Senator Crowley: Senate Bill No. 34—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis and making appropriation therefor, and authorizing counties and cities and counties within the state to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

Bill read first time and referred to Committee on Public Health and Quarantine.

By Senator Cohn: Senate Bill No. 35—An Act making an appropriation to make general plans for the improvement of the state fair grounds at Agricultural Park in the City of Sacramento and to make drawings, specifications and estimates therefor under the direction of the State Department of Engineering.

Bill read first time, and referred to Committee on Agriculture.

By Senator Butler: Senate Bill No. 36—An Act to amend section fifty-nine of the Civil Code of the State California, relating to marriages that are incestuous and void.

Bill read first time, and referred to Committee on Public Morals.

By Senator Birdsall: Senate Bill No. 37—An Act to provide for the incorporation, management and dissolution of rural credit unions.

Bill read first time, and referred to Committee on Agriculture.

By Senator Benson: Senate Bill No. 38—An Act to amend an Act known as "The Building and Loan Commission Act"—chapter 354, Laws of 1911, approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be known as and numbered section nine *a*, relating to the powers and duties of the Building and Loan Commissioner; fixing the grade and penalty for non-compliance with his orders; providing for the assistance of a peace officer to enforce his demands.

Bill read first time, and referred to Committee on Banking.

By Senator Beban: Senate Bill No. 39—An Act to require physical culture and health and development supervision in the public schools and to amend section one thousand six hundred sixty-eight of the Political Code.

Bill read first time, and referred to Committee on Education.

By Senator Anderson: Senate Bill No. 40—An Act to prevent the killing and destruction of wild game within certain territory lying within the boundaries of the Cleveland National Forest, in the State of California, and providing a penalty therefor.

Bill read the first time, and referred to Committee on Fish and Game.

By Senator Birdsall: Senate Bill No. 41—An Act to amend sections three, seven, eight, nine, ten, thirteen, twenty-two, and thirty-five of the Motor Vehicle Act, approved May 31, 1913, relating to the use and operation of motor vehicles on the public highways and elsewhere.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 42—An Act to provide that the Department of Engineering of the State of California may acquire for and in the name of the people of the State of California, by purchase, donation, dedication or by proceedings in eminent domain, additional rights of way, land and trees on and along the course of any State highway.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 43—An Act to amend section one thousand two hundred thirty-eight of the Code of Civil Procedure of the State of California relating to the public uses on behalf of which the right of eminent domain may be exercised.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 44—An Act to make an appropriation for the purpose of purchasing additional rights of way, land and trees on and along the course of the Lake Tahoe wagon road.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 45—An Act declaring the wagon road extending from the western end of the Lake Tahoe state wagon road to the eastern limits of the city of Placerville to be a State highway.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 46—An Act to provide for the survey, location and construction of a State bridle trail from Meyers Station in El Dorado County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 47—An Act declaring the county road extending from Auburn, State of California, in an easterly direction to a point near Emigrant Gap, a State highway and making an appropriation for the improvement thereof.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 48—An Act declaring the wagon road from McKinney's to the west end of Donner Lake a State highway.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 49—An Act to amend section six hundred twenty-six of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 50—An Act to amend section six hundred twenty-six *a* of the Penal Code of the State of California, relating to the protection of doves.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to article thirteen of the constitution by adding a new section thereto to be known as section five, relating to the exemption from ad valorem taxation of certain vehicles when the same shall pay certain license or registration fees.

Constitutional amendment referred to Committee on Roads and Highways.

Also: Senate Joint Resolution No. 2—Relative to national forests situated within the State of California and requesting the war department of the United States to station and maintain federal troops in such national forests during certain months.

Resolution read, and referred to Committee on Federal Relations.

By Senator Finn: Senate Bill No. 51—An Act to regulate the opening, widening and closing of roads and paths and the disinterment of bodies in cemeteries which have been transferred to cities or cities and counties and which are held by them in trust for the purpose of maintaining said cemeteries forever as public parks.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 52—An Act to authorize a cemetery corporation or association to transfer its land and certain funds to the city, or city and county within which such cemetery land is located whenever further burials in such land shall be prohibited; and to authorize said city or city and county to accept and execute a trust in relation to such property for the purpose of maintaining said land forever as a public park, to provide for the carrying into effect of the purposes in this Act.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 53—An Act to provide compensation to lot owners who have removed bodies, monuments and mortuary emblems from their lots in any cemetery the title of which shall have been transferred to the city or city and county in which it is located in trust for the purpose of maintaining such cemetery forever as a public park; to authorize such city or city and county to pay such compensation; and to provide the means and the procedure to carry out the purposes of this Act.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 54—An Act to repeal an Act entitled "An Act providing for the removal of human remains from cemeteries in any city, or city and county in this State, and repealing all Acts in conflict therewith," approved April 24, 1911.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 56—An Act to amend section three thousand fifty-one of the Civil Code of the State of California relating to liens upon personal property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 57—An Act to add a new section to the Civil Code of the State of California, to be numbered twenty-three hundred one, defining agencies.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 58—An Act to add a new section to the Penal Code of the State of California, to be numbered five hundred thirty-seven *d*, relating to the defrauding of garage keepers.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 59—An Act to amend section two thousand two hundred eighty-nine of the Civil Code of the State of California, relating to the appointment of trustees.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 60—An Act to amend section two thousand two hundred sixty-eight of the Civil Code of the State of California, relating to the power of trustees.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 61—An Act to amend an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section seventeen of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911, by amending section five thereof.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 62—An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of sureties thereon, terms and conditions thereof and prescribing the penalties for the violation of any of the provisions thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 63—An Act to provide for the erection of a memorial monument to Abraham Lincoln, appointing a commission therefor and providing an appropriation to carry this Act into effect.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 64—An Act providing that one half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Scannell" and "Dennis Sullivan," shall be borne and paid by the State of California out of the general fund.

Bill read first time, and referred to Committee on Finance.

By Senator Cohn: Senate Bill No. 65—An Act appropriating money for the purchase of additional land for the State Fair Grounds in the city of Sacramento.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 66—An Act appropriating money for the reconstruction of windows in the agricultural pavilion at the State Fair Grounds in Agricultural Park in the city of Sacramento.

Bill read first time, and referred to Committee on Agriculture.

By Senator Scott: Senate Bill No. 67—An Act to amend section twenty-five hundred fifty-two of the Political Code of the State of California, relating to salaries of officers and employees of the State Harbor Commissioners of San Francisco Harbor.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 68—An Act to amend section twenty-five hundred twenty-two of the Political Code of the State of California, relating to employees and their duties of the State Harbor Commission of San Francisco Harbor.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 69—A new section of the Code of Civil Procedure to be known as section eleven hundred ninety-five *a*.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 70—An Act to amend an Act entitled "An Act to establish a civil code," approved March 21, 1872, by adding a new section thereto, to be designated and known as section seventeen hundred sixteen relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases.

Bill read first time, and referred to Committee on Judiciary.

By Senator Duncan: Senate Bill No. 71—An Act to repeal section fifty-five *a* of the Political Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 72—An Act to add a new section to the Civil Code to be numbered twenty-nine hundred forty-one half relative to presumption payment of mortgages ten years after maturity of the obligations secured thereby.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 73—An Act to amend section eleven hundred ninety-five of the Political Code, relating to proposed constitutional amendments, initiative and referendum measures, and providing for the mailing and distribution of the same, together with arguments for and against adoption.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 74—An Act to amend section two hundred twenty-seven of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 75—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as section two hundred five *a*, relating to the verification of the qualifications of jurors.

Bill read first time, and referred to Committee on Judiciary.

By Senator Flaherty: Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator King: Senate Bill No. 77—An Act to amend an Act entitled "An Act to amend sections numbers eight hundred fifty-one and eight hundred fifty-two of an Act entitled 'An Act to provide for the organization, incorporation and government of municipal corporations, approved March 13, 1883,' approved March 9, 1911."

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 78—An Act to amend section one thousand six hundred eighteen of the Code of Civil Procedure of the State of California, relative to the compensation of executors and administrators.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 79—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments.

Bill read first time, and referred to Committee on Irrigation.

By Senator Jones: Senate Bill No. 80—An Act to amend section six hundred forty-seven of the Civil Code, relating to building and loan associations.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 81—An Act to amend that certain Act of the legislature of the State of California entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as subsequently amended, by adding a new section thereto, to be numbered section one hundred forty-six, relating to trusts and dispensing with the deposit of securities in certain instances.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 82—An Act to amend sections two hundred seventy-six, two hundred seventy-seven, and two hundred seventy-nine of the Code of Civil Procedure, relating to the admission and license of attorneys and counsellors at law, and to add three sections to said code, to be known as sections two hundred seventy-six *a*, two hundred seventy-six *b*, and two hundred seventy-six *c*, relating to the same subject, and making an appropriation to carry out the purposes of this Act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Benson: Senate Bill No. 83—An Act to amend section six hundred forty-six of the Civil Code, relating to building and loan associations.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 84—An Act to amend the Civil Code of the State of California by adding thereto a new section, to be known and numbered six hundred forty-two *a*, relating to building and loan associations.

Bill read first time, and referred to Committee on Banking.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Jones:

Resolved, That a committee of three be appointed by the President of the Senate to arrange and provide a calendar of committee meetings of the several standing committees of the Senate.

Resolution read and, on motion, adopted.

ADJOURNMENT.

At four o'clock and ten minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Friday, January 8, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gates, Hans, Irwin, Jones, Kehoe, King, Lyon, Luce, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry L. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 7, 1915, the further reading was dispensed with, on motion of Senator Lyon.

LEAVES OF ABSENCE.

Senator Ballard was, on motion of Senator Chandler, granted leave of absence for this day.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for this day.

Senator Tyrrell was, on motion of Senator Breed, granted leave of absence for this day.

Senator Gerdes was, on motion of Senator Crowley, granted leave of absence for this day.

Senators Owens and Scott were, on motion of Senator Wolfe, granted leave of absence for this day.

APPOINTMENT OF COMMITTEE.

The President announced the appointment of Senators Jones, Cogswell and Duncan a committee of three to arrange and provide a calendar of committee meetings of the several standing committees of the Senate, in accordance with the resolution of Senator Jones, adopted January 7, 1915.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Arthur S. Moore, Assistant Minute Clerk	$6 00 per day
Milo R. Robbins, Assistant Engrossing and Enrolling Clerk	5 00 per day
N. Murphy, Committee Clerk	4 00 per day
C. Olivier, Gatekeeper	3 00 per day
Mrs. Zoe Dobson, Assistant Engrossing and Enrolling Clerk	5 00 per day
Theodore LaFayette, Assistant Minute Clerk	6 00 per day
Miss Agnes Loufborrow, Stenographer	5 00 per day
John J. Begley, Committee Clerk	4 00 per day
J. Riordan, Committee Clerk	4 00 per day
Miss Mable Graney, Committee Clerk	4 00 per day
M. M. Crowley, Stenographer	5 00 per day
Alice M. Wall, Committee Clerk	4 00 per day
Samuel Knight, Assistant Engrossing and Enrolling Clerk	5 00 per day

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—33.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Senator Thompson:

Resolved, That Rule 8 of the standing rules adopted January 7, 1915, be amended so that subdivision 8 thereof shall read as follows:

8. Drainage, swamp and overflowed lands, seven members.

Resolution read and referred to Committee on Rules.

NOTICE OF CONSIDERATION OF RESOLUTION.

Senator Thompson gave notice that on the next legislative day he would call up for consideration the foregoing resolution.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Slater: Senate Bill No. 85—An Act to amend section ten of the Code of Civil Procedure of the State of California, relating to holidays.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 86—An Act to amend section ten of the Political Code of the State of California, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 87—An Act to amend section seven of the Civil Code of the State of California, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 88—An Act appropriating two thousand dollars for the restoration and rebuilding of the old Greek Chapel at Fort Ross, Sonoma County, California.

Bill read first time, and referred to Committee on Finance.

By Senator Finn: Senate Bill No. 89—An Act to amend an Act entitled "An Act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire the property of the State of California located on the water front of San Francisco, California," approved March 25, 1901, and all Acts or parts of Acts amendatory thereof, by amending section two thereof, said amendment relating to the aggregate amount of such insurance and the cost thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 90—An Act to amend an Act entitled "An Act to create for the State of California a department of engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony, and repealing an Act entitled 'An Act creating a commissioner of public works, defining his duties and powers, and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a department of highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredgers and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a debris commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending sections five and twelve thereof, relating to the officers and employees of the department of engineering, their powers, duties and salaries and particularly to the engineer appointed for service in the harbor of San Francisco under the State Board of Harbor Commissioners.

Bill read first time, and referred to Committee on Finance.

By Senator Lyon: Senate Bill No. 91—An Act to provide for a day of rest from labor.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Stuckenbruck: Senate Bill No. 92—An Act to add a new section to the Penal Code of the State of California, to be numbered

159*c*, relating to sending by mail, or otherwise, threats or statements that judgments rendered against any person will be printed or published.

Bill read first time, and referred to Committee on Judiciary.

Also:

Senate Bill No. 93—An Act to provide for the establishment of county free markets and for the conducting and maintenance of the same.

Bill read first time, and referred to Committee on Agriculture.

By Senator Beban: Senate Bill No. 94—An Act to amend section two thousand five hundred fifty-two of the Political Code relating to the salaries of the Board of State Harbor Commissioners and assistants, said amendment relating to the salary of the president of the board and his duties, and the fund out of which the said salaries and the compensation of the employees of the board shall be payable.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also:

Senate Bill No. 95—An Act to amend section two thousand nine hundred eighty-two of the Political Code, relating to the secretary and assistant to the secretary of the State Board of Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Purkitt: Senate Bill No. 96—An Act to establish the Yolo and Lake Highway; to define its course; to provide for its survey and construction; and to make an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Benson: Senate Bill No. 97—An Act to amend sections two, three and six of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an Act approved December 18, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Bill read first time, and referred to Committee on Banking.

By Senator Carr: Senate Bill No. 98—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Also:

Senate Bill No. 99—An Act to validate bonds of school districts and high school districts, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Education.

Also:

Senate Bill No. 100—An Act confirming and validating the organization of school districts.

Bill read first time, and referred to Committee on Education.

Also:

Senate Bill No. 101—An Act to amend section one thousand eight hundred eighty-five of the Political Code of the State of California, relating to the form of bonds of school districts.

Bill read first time, and referred to Committee on Education.

By Senator Brown: Senate Bill No. 102—An Act creating and establishing a commission for the investigating and gathering of data and statistics concerning the use of live animals for experimental purposes; providing for the appointment of said commission to be known as the "commission for the preservation of statistics of animal life," and prescribing the powers and duties of said commission and its members.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Strobridge: Senate Bill No. 103—An Act to amend section one thousand six hundred seventeen of the Political Code of the State of California, relating to the powers and duties of city boards of education and boards of school trustees.

Bill read first time, and referred to Committee on Education.

ANNOUNCEMENT BY SENATOR FINN.

Senator Finn announced that the Panama-Pacific Exposition would hold a "bal masque" on the Exposition grounds in San Francisco on Saturday, January 9, 1915, and that all members of the Senate and attaches were cordially invited to attend and participate.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Carr:

WHEREAS, Pursuant to the provisions of the Political Code, the Secretary of State of the State of California did on January 5, 1915, deliver to the presiding officer of the Senate of California the depositions, original statement, and all other papers theretofore received by him under the provisions of said code in the matter of the election contest instituted by Edwin E. Grant against Edward I. Wolfe, wherein and whereby the said Edwin E. Grant contests the election of the said Edward I. Wolfe as a Senator of the State of California from the Nineteenth Senatorial District of said State at a recall election held in said district October 8, 1914, and contests the right of said Edward I. Wolfe to a seat in said Senate as a member thereof from said Nineteenth District, notwithstanding the declaration of election of said Wolfe to said office by the board which canvassed the returns of said election, the issuance to said Wolfe of a certificate of election to said office; and

WHEREAS, Said contest is now pending before this Senate as the branch of the Legislature by which said contest is to be tried; now, therefore, be it

Resolved, That a special committee of five Senators be appointed by the President of the Senate to examine and consider the depositions, statement, and all other papers heretofore delivered to the presiding officer of this body relating to said contest or to the right to a seat in this Senate as a member thereof from the Nineteenth Senatorial District of California and that said contest and all of said papers relating thereto be, and the same are, hereby referred to said special committee for investigation and consideration; and be it further

Resolved, That said committee be and it is hereby given leave to sit during the sessions of the Senate either at the city of Sacramento, or, if deemed advisable by said committee, at any other place within the State of California; and that said committee be and it is hereby directed to complete the investigation as speedily as practicable, and that it be and it is hereby authorized, empowered, and directed to take and obtain any other evidence or testimony, oral or written, relating to, or bearing upon the matter of said contest and the right to said seat in this Senate which such committee may deem material thereto, and upon the completion of said investigation or at any time prior thereto, to report to this Senate the result thereof, together with such conclusions or recommendations as said committee may deem proper; and be it further

Resolved, That said committee be and it is hereby authorized, empowered, and directed to do any and all things necessary to make a full and complete investigation of said contest and the right to a seat in this Senate as a member from said Nineteenth Senatorial District, and all of the matters and subjects hereinbefore enumerated, and to that end to employ all necessary clerical and expert assistants; and the committee is hereby authorized, empowered, and directed to summon witnesses, send for persons and papers, to issue subpenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and the members of said committee are, and each of them is, hereby authorized to administer oaths; and all the provisions of article VIII of chapter II, title I, part III, of the Political Code of this State relative to the "attendance and examination of witnesses before the Legislature and committees thereof" shall apply to the committee appointed under this resolution; and the Sergeant-at-Arms of the Senate is hereby authorized and directed to serve any and all subpoenas and orders or other process that may be issued by the said committee when directed so to do by the chairman thereof; and be it further

Resolved, That the sum of two thousand five hundred dollars out of the Contingent Fund of the Senate be and the same is hereby made available for the purpose of defraying the expenses of said committee in said investigation, including the necessary traveling expenses of the members of said committee and the contingent expenses of said committee in said investigation, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as same may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

SUSPENSION OF RULES.

Senator Thompson moved that the standing rules of the Senate be suspended, and that the resolution be taken up for consideration.

Motion duly seconded.

The question being upon the motion to suspend the rules.

The roll was called, and the motion carried by the following vote:

Ayes—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—33.

Noes—None.

Whereupon the President declared the rules suspended.

Senator Thompson then moved the adoption of the resolution by Senator Carr under suspension of the rules.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—33.

Noes—None.

APPOINTMENT OF COMMITTEE.

The President announced the appointment of Senators Carr, Campbell, Anderson, Chandler, and King, as a special committee in accordance with the foregoing resolution by Senator Carr.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Breed:

Resolved, That the Superintendent of Capitol Building and Grounds is hereby directed to close the contingent expense accounts of Senators and the Lieutenant Governor, and forthwith transmit a statement of the same to the State Controller, and the Controller is hereby directed to draw his warrant in favor of such Senator for the amount remaining in his account, and the Treasurer is directed to pay the same.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Boyd, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—33.

NOES—None.

RECESS.

At ten o'clock and fifty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until eleven o'clock and fifteen minutes a.m.

RECONVENED.

At eleven o'clock and fifteen minutes a.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

ADJOURNMENT.

At eleven o'clock and twenty minutes a.m., on motion of Senator Thompson, the President declared the Senate adjourned until Monday, January 11, 1915, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Monday, January, 11, 1915.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Boyd, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry I. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 8, 1915, the further reading was dispensed with, on motion of Senator Lyon.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, January 11, 1915.

MR. PRESIDENT: Your Committee on Rules, to whom was referred the following resolution:

Resolved, That rule 8 of the standing rules adopted January 7, 1915, be amended so that subdivision 8 thereof shall read as follows:

8. Drainage, swamp and overflowed lands, seven members.

Have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

THOMPSON, Chairman.

The question being on the adoption of the resolution and committee report.

The roll was called, and the resolution and committee report adopted by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

NOES—None.

REPORT OF SPECIAL COMMITTEE.

MR. PRESIDENT: Your committee appointed to prepare a schedule of meetings for the standing committees of the Senate, have had the matter under consideration and respectfully report as follows:

That the time of the meetings of the standing committees of the Senate be, and the same shall be held, as follows:

Agriculture	At 2 p.m. on Monday of each week.
Banking	At 2 p.m. on Monday of each week.
Civil Service	At 9 a.m. on Monday of each week.
Commerce and Navigation	At 8 p.m. on Wednesday of each week.
Corporations	At 8 p.m. on Wednesday of each week.
County Government	At 8 p.m. on Tuesday and Thursday of each week.
Drainage, Swamp and Overflowed Lands	At 2 p.m. on Wednesday of each week.
Education	At 8 p.m. on Tuesday and Friday of each week.
Elections	At 4 p.m. on Monday and Friday of each week.
Federal Relations	At 9 a.m. on Monday of each week.
Finance	At 8 p.m. on Monday and Thursday of each week.
Fish and Game	At 4 p.m. on Tuesday and Thursday of each week.
Hospitals and Asylums	At 4 p.m. on Thursday of each week.
Insurance	At 10 am. on Saturday and at 2 p.m. on Wednesday of each week.
Irrigation	At 2 p.m. on Thursday of each week.
Judiciary	At 2 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday of each week.
Labor and Capital	At 4 p.m. on Wednesday and Friday of each week.
Military Affairs	At 9 a.m. on Monday of each week.
Mines and Mining	At 9 a.m. on Wednesday of each week.
Municipal Corporations	At 2 p.m. on Tuesday and Thursday of each week.
Oil Industries	At 9 a.m. on Tuesday of each week.
Prisons and Reformatories	At 8 p.m. on Wednesday of each week.
Public Health and Quarantine	At 8 p.m. on Tuesday and Friday of each week.
Public Morals	At 8 p.m. on Monday and Thursday of each week.
Public Utilities	At 8 p.m. on Friday of each week.
Revenue and Taxation	At 4 p.m. on Tuesday and Saturday of each week.
Roads and Highways	At 4 p.m. on Monday and Thursday of each week.

Your committee recommends that the Secretary of the Senate have copies of this schedule arranged in tabulated form and printed for each of the members of the two houses of the legislature.

JONES, Chairman.
DUNCAN.

MONDAY

9 A.M. Military Affairs. Federal Relations. Civil Service.
2 P.M. Judiciary. Agriculture. Banking.
4 P.M. Elections. Roads and Highways.
8 P.M. Finance. Public Morals.

TUESDAY

9 A.M. Oil and Oil Industries.
2 P.M. Judiciary. Municipal Corporations.
4 P.M. Fish and Game. Revenue and Taxation.
8 P.M. Education. County Government. Public Health.

WEDNESDAY
9 A.M. Mines and Mining.
2 P.M. Judiciary. Drainage. Insurance.
4 P.M. Labor and Capital.
8 P.M. Prisons. Corporations. Commerce and Navigation.

THURSDAY
2 P.M. Judiciary. Irrigation. Municipal Corporations.
4 P.M. Fish and Game. Hospitals and Asylums. Roads and Highways.
8 P.M. Finance. County Government. Public Morals.

FRIDAY
2 P.M. Judiciary.
4 P.M. Elections. Labor and Capital.
8 P.M. Education. Public Utilities. Public Health.

SATURDAY
10 A.M. Insurance.
2 P.M. Judiciary.
4 P.M. Revenue and Taxation.

Report read.

AMENDMENT OF REPORT

The foregoing report of special committee was amended by unanimous consent so that the schedule of meetings contained therein should apply only to that portion of the session which shall elapse before the constitutional recess.

ADOPTION OF REPORT

On motion of Senator Jones, the foregoing report of special committee was adopted.

RESOLUTIONS.

The following resolutions were offered:

By Senator Strobridge:

Resolved, That the Secretary be authorized and directed to furnish stationery to the standing committees of the Senate upon requisition on the Secretary of the Senate for such stationery, be limited to $30 each for the committees on finance and judiciary, and $10 each of other standing committees. Each committee's requisition to be signed by the chairman thereof.

Resolution read, and referred to Committee on Contingent Expenses.

By Senator Kehoe:

Resolved, That the Secretary of the Senate be and he hereby is authorized and directed to purchase for the use of members of the Senate thirty-two sets of the 1909 edition of Kerr's pocket codes of the State of California, five volumes in each set, with the consolidated supplement of 1911-1913, one volume in each set, six volumes in all in each set; also thirty-two sets of pasters showing reference to sections amended or added since 1909; also nine additional copies of the consolidated supplements 1911-1913; also forty-one volumes of Treadwell's latest edition of the Constitution of the State of California with the slips of the constitutional amendments pasted in each of said volumes. All of said volumes to be paid for out of the Contingent Fund of the Senate.

That the Secretary of the Senate be and he hereby is authorized and directed to deliver one of each of said sets of codes, general laws, supplement and constitution to each Senator, who shall receipt for the same and one volume of said supplement and constitution to each Senator who shall receipt for same and each Senator, at the close of the forty-first session of the Legislature of the State of California, shall turn over to the State Librarian the book so delivered to him.

Resolution read, and referred to Committee on Contingent Expenses.

By Senator Anderson:

Resolved, That on and after this date a number of persons or newspapers, to whom copies of bills shall be mailed, shall be limited to ten to each Senator, and the Senators are requested to hand in their lists of names to the Press Mailing Clerk.

Resolution read.

Senator Anderson moved that the resolution be adopted.

Senator Jones offered an amendment to the resolution.

The chair ordered the resolution referred to the Committee on Contingent Expenses with the request that the committee prepare a comprehensive report on the subject.

By Senator Tyrrell:

Resolved, That the Controller be and is hereby directed to draw his warrant on the Contingent Fund for $226.71 in favor of C. S. MacMullan; the same being a balance due on claim ordered paid by the Senate during its thirty-fourth session and unpaid because of the depletion of fund. The Treasurer is directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

J. R. Callahan, Assistant Sergeant-at-Arms	$5 00 per day
W. R. Shiveley, Committee Clerk	4 00 per day
Wm. M. Reese, Committee Clerk	4 00 per day
E. G. Stuckenbruck, Committee Clerk	4 00 per day
Miss M. Hubbard, Assistant Engrossing and Enrolling Clerk	5 00 per day
Wm. Burwell, Committee Clerk	4 00 per day
M. Klein, Committee Clerk	4 00 per day
Wm. Walsh, Committee Clerk	4 00 per day
Horace Theall, Committee Clerk	4 00 per day
W. H. Nichols, Committee Clerk	4 00 per day
W. T. Haley, Committee Clerk	4 00 per day
A. A. Leonard, Clerk Finance Committee	6 00 per day
H. P. Angus, File Clerk	5 00 per day
Miss Juliet M. Berger, Assistant Engrossing and Enrolling Clerk	5 00 per day

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Struckenbruck, Thompson, Tyrrell, and Wolfe—38.

NOES—None.

By Senator Cogswell:

Resolved, That the use of the Senate Chamber be granted Tuesday evening, January 12, 1915, and for the afternoon and evening of Wednesday, Thursday, Friday, and Saturday, January 13, 14, 15, 16, 1915, to the Committee on Revenue and Taxation for the purpose of holding public hearings upon Senate Bill No. 24, relating to the rates of taxation to be paid by those corporations taxed directly by the State under provision of amendment number one.

Resolution read, and on motion of Senator Cogswell, adopted.

MOTION.

Senator Birdsall moved that the inaugural address of his Excellency, Governor Hiram W. Johnson, and the inaugural address of Lieutenant Governor John M. Eshleman be printed in the Journal of Tuesday, January 5, 1915.

Motion carried.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Duncan: Senate Bill No. 104—An Act to amend sections 14*h* and 14*n* of an Act entitled, "An Act to amend the title and an Act entitled 'An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers, providing for detention homes for said children, providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the Superior Court jurisdiction of such offenses, and repealing inconsistent Acts,' approved March 8, 1909, and as amended by an Act approved April 5, 1911." (approved June 16, 1913. In effect August 10, 1913), relative to the salaries of probation officers in counties of the nineteenth class.

Bill read first time, and referred to Committee on Judiciary.

By Senator Strobridge: Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts" by amending sections 3, 19, 21 and 26 of said Act.

Bill read first time, and referred to Committee on Irrigation.

By Senator Scott: Senate Bill No. 106—An Act authorizing suits against the State to quiet title against it to real property purchased under the privisions of an Act entitled "An Act to survey and dispose of certain marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the Acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

Bill read first time, and referred to Committee on Judiciary.

By Senator Benedict: Senate Bill No. 107—An Act to amend section 1726*a* of the Code of Civil Procedure of California, relating to the payment of funeral expenses of deceased persons by public administrator.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 108—An Act to amend section four hundred forty-five, of the Political Code of the State of California, authorizing the controller of state to maintain an inheritance tax department and in connection therewith to appoint an inheritance tax attorney and assistants thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Concurrent Resolution No. 5—Approving a certain amendment to the charter of the city of Santa Monica, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Santa Monica at a special municipal election held therein on the 1st day of December, 1914.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Brown: Senate Bill No. 109—An Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as: "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same, and known as an Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, approved March 12, 1885, approved March 23, 1901."

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Luce: Senate Bill No. 110—An Act to amend subdivision nine of section eight hundred sixty-two of an Act entitled: "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 111—An Act to amend section nine of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 112—An Act to add a new section to the Political Code, to be numbered 4293, relating to the qualifications of coroners and deputy coroners and prohibiting certain agreements on the part of such coroners and deputy coroners.

Bill read first time, and referred to Committee on County Government.

By Senator Kehoe: Senate Bill No. 113—An Act appropriating money for the construction and equipment of buildings on the property of Humboldt State Normal School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 114—An Act appropriating money for the equipment and furnishing of buildings at Humboldt State Normal School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 115—An Act appropriating money for the construction of temporary buildings at Humboldt State Normal School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 116—An Act appropriating money for moving temporary buildings at Humboldt State Normal School.

Bill read first time, and referred to Committee on Finance.

Also: Senate bill No. 117—An Act appropriating money for clearing the site for erecting buildings on the property of Humboldt State Normal School.

Bill read first time, and referred to Committee on Finance.

By Senator Tyrrell: Senate Bill No. 118—An Act to amend section four thousand two hundred thirty-two of the Political Code of the State of California relating to the salaries, fees, and expenses of officers in counties of the third class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 119—An Act providing for the manner of calling meetings of an unincorporated society, organization, or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do.

Bill read first time, and referred to Committee on Judiciary.

By Senator Scott: Senate Bill No. 120—An Act to add a new section to the Code of Civil Procedure of the State of California to be known as section five hundred ninety-two *a*, relating to the fees and expenses of jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 121—An Act to amend section two hundred seventy-four of the Code of Civil Procedure of the State of California, relating to official reporters.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 122—An Act to amend section ninety-five of the Penal Code of the State of California, relating to improper attempts to influence judges, justices, jurors, referees, etc.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr: Senate Bill No. 123—An Act to amend section four of an Act entitled "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein; also to construct and maintain sewers, water mains, and other conduits for their joint benefit and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended, so as to authorize the use of highways for the construction and maintenance of sewers.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Thompson: Senate Bill No. 124—An Act to amend section four hundred twenty-one of the Civil Code, relating to investments by insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 125—An Act to provide for the planting, improving, care and maintenance of parkings and parkways in the public streets, boulevards and highways of incorporated cities.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 126—An Act to carry into effect the provisions of section 1½ of article XIII of the constitution of California, exempting property from taxation in certain instances, and to that end adding a new section to the Political Code, to be numbered three thousand six hundred twelve.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 127—An Act to amend section three thousand eight hundred twenty-three of the Political Code, relating to the collection of taxes by the assessor.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 128—An Act appropriating money to pay the claim of Grocer's Building Company against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 129—An Act to amend section seven hundred fifteen of the Civil Code, relating to restraints upon alienation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 130—An Act to amend section 1365 of the Code of Civil Procedure, relating to the order of persons entitled to administer upon estates.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 131—An Act to amend section three hundred twenty-three of the Code of Civil Procedure, defining adverse possession under written instrument of judgment.

Bill read first time, and referred to Committee on Judiciary.

RECESS.

At eleven o'clock and thirty-five minutes a.m., on motion of Senator Strobridge the President pro tem. declared the Senate at recess until twelve o'clock noon.

RECONVENED.

At twelve o'clock noon, the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 3—Relative to approving certain amendments to the charter of the city of San Jose, a municipal corporation in the county of Santa Clara, State of California, voted for and ratified by a majority of the qualified electors of said city of San Jose at a general election held therein on the 18th day of May, 1914—have had the same under consideration, and respectfully recommend that the same be adopted.

TYRRELL, Chairman.

MOTION TO SUSPEND RULES.

Senator Benson moved that the standing rules of the Senate be suspended for the purpose of taking up for consideration at this time Senate Concurrent Resolution No. 3.

Motion duly seconded.

The question being upon the motion to suspend the rules.

The roll was called, and the motion carried by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

NOES—None.

Whereupon the President declared the rules suspended.

MOTION TO ADOPT RESOLUTION

Senator Benson then moved the adoption of Senate Concurrent Resolution No. 3 under suspension of the rules.

SENATE CONCURRENT RESOLUTION No. 3.

Approving certain amendments to the charter of the city of San Jose, a municipal corporation in the county of Santa Clara, State of California, voted for and ratified by a majority of the qualified electors of said city of San Jose at a general election held therein on the 18th day of May, 1914.

WHEREAS, Proceedings have been had and taken for the proposal, submission, adoption and ratification of certain amendments hereinafter set forth to the charter of the city of San Jose, as set out in the certificate of the mayor and city clerk of the city of San Jose, to wit:

CITY OF SAN JOSE,
State of California, } ss.
County of Santa Clara.

We, the undersigned, F. R. Husted, mayor of the city of San Jose, State of California, and Roy E. Walter, city clerk of said city, do hereby certify and declare as follows:

That the city of San Jose, in the county of Santa Clara, State of California, contains a population of more than three thousand five hundred inhabitants, and has been ever since the year 1897, and is now, organized and existing under a freeholders' charter adopted under and by virtue of section 8 of article XI of the constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election duly called and held for that purpose on the 23rd day of February, 1897, and approved by the legislature of the State of California on the 5th day of March, 1897 (Statutes of 1897, p. 592);

That in pursuance of sufficient petitions requiring the same, filed in the office of the city clerk of said city on the 17th day of March, 1914, and by and in pursuance of ordinances Nos. 1362 and 1364, both adopted by the common council of the city of San Jose on the 6th day of April, 1914, and approved by the mayor of said city on the 13th day of April, 1914, the city council of the said city of San Jose did by said ordinances and by ordinance No. 1370, adopted by said city council on the 22nd day of April, 1914, and approved by the mayor of said city on the 22nd day of April, 1914, and pursuant to section 8 of article XI of the constitution of the State of California, duly submit to the qualified electors of said city of San Jose certain amendments to said charter of said city to be voted on by said qualified electors at a general municipal election to be held in said city on the 18th day of May, 1914, which said amendments were and are in words and figures following, to wit:

Amend article II by adding immediately after chapter I of said article II a new chapter to be known as chapter I*a*, to read as follows:

ELECTIONS

CANDIDATES—HOW NOMINATED—PRIMARY ELECTION—BALLOT—CANVASS OF VOTE—RESULT PUBLISHED—MUNICIPAL ELECTION.

SECTION 1. Candidates to be voted for at all general municipal elections under the provisions of this charter shall be nominated at a primary election, and no names shall be placed upon the general ballot other than those selected in the manner hereinafter prescribed. The primary election for such nomination shall be held on the second Monday preceding the general municipal election. The judges of election appointed for the general municipal election shall be the judges of the primary election, and it shall be held at the same places, so far as possible, and the polls shall be opened and closed at the same hours, with the same clerks, as are required for said general municipal election. Any person desiring to become a candidate for an elective office shall, at least thirty days prior to said primary election, file with the city clerk a statement of such candidacy, in substantially the following form:

State of California, County of Santa Clara.—ss.

I, (________________), being first duly sworn, say that I reside at________________ street, city of San Jose, county of Santa Clara, State of California; that I am a qualified voter therein; that I am a candidate for nomination to the office of ________________, to be voted upon at the primary election to be held on the first Monday of May, 19____, and I hereby request that my name be printed upon the official primary ballot for nomination by such primary election for such office.

(Signed)________________________

and shall at the same time file therewith the petition of at least 250 qualified voters in said city requesting such candidacy.

FORM OF NOMINATION PETITION.

SEC. 2. The petition of nomination shall consist of not less than 250 individual certificates, which shall read substantially as follows:

Petition of Nomination.
Individual Certificate.

STATE OF CALIFORNIA,
County of Santa Clara, } ss.
City of San Jose.

No.__________

I, the undersigned, certify that I do hereby join in a petition for the nomination of____________________, whose residence is at No.____________________street, San Jose, for the office of____________________to be voted for at the municipal election to be held in the city of San Jose, on the ______ day of May, 19____, and I further certify that I am a qualified elector and am not at this time a signer of any other petition nominating any other candidate for the above named office, that my residence is at No. ____________________ street, San Jose, and that my occupation is ____________________.

(Signed)____________________________

STATE OF CALIFORNIA,
County of Santa Clara, } ss.
City of San Jose.

____________________, being duly sworn, deposes and says that he is the person who signed the foregoing certificate and that the statements therein are true and correct.

(Signed) ____________________

Subscribed and sworn to before me this _________ day of______________, 19____.

____
Verification Deputy.

The petition of nomination of which this certificate forms a part shall, if found insufficient, be returned to ____________________ at No. ______________ street, San Jose, Cal.

FORMS TO BE SUPPLIED BY THE CITY CLERK.

SEC. 3. It shall be the duty of the city clerk to furnish upon application a reasonable number of official forms of individual certificates of the above character.

REQUIREMENTS OF CERTIFICATES.

SEC. 4. Each certificate must be a separate paper. All certificates must be of a uniform size as determined by the city clerk. Each certificate must contain the name of one signer thereto and no more. Each certificate must contain the name of one candidate and no more. Each signer must be a qualified elector and must not at the time of signing a certificate have signed his name to any other certificate for any other candidate for the same office. In case an elector has signed two or more conflicting certificates, all such certificates shall be rejected. Each signer must verify his certificate and make oath that the same is true before a verification deputy, as provided for in this section. Each certificate shall further contain the name and address of the person to whom the petition is to be returned in case said petition is found insufficient, or upon the withdrawal or death of any candidate.

VERIFICATION DEPUTIES.

SEC. 5. Verification deputies, under this section, must be qualified electors of the city and shall be appointed by the city clerk upon application in writing signed by not less than five qualified electors of the city. The application shall set forth that the signers thereto desire to procure the necessary signatures of electors for the nomination of candidates for municipal office at an election therein specified, and that the applicants desire the person or persons whose names and addresses are given, appointed as verification deputies, who shall upon appointment be authorized and empowered to take the oath of verification of the signers of petitions of nomination. Such verification deputies need not use a seal, and shall not have power to take oaths for any other purposes whatsoever, and their appointments shall continue only until all petitions of nomination, under this section, shall have been filed with the city clerk. No verification deputy shall be paid, in whole or in part, directly or indirectly, out of the city treasury. All verification deputies must, before their appointment, make and file with the city clerk an oath as to their places of residence, occupation and whether or not they are qualified electors of the city of San Jose, California.

DATE OF PRESENTING PETITION.

SEC. 6. A petition of nomination must be presented to the city clerk not earlier than forty-five days nor later than thirty days before the primary election, except as otherwise provided in this charter. The city clerk shall endorse thereon the date upon which the petition was presented to him.

EXAMINATION OF PETITIONS BY CITY CLERK.

SEC. 7. When a petition of nomination is presented for filing to the city clerk, he shall forthwith examine the same, and ascertain whether it conforms to the provisions of this charter. If found not to conform thereto, he shall then and there in writing designate on said petition the defect or omission or reason why such petition can not be filed and shall return the petition to the person named as the person to whom the same may be returned in accordance with this article. The petition may then be amended and again presented to the clerk as in the first instance. The clerk shall forthwith proceed to examine the petition as hereinbefore provided.

WITHDRAWAL OF SIGNATURE.

SEC. 8. Any signer to a petition of nomination and certificate may withdraw his name from the same by filing with the city clerk a verified revocation of his signature before the filing of the petition by the clerk, and not otherwise. He shall then be at liberty to sign a petition for another candidate for the same office.

WITHDRAWAL OF CANDIDATE.

SEC. 9. Any person whose name has been presented under the provisions of this chapter as a candidate may, not later than twenty-five days before the day of election, cause his name to be withdrawn from nomination by filing with the city clerk a request therefor in writing, and no name so withdrawn shall be printed upon the ballot. If upon such withdrawal the number of candidates remaining does not exceed the number to be elected, then other nominations may be made by filing petitions therefor not later than twenty days prior to such election, in the same manner as hereinbefore provided.

FILING OF PETITIONS.

SEC. 10. If either the original or the amended petition of nomination be found sufficiently signed as hereinbefore provided, the city clerk shall file the same not less than eighteen days before the date of the election. When a petition of nomination shall have been filed by the city clerk it shall not be withdrawn nor added to and no signature shall be revoked thereafter.

PRESERVATION OF PETITIONS.

SEC. 11. The city clerk shall preserve in his office for a period of two years all petitions of nomination and all certificates belonging thereto filed under this section.

Immediately upon the expiration of the time of filing the certificates and petitions for candidacies, the city clerk shall mail not later than five (5) days prior to the date of election, a sample ballot to each qualified voter in the city of San Jose, and the city clerk shall thereupon cause the primary ballots to be printed, authenticated with a facsimile of his signature.

BALLOTS.

SEC. 12. The ballot shall be printed upon plain, substantial white paper, and shall have no party designation or mark whatever, and shall be in substantially the following form:

OFFICIAL PRIMARY BALLOT.

Candidates for nomination for mayor and other elective officers of the city of San Jose, at the primary election, held May ...., 19......

(Place a cross (X) in the square following the name of the person you favor as a candidate for such office.)

FOR MAYOR (vote for one)

(Here print alphabetically, names of all candidates for mayor, with a square following each name.)

FOR COUNCILMAN .... WARD (vote for one)

(Here print alphabetically, names of all candidates for councilman............ ward, with a square following each name.)

FOR COUNCILMAN .... WARD (vote for one)

(Here print alphabetically, names of all candidates for councilman............ ward, with a square following each name.)

FOR COUNCILMAN .... WARD (vote for one)

(Here print alphabetically, names of all candidates for councilman............ ward, with a square following each name.)

FOR COUNCILMAN .... WARD (vote for one)

(Here print alphabetically, names of all candidates for councilman............ ward, with a square following each name.)

FOR COUNCILMAN AT LARGE (vote for one)

(Here print alphabetically, names of all candidates for councilman at large, with a square following each name.)

FOR CITY CLERK (vote for one)

(Here print alphabetically, names of all candidates for city clerk, with a square following each name.)

FOR CITY TREASURER (vote for one)

(Here print alphabetically, names of all candidates for city treasurer, with a square following each name.)

FOR POLICE JUDGE (vote for one)

(Here print alphabetically, names of all candidates for police judge, with a square following each name.)

Official ballot attest,

--------- ---------, City Clerk.

FIRST ELECTION.

SEC. 13. Having caused said ballots to be printed, the said city clerk shall cause to be delivered at each polling place a number of said ballots equal to ten per cent more than the number of registered voters in such polling precinct, who are entitled to vote at said election. Judges of election shall, immediately upon the closing of the polls, count the ballots and ascertain the number of votes cast in such precinct for each of the candidates, and shall forthwith make return thereof to the city clerk, upon proper blanks to be furnished by the said clerk. On the second day following the filing with the city clerk of complete returns of said election, the mayor and common council shall canvass said returns and declare the result thereof. The two candidates receiving the highest number of votes for any office shall be the candidates, and the only candidates, for such office, whose names shall be placed upon the ballot at the next succeeding general muncipal election.

In case there is but one person to be elected to an office, the candidate receiving a majority of the votes cast for all the candidates for that office, shall be declared elected.

SECOND ELECTION.

SEC. 14. If at any election held as above provided there be any office to which the required number of persons was not elected, then as to such office the said first election shall be considered to have been a primary election for the nomination of candidates, and a second election shall be held to fill said office. The candidates not elected at such first election, equal in number to twice the number to be elected to any given office, who receive the highest number of votes for the respective offices at such first election, shall be the only candidates at such second election; provided that if two or more persons shall each receive an equal number of votes at said first election and said number of votes so received by each of said persons shall be greater than the number of votes received by any other person who is a candidate for nomination for the same office, or if any two or more persons receive an equal number of votes at said first election and said number of votes is exceeded by the number of votes received by only one candidate for said office then in either event the persons so receiving an equal number of votes shall likewise become candidates for such office.

The candidates equal in number to the number of persons to be elected, who shall receive the highest number of votes at such second election, shall be declared elected to such office.

RULES GOVERNING SECOND ELECTION.

SEC. 15. All the provisions and conditions above set forth as to the conduct of an election, so far as they may be applicable, shall govern the second election, and provided also that the same precincts and polling places shall, if possible, be used.

RECALL.

Any or all of the elective officers, provided for in this charter, may be removed from office by the electors. The procedure to effect such removal shall be as follows:

A petition demanding that the question of removing such officer or officers be submitted to the electors shall be filed with the city clerk.

Such petition shall be signed by qualified electors equal in number to at least twenty (20) per centum of the total number of votes cast for the office of mayor at the last general municipal election.

The signatures to such petitions need not all be appended to any one paper

PETITIONS

SEC. 16. Petition papers shall be procured only from the city clerk, who shall keep a sufficient number of such blank petitions on file for distribution as herein provided. Prior to the issuance of such petition papers an affidavit shall be made by one or more qualified electors and filed with the city clerk, stating the name and office of the officer or officers sought to be removed. The city clerk, upon issuing any such petition papers to an elector, shall enter in a record, to be kept in his office, the name of the elector to whom issued, the date of such issuance, and the number of papers issued, and shall certify on such papers the name of the elector to whom issued, and the date issued. No petition papers so issued shall be accepted as part of the petition unless it bears such certificate of the city clerk and unless it be filed as provided herein.

SIGNATURES.

SEC. 17. Each signer of a recall petition shall sign his name in ink or indelible pencil and shall place thereon after his name his place of residence by street and number. To each such petition paper there shall be attached an affidavit of the circulator thereof, stating the number of signers to such part of the petition and that each signature appended to the paper was made in his presence and is the genuine signature of the person whose name it purports to be and that such circulator has not received and will not receive, either directly or indirectly, any compensation for circulating said petition, or for procuring signatures thereto.

FILING OF PETITIONS

SEC. 18. All papers comprising a recall petition shall be assembled and filed with the city clerk as one instrument within thirty (30) days after the filing with the city clerk of the affidavit stating the name and office of the officer sought to be removed.

EXAMINATION OF PETITIONS

SEC. 19. Within ten days from the date of filing such petition, the city clerk shall examine the register and therefrom ascertain whether or not said petition is signed by the requisite number of qualified voters, and, if necessary, the council shall allow him extra help for that purpose; and he shall attach to said petition his certificate showing the result of said examination. If by the clerk's certificate the petition is shown to be insufficient, it may be amended within ten days from the date of said certificate. The clerk shall, within five days after such amendment, make like examination of the amendment to the petition and attach his certificate thereto as in the case of the original petition, and if his certificate shall show the said amended petition to be insufficient, it shall be returned to the person filing the same, without prejudice to the filing of a new petition to the same effect. If the petition, either as originally filed, or after amendment, shall be found to be sufficient, the city clerk shall submit the same to the common council at the next regular meeting of said council after the date of his certificate of such sufficiency, and he shall forthwith serve upon the officer or officers sought to be recalled a notice of the submission of such petition, which said notice may be served upon said officer personally or by leaving a written notice of such submission at the last known address of said officer or officers.

CALLING OF ELECTION

SEC. 20. If said officer or officers does not resign within five days after the submission of said petition to said common council, said council shall order and fix a date for holding a recall election, which said election shall be held not less than twenty days or more than forty days from the submission of said petition to said council; which said election shall be held at the same time as any general or special municipal election to be held within such period; but, if no such general or special election is to be held within such period the common council shall call a special recall election, to be held within the time aforesaid.

BALLOTS.

SEC. 21. The ballots at such recall election shall conform to the following requirements:

With respect to each person whose removal is sought the question shall be submitted, "Shall (name of person) be removed from the office of (name of office) by recall?"

Immediately following each such question there shall be printed on the ballots the two propositions, in the order set forth:

For the recall of (name of person).
Against the recall of (name of person).

Immediately to the right of each proposition shall be placed a square in which the electors, by making a cross mark (X), may vote for either of such propositions.

SEC. 22. Should a majority of the votes cast at a recall election be against the recall of the officer named on the ballot, such officer shall continue in office for the remainder of his term, subject to recall as before. If a majority of the votes cast on the question of the recall of any elective officer at a recall election be for the recall of such officer, he shall, regardless of any technical defects in the recall petition, be deemed removed from office.

LIMITATION OF TIME.

SEC. 23. No recall petition shall be filed against any elective officer within six (6) months after he takes his office, and in the event of the failure to recall any elective officer at any such election, no other election may be held for the recall of such officer until six (6) months after the previous recall election.

APPOINTMENT OF SUCCESSOR.

SEC. 24. In the event of the recall of the mayor his successor shall be elected by a majority vote of the common council. In the event of the recall of any officer other than the mayor, the successor of the officer or officers so recalled shall be appointed by the mayor and no confirmation by the common council of such appointment shall be required. In the event of the recall of the mayor and less than a majority of the members of the common council successors to the officers so recalled shall be elected by a majority vote of the common council, provided that no member of the common council whom the electors shall have voted to recall shall be allowed to vote for a successor to himself or to any other officer voted to be recalled.

If by reason of the operation of this section or for any other reason there are not sufficient officers remaining qualified to vote for successors to the officers recalled then a special election for the purpose of electing successors to said officers shall be called by the member or members of the common council whom the electors have not voted to recall, or, in the event there is no such member of the common council said election shall be called by the city clerk and in such event the city clerk is hereby invested, for the purposes of said election, with all of the powers by this charter invested in the common council in respect to the conduct of elections. Such special election shall be conducted in the manner hereinbefore provided for the general municipal election. No officer who has been recalled shall hold office, either appointive or elective, during the remainder of the term for which he was elected.

THE INITIATIVE.

Powers reserved to the people.

SEC. 25. In addition to the powers vested by this charter in the common council, the people reserve to themselves the power to adopt or reject ordinances at the polls independent of the council.

PETITION SHALL CONTAIN PROPOSED ORDINANCES.

SEC. 26. To initiate proceedings for the exercise of said reserved powers, a petition signed by duly qualified electors of the city equal in number to twenty five per cent of the entire vote cast for all candidates for mayor at the last preceding general municipal election at which a mayor was elected, shall be filed with the city clerk. Said petition shall be addressed to the mayor and common council, shall contain the proposed ordinance set out in full and shall request that the proposed ordinance be submitted forthwith to vote of the people at a special election, or at a general election at the option of those proposing the ordinance.

THE PETITION MAY BE IN TEN SECTIONS.

SEC. 27. To facilitate the procuring of signers, the petition may consist of not exceeding ten separate sections. Any qualified elector may circulate a section for signatures, and each signer shall add to his signature his place of residence, giving the street and number. Each section shall have attached thereto the affidavit of the person who circulated the same for signatures; that all the signatures were made in his presence, and that to the best of his knowledge and belief each signature is the genuine signature of the person whose name it purports to be. The several sections shall each contain a copy of the proposed ordinance, and, at the time of being signed, shall in all respects be counterparts of each other. When filed they shall be attached together and constitute the petition.

VERIFICATION OF THE PETITION.

SEC. 28. Within ten days after such petition is filed, the city clerk shall satisfy himself whether or not the petition contains the requisite number of signers and whether or not the signers are qualified electors of the city and reside at the places set opposite their names respectively. At the conclusion of such examination, the city clerk shall attach to said petition his certificate showing the result of his examination. The common council shall allow the city clerk such extra help in making the examination as may be necessary.

PETITION MAY BE AMENDED.

SEC. 29. If by the certificate it appears that the petition is not signed by the requisite number of duly qualified signers, or is defective in any other particular, it may be amended within ten days from the date of the certificate, by the filing of not exceeding five additional sections duly verified and counterparts, except as to the names of the signers, of the sections on file, containing the requisite number of signatures. The city clerk shall, within five days after such additional sections are filed, make examination of the signatures thereon and attach his certificate to the petitions showing whether or not the petition is still insufficient. If, after filing the additional sections, the certificate of the city clerk shows the petition still insufficient, no further proceedings shall be had on the petition on file; but a new petition may, however, be filed to effect the same purpose.

COUNCIL SHALL PASS THE ORDINANCE OR CALL AN ELECTION.

SEC. 30. If the certificate of the city clerk shows the petition sufficient, the council, if a special election is demanded in the petition, within twenty days from the date of the city clerks' certificate showing the sufficiency of the petition, shall either pass such ordinance without alteration, or forthwith call a special election, to be held within forty days after the passage of the ordinance calling the same, and submit said proposed ordinance without alteration to vote of the people.

FIFTEEN PER CENT PETITION.

SEC. 31. If the petition request that the proposed ordinance be submitted to a vote of the people at the next general municipal election, and be signed by qualified electors equal in number to fifteen per centum of the entire vote cast for all candidates for mayor at the last general municipal election at which a mayor was elected, and said ordinance be not passed by the council, as demanded in the petition, then, such ordinance, without alteration, shall be submitted by the common council to a vote of the people at the next general municipal election, provided such election shall occur at any time after twenty days from the date of the city clerk's certificate showing the sufficiency of the petition.

PRINTED ARGUMENTS FOR AND AGAINST THE ORDINANCE.

SEC. 32. At any time twenty days prior to the election at which the proposed ordinance is submitted to vote of the people, the proponents of the ordinance and the mayor and common council may respectively present to the city clerk printed arguments favoring or opposing the passage of the proposed ordinance by vote of the people. There shall be only one printed argument on behalf of the proponents of the ordinance, and one on behalf of the mayor and common council, and said arguments shall be contained in not exceeding five hundred words in each printed [illegible]. The form and size of paper shall be suitable for mailing, and shall be prescribed by the city clerk. The number of copies of such printed arguments for each party shall be five per centum in excess of the total number of qualified electors of the city. One copy of each of said arguments must be mailed by the city clerk with each sample ballot, and with each sample ballot shall also be mailed a printed copy of the proposed ordinance and petition, except the names of the signers to said petition and the certificate of the city clerk shall not be included. The cost of printing the necessary copies of the petition and proposed ordinance shall be borne by the city.

FORM OF THE BALLOT.

SEC. 33. The ballot used when voting on the proposed ordinance shall set forth the title of the ordinance in full, state the general subject, and shall contain the words "For the ordinance." Opposite such proposition, to be voted on, and to the right thereof, the words "Yes" and "No" shall be printed on separate lines with voting squares in which the voter may stamp his cross. If a majority of those voting on such proposed ordinance shall vote in favor thereof, such ordinance shall be deemed adopted and shall take effect five days after the declaration of the official canvass of the returns of such election.

SEVERAL ORDINANCES MAY BE SUBMITTED TO VOTE OF THE PEOPLE AT THE SAME ELECTION.

SEC. 34. Any number of proposed ordinances may be submitted to vote of the people at the same election. The enacting clause of an ordinance adopted by vote of the people shall be, "The people of the city of San Jose do ordain as follows:".

REPEAL OR AMENDMENT OF ORDINANCE.

SEC. 35. The common council, at any general municipal election, may, without petition, submit to vote of the people a proposition to amend or repeal any ordinance adopted by vote of the people, or for the enactment of a new ordinance, and in case a majority of the votes cast thereon at such general municipal election be in favor of the proposition submitted, the ordinance shall thereupon be amended or repealed accordingly, and the new ordinance adopted. An ordinance proposed by petition and passed by vote of the people can be repealed or amended only by vote of the people.

CONFLICTING ORDINANCES ADOPTED.

SEC. 36. If two or more ordinances adopted at the same election shall contain conflicting provisions, the one adopted by the highest number of votes shall be construed as paramount to the other so far as the particular conflict is concerned.

LAWS GOVERNING INITIATIVE ELECTIONS.

SEC. 37. The procedure for holding special elections to submit proposed ordinances to vote of the people shall, so far as applicable, be the same as for special election for the recall.

INITIATIVE ELECTIONS TO BE SIX MONTHS APART.

SEC. 38. There shall not be held more than one special election in a period of six months for the purpose of submitting any ordinance to vote of the people.

THE REFERENDUM.

SEC. 39. No ordinance passed by the common council shall go into effect before thirty days from the time of its final passage, except where otherwise required by the general laws of the state, or by the provisions of this charter, respecting street improvement or street opening, or respecting matters pertaining to the purchase or sale of lands, or pertaining to elections, or respecting the levying and collection of taxes, or pertaining to bond issues, and except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency, and is passed by a four-fifth vote of the common council; *provided*, that no grant of any franchise shall be construed to be an urgency measure, but all franchises shall be subject to the referendum vote herein provided. If during said thirty days, a petition signed by qualified electors of the city, equal in number to at least fifteen per centum of the entire vote cast for all candidates for mayor at the last preceding general municipal election, at which a mayor was elected, protesting against the passage of such ordinance, be presented to the common council, the same shall thereupon be suspended from going into operation, and it shall be the duty of the common council to reconsider such ordinance, and if the same be not entirely repealed, the common council shall submit the ordinance to the vote of the electors of the city, either at the next general municipal election, or at a special election to be called for that purpose, and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same, shall vote in favor thereof. The form of the petition, and the mode of verification and certification and filing, shall be substantially, with such modifications as the nature of the case requires, as provided for recall elections.

SEC. 40. The common council must by ordinance make such further regulations as may be necessary to carry out the provisions of this article, and to adapt the provisions of the recall election thereto.

SEC. 41. All parts of the charter of the city of San Jose in conflict with the provisions of this chapter, are hereby repealed and the common council is hereby authorized and directed to enact any ordinances necessary to make said provisions effective.

A new section to be added to chapter IV, article X of said charter, to be known as section 14, and to read as follows:

"Section 14. Every paid employee of the city who shall be required to be on duty twenty-four hours each day shall be entitled to one day off in every seven, and every board or commission having supervision of such employees, shall make rules and regulations providing for one day off in every seven for such employees. No employee shall be allowed to work more than six consecutive days, except in times of great emergency, and a lack of public funds shall in no event be construed as such an emergency."

That the charter of the city of San Jose be amended by adding a new section to be numbered section 6*a* to chapter I of article III. Said section 6*a* to read as follows, to wit:

Section 6*a*. Should the mayor die, resign or be removed from office other than by the vote of the people, or the office of mayor become permanently vacant in any other way, then the common council shall appoint one of their number mayor, and he shall possess all the powers of the mayor, and receive the salary or compensation, provided for the mayor, during the unexpired term. The mayor so appointed shall, with the consent of the common council, appoint an eligible citizen to the vacancy created in the common council by his elevation.

That section 3 of article I, section 9 of chapter I of article II, sections 1 and 2 of chapter I of article III, section 2 of chapter II of article V, and section 2 of article IX of the charter of the city of San Jose be amended to read as follows:

Section 3 of article I: The city shall be divided into six wards, bounded as follows:

That portion of the city bounded on the northwest by the former northern boundary line of said city, on the northeast by the center line of First street, on the southeast by the center line of Santa Clara street, and on the southwest by the southwestern boundary of said city, together with all of that portion of the city lying north of the center line of Rosa street (and being the territory annexed to the city by the election had November 22, 1912) shall be and constitute the First ward.

That portion of the city bounded on the northwest by the northern boundary line of said street, on the northeast by the center line of the Coyote river, on the southeast by the center line of Santa Clara street and on the southwest by the center line of First street shall be and constitute the Second ward.

That portion of the city bounded on the northwest by the center line of Santa Clara street, on the east and northeast by the center line of the Coyote river, on the southeast by the southeastern boundary line of said city, and on the southwest by the center line of First street shall be and constitute the Third ward.

That portion of the city bounded on the northwest by the center line of Santa Clara street; on the northeast by the center line of First street; on the southeast by the southeastern boundary line of said city; on the southwest by a line commencing at the point of intersection of the center line of Santa Clara street with the center line of Delmas avenue and running thence southerly along the center line of said Delmas avenue to the point of intersection of the center line of Delmas avenue with the center line of Grant street, thence easterly along the center line of Grant street to the point of intersection of the center line of Grant street with the center line of Guadalupe creek; thence southerly along the center line of the Guadalupe creek following the meanderings thereof to the southwesterly city limits as they stood in the year 1897, and thence southerly along the southwesterly boundary line of the city as it stood in 1897 to the southerly boundary line of the city, shall be and constitute the Fourth ward.

That portion of the city lying south of the center line of Santa Clara street and west of the center line of First street, and not included in the Fourth ward, shall be and constitute the Fifth ward.

That portion of the city lying easterly of the center line of the Coyote river shall be and constitute the Sixth ward.

Whenever territory is hereafter annexed to the city, the mayor and common council, shall, immediately, after said annexation, make it a part of one of the wards of the city by ordinance, and it shall be and become from thenceforth a part of the ward to which it is attached by ordinance.

Section 9 of chapter I of article II. The election for city officers held under the provisions of this charter shall be held in the even numbered years, and be biennially hereafter, when there shall be elected a mayor, treasurer, city clerk, and councilmen, in place of the councilmen whose terms expire on the first Monday of July of the year in which said election is held.

At the election in the year 1916 there shall be elected one councilman from each of the Second, Third, Fifth and Sixth wards, each to hold office for four years.

The mayor, treasurer and city clerk shall hold office for a term of two years; but the same persons shall not be eligible for election as mayor for more than two consecutive terms.

The councilman at large, and the councilmen from the Second and Third wards elected at the general municipal election in 1914, shall hold office for the term of four years.

Of the councilmen six shall be elected for the wards, one for each ward, and one at large. The nominations of councilmen for wards shall be made by the respective wards, and the person nominated shall be a resident of the ward for which he is chosen. Nominations for councilmen at large shall be from the city at large. The certificates of nomination shall show whether the person is nominated at large or by ward, and in the latter case the name of the ward for which he stands. The official ballot shall be made to correspond. All candidates for councilmen, whether at large or from the wards, shall be voted for by the electors of the entire city, without respect to wards; and the nominee in each ward having the highest number of votes shall be declared the councilman-elect from that ward.

At each general municipal election councilmen shall be elected to succeed those whose terms are about to expire, and they shall likewise hold office for four years.

Immediately upon the going into effect of this amendment, the mayor and common council then in office shall appoint a councilman from each of the Fifth and Sixth wards, in the manner now provided in this charter for filling a vacancy in the common council, and each of said appointees shall hold office until the first Monday in July, 1916.

Section 1 of chapter I of article III. The legislative power of the city is hereby vested in a common council consisting of seven members, four of whom shall constitute a quorum, but a less number may adjourn from time to time or compel the attendance of other members. No order, except to adjourn for lack of a quorum or to compel the attendance of a quorum, and no ordinance or resolution shall be valid unless it receive the affirmative votes of four councilmen.

Section 2 of chapter I of article III. Ordinances and resolutions are the formal acts of the council reduced to writing and passed under legal restrictions governing action thereon; orders embrace all other acts, which being less formal in character require only to be duly passed by the common council and spread upon the minutes. No order, resolution or ordinance shall have effect without the approval of the mayor. In the case of orders the approval of the mayor shall be presumed unless at the same meeting at which the order was passed the mayor causes his disapproval, with his reasons therefor, to be spread upon the minutes. All resolutions and ordinances after passage must be submitted to the mayor, who shall, within five days after he has received the same, endorse his approval or disapproval thereon, giving his reasons for his disapproval. No ordinance or resolution shall be placed upon its final passage in the council upon the same day that it has been introduced and read for the first time; and every ordinance to be valid must be passed by a vote of not less than four councilmen, and approved by the mayor; provided, that if the mayor fail to approve the same it may be passed by a vote of not less than five councilmen, and shall then take effect as if approved by the mayor.

Section 2 of chapter II of article V. After allowance by the common council, the city clerk shall present such claim or demand to the mayor, who, within five days thereafter, shall endorse thereon or annex thereto his approval or disapproval and return it to the city clerk. The mayor may approve a claim in part, but where a claim is disapproved in whole or in part the reasons of the mayor must be given in full. The common council, by the affirmative votes of five of its members, may allow a claim or such portion of a claim as the mayor has disapproved, but not otherwise.

Section 2 of article IX. The government of the school department is hereby vested in a city board of education, consisting of five members to be selected from the city at large, who shall serve without compensation.

That said proposed amendments were, and each of them was, published as required by law, ten times in a daily newspaper of general circulation, printed, published and circulated in said city, to wit, The Evening News.

That the city council of said city did by ordinance duly adopted on the 22nd day of April, 1914, and approved by the mayor of said city on the same day, order the holding of a general municipal election in said city on the 18th day of May, 1914, and did provide therein for the submission of said proposed charter amendments hereinabove set forth to the qualified electors of said city for their ratification at said general municipal election, which said ordinance was duly published as required by law.

That at said election a majority of the qualified electors voting thereon voted in favor of the ratification of, and did ratify, each and all, of the proposed amendments to the charter of the city of San Jose hereinabove set forth.

That the city council of the city of San Jose, at a meeting held at the time and in the manner required by law, duly canvassed the returns of said election and duly found, determined and declared that a majority of said qualified electors voting thereon had voted for and ratified each and all of said proposed amendments to said charter hereinabove set forth.

In witness whereof, We have hereunto set our hands and caused the seal of said city to be affixed, this ______, ______ day of ______.

(Seal.)

F. R. HUSTED,
Mayor of the city of San Jose.
ROY A. WALTER,
City Clerk of the city of San Jose.

Now, therefore, by virtue of the facts and things in said certificate set forth, be it

Resolved by the Senate of the State of California, the Assembly concurring (a majority of all the members elected to each house voting for the adoption of this resolution and concurring herein), That said amendments to the charter of the city of San Jose hereinbefore set forth as presented and submitted to, and adopted and ratified by, the qualified electors of said city, be, and the same are, hereby approved as a whole without amendment or alteration for and as amendments to, and as parts of, the charter of said city of San Jose.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

NOES—None.

Senate Concurrent Resolution No. 3 ordered engrossed and transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That the Secretary of the Senate be and he hereby is authorized and directed to purchase for the use of members of the Senate thirty-two sets of the 1909 edition of Kerr's Pocket Codes of the State of California; five volumes in each set; with the consolidated supplement of 1911-1913; one volume in each set, six volumes in all in each set; also thirty-two sets of pasters showing reference to sections amended or added since 1909; also nine additional copies of the consolidated supplements 1911-1913; also forty-one volumes of Treadwell's Latest Edition of the Constitution of the State of California with the slips of the constitutional amendments pasted in each of said volumes. All of said volumes to be paid for out of the Contingent Fund of the Senate.

That the Secretary of the Senate be and he hereby is authorized and directed to deliver one of each of said sets of codes, general laws, supplement and constitution to each Senator, who shall receipt for the same and one volume of said supplement and constitution to each Senator who shall receipt for same and each Senator, at the close of the forty-first session of the Legislature of the State of California, shall turn over to the State Librarian the book so delivered to him.

Have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

BEBAN, Chairman.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

NOES—None.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

W. H. Cook, Clerk Judiciary Committee	$6 00 per day
G. M. Warren, Assistant Engrossing and Enrolling Clerk	5 00 per day

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—35.

NOES—None.

ADJOURNMENT.

At twelve o'clock and fifteen minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned.

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Tuesday, January 12, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry L. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 11, 1915, the further reading was dispensed with, on motion of Senator Birdsall.

APPOINTMENT BY PRESIDENT.

The President announced the appointment of Senators Cogswell and Anderson as additional members of the Committee on Drainage, Swamp and Overflowed Lands.

COMMUNICATION.

Senator Kehoe presented the following communication, which was read and ordered printed in the Journal:

SAN FRANCISCO, January 10, 1915.

To the Members of the Senate of the California Legislature,

GENTLEMEN: I have been instructed by the Cemetery Protective Organization to convey to the members of the California Legislature, a petition against the passage during this session of any cemetery legislation. The following resolution adopted at a special meeting explains the stand of the above-named organization:

Resolved, That the Cemetery Protective Organization petition the California Legislature that no action be taken during the present session on the cemetery bills; that those who opposed the removal of the cemeteries should be allowed time for getting the cemeteries into proper condition; that any cemetery legislation in Sacramento at present would be inopportune and a reflection on the judgment of our citizens who voted for the retention of the cemeteries.

Yours respectfully,

E. S. M. GROSJEAN,
Secretary C. P. O.

Address, 300 Baker street.

Communication referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 85—An Act to amend section 10 of the Code of Civil Procedure of the State of California, relating to holidays—report same back, without recommendation, and ask that it be referred to Judiciary Committee.

BIRDSALL, Chairman.

The chair ordered Senate Bill No. 85 re-referred to Committee on Education.

ON CONTINGENT EXPENSES.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolutions.

Resolved, That on and after this date a number of persons or newspapers to whom copies of bills shall be mailed shall be limited to ten to each Senator, and the Senators are requested to hand in their list of names to the Press Mailing Clerk; and

Resolved, That, as soon as printed, the Mailing Clerk of the Senate be and he is hereby directed to mail to each county clerk in the several counties of the State of California, one printed copy of all bills introduced in the Senate, together with any and all amendments thereto; one printed copy of all bills finally passed by the Senate; and one printed copy of the Senate History as often as the same is printed; and that said mailing of said printed copies of said bills and histories continue during the session of the Legislature.

Have had the same under consideration and respectfully recommend the adoption of the following resolution as a substitute for both:

Resolved, That on and after this date the number of persons or newspapers to whom copies of bills shall be mailed shall be limited to ten to each Senator, said number to include the county clerks, and the Senators are requested to hand in their list of names to the Press Mailing Clerk;

Resolved, further, That the State Printer be requested to furnished the necessary file covers for bills, resolutions, and amendments.

BEBAN, Chairman.

Senator Lyon moved the adoption of report and substitute resolution.

Senator Birdsall moved to amend the substitute resolution by striking out the word "ten" and inserting in lieu thereof the word "twenty."

Amendment adopted.

Report, as amended, adopted.

Also:

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That the Secretary be authorized and directed to furnish stationery to the standing committees of the Senate; that requisition on the Secretary of the Senate for such stationery be limited to $50 each for the Committees on Finance and Judiciary, and $10 each of other standing committees. Each committee's requisition to be signed by the chairman thereof.

Have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

BEBAN, Chairman.

Senator Beban moved the adoption of the report and resolution.

The question being upon the adoption of the report and resolution

The roll was called, and report and resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Senator Kehoe:

Resolved, That a special committee of three members of the Senate be appointed by the President of the Senate, and that the Assembly be invited to appoint a like committee to confer with the Senate Committee, to recommend to the two branches of the Legislature a policy to be adopted and followed relative to the consideration of measures to be introduced and pending, prior to the constitutional recess.

Resolution read, and on motion of Senator Kehoe adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

In accordance with above resolution, the president appointed the following committee:

Senators Kehoe, Benson, and Campbell.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Anderson: Senate Concurrent Resolution No. 6—Relative to the introduction of companion bills.

Resolution read, and referred to Committee on Rules.

By Senator Gerdes: Senate Bill No. 132—An Act to amend section seven hundred fifty-six of the Political Code of the State of California, relating to the salaries of deputy clerks of the supreme court.

Bill read first time, and referred to Committee on Finance.

By Senator Duncan: Senate Bill No. 133—An Act to amend section four hundred eleven of the Code of Civil Procedure, relative to the manner of serving summons in civil actions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 134—An Act to amend section four hundred five of the Civil Code by providing that each corporation, joint stock company or association doing business in this State must designate some person upon whom service of process may be made and providing for method of service upon corporations, joint stock companies or associations.

Bill read first time, and referred to Committee on Judiciary.

By Senator Chandler: Senate Bill No. 135—An Act to appropriate money to pay the expenses of furnishing and equipping a new normal school building at the Fresno State Normal School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 136—An Act to appropriate money for improving the grounds at the Fresno State Normal School.

Bill read first time, and referred to Committee on Finance.

By Senator Luce: Senate Bill No. 137—An Act to amend section twelve hundred thirty-nine of the Political Code of the State of California, relating to rules for determining questions of residence.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 138—An Act to amend section nineteen hundred twenty of the Civil Code of the State of California, relating to interest on judgments.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 139—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be numbered ten hundred seventy-four *a*, relating to examining, challenging and excusing jurors.

Bill first time, and referred to Committee on Judiciary.

By Senator Stuckenbruck: Senate Bill No. 140—An Act to amend section two hundred seven of the Civil Code, relating to the neglect of a parent to provide articles necessary for his minor child or minor children.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 141—An Act to amend sections two hundred seventy, two hundred seventy *d*, two hundred seventy *e*, and two hundred seventy-three *h* of the Penal Code, relating to the abandonment and neglect of minor children, and non-support of wife, and the evidence required to prove the punishment of such offenses.

Bill read first time, and referred to Committee on Judiciary.

By Senator Benedict: Senate Joint Resolution No. 3—Relative to the establishment of life saving stations on the Pacific coast.

Resolution read and referred to Committee on Federal Relations.

By Senator Lyon: Senate Bill No. 142—An Act to create the office of public defender in the counties of California, from the first to the tenth classes, inclusive, to provide for the appointment and election of such officers, and prescribing their duties and compensation.

Bill read first time, and referred to Committee on Judiciary.

By Senator Tyrrell: Senate Bill No 143—An Act to amend section four thousand one hundred twelve of the Political Code of the State of California, relating to county treasurers' reports.

Bill read first time, and referred to Committee on County Government.

By Senator Finn: Senate Concurrent Resolution No. 7—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition.

Resolution read and referred to Committee on Federal Relations.

By Senator Benson: Senate Bill No. 144—An Act to provide for the survey and construction of a state highway through the Pacheco Pass connecting the state highway in Santa Clara County at Gilroy with the state highway in Madera County at or near Califa, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Scott: Senate Bill No. 145—An Act to amend section seven of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 146—An Act to amend section five hundred ninety-two of the Code of Civil Procedure of the State of California, relating to trials by jury.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 147—An Act to amend an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erection of building,' (approved March 28, 1876) approved March 22, 1909," by adding a new section to be known as section four.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 148—An Act to provide for the establishment and maintenance of a bureau of tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis; making an appropriation therefor; and repealing certain acts of the Legislature of the State of California.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 149—An Act to provide for the construction of a building to be used as a barn and garage in California Redwood Park, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 150—An Act to provide for a sprinkling system for the state highway extending from Saratoga Gap into and through California Redwood Park, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Irwin: Senate Bill No. 151—An Act to amend section three thousand four hundred ninety-one of the Political Code of the State of California, relating to reclamation and swamp land districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

RESOLUTION (OUT OF ORDER).

The following resolution was offered:

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth, as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Mrs. Elizabeth S. Taylor, Assistant Enrolling and Engrossing clerk	$5 00 per day
R. W. Flint, Assistant Enrolling and Engrossing Clerk	5 00 per day
C. W. Wilson, Gatekeeper	3 00 per day

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

NOES—None.

MOTION TO RECALL RESOLUTION FROM COMMITTEE.

Senator Anderson moved to recall, from Committee on Rules, Senate Concurrent Resolution No. 6, for purpose of consideration at this time.

Motion carried.

MOTION TO SUSPEND RULES.

Senator Anderson moved that the standing rules of the Senate be suspended for the purpose of taking up for consideration at this time Senate Concurrent Resolution No. 6.

Motion duly seconded.

The question being upon the motion to suspend the rules.

The roll was called, and the motion carried by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

NOES—None.

Whereupon the President declared the rules suspended.

Senator Anderson then moved the adoption of Senate Concurrent Resolution No. 6 under suspension of the rules.

Senator Anderson asked and was granted unanimous consent to withdraw the foregoing motion, and in lieu thereof made the following motion:

SPECIAL ORDER SET.

Senator Anderson moved that the further consideration of Senate Concurrent Resolution No. 6 be made a special order for Wednesday, January 13, 1915, under the topic "Resolutions" in the Regular Order of Business.

Motion carried.

REPORT OF SPECIAL COMMITTEE—(OUT OF ORDER).

The following report of special committee was received:

ON INAUGURAL CEREMONIES.

MR. PRESIDENT: Your Committee on Inaugural Ceremonies, to whom was referred the conduct of the inauguration of Governor Hiram W. Johnson and Lieutenant Governor John M. Eshleman, beg leave to report that in conjunction with the committee appointed by the Assembly, they have approved bills therefor aggregating the sum of $92.00 as per schedule A, attached hereto, and made a part hereof; that the payment of the said sum was under the terms of the resolution appointing your committee, to be made, one half, $46.00, out of the Contingent Fund of the Senate, and one half $46.00, out of the Contingent Fund of the Assembly. In 1899 the inaugural expense was $1,208.95; in 1903, $1,823.90; in 1907, $1,305.77; in 1911, $102.60, and in 1915 as above mentioned $92.00. The committee realizes that $92.00 will probably be a low water mark for future inaugural committees, but takes neither credit, nor assumes responsibility for the small expense, as their part in the matter was nominal. The low cost was due to the simplicity of the ceremonies out of deference to the wishes of the Governor and the further fact that the necessary labor involved was performed by the employees of the Superintendent of the Capitol Building under the personal direction of Mr. Rudolph. We, therefore, respectfully recommend the adoption of the following resolution:

Resolved, That the Committee on Inaugural Ceremonies be and they are hereby authorized to draw, on account of the expenses of said ceremonies, the sum of $46.00, and the Controller is hereby requested to draw his warrants for the said sum in favor of Edward J. Tyrrell, chairman of the Committee on Inaugural Ceremonies on the part of the Senate, and the State Treasurer is directed to pay the same out of the Contingent Fund of the Senate.

TYRRELL, Chairman.

SCHEDULE A.

Statement of expenses of the inaugural ceremonies, January 5, 1915.

Orchestra	$45 50
Music by double male quartet	46 50
Total	$92 00

Report read, and on motion of Senator Tyrrell, referred to Committee on Contingent Expenses.

ADJOURNMENT.

At eleven o'clock and twenty minutes a.m., on motion of Senator Gerdes, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Wednesday, January 13, 1915.

The Senate met at ten o'clock a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry I. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 12, 1915, the further reading was dispensed with, on motion of Senator Rush.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 7—An Act to amend section 1454 of the Code of Civil Procedure, relating to the collection by surviving heirs of money in banks—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

KEHOE, Chairman.

Senate Bill No. 7 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following: Senate Concurrent Resolution No. 3—Approving certain amendments to the charter of the city of San Jose, a municipal corporation in the county of Santa Clara, State of California, voted for and ratified by a majority of the qualified electors of said city of San Jose, at a general election held therein on the 18th day of May, 1914—and report that the same has been correctly engrossed.

FLAHERTY, Chairman.

REQUEST FOR WITHDRAWAL OF SENATE CONCURRENT RESOLUTION.

Senator Benson asked for and was granted unanimous consent to withdraw Senate Concurrent Resolution No. 3.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Kehoe: Senate Bill No. 152—An Act to amend section four thousand two hundred forty-four of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 153—An Act to amend section fourteen *m* of an Act entitled "An Act concerning neglected, dependent and delinquent persons, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such persons; fixing the salaries of probation officers; providing for detention homes for said persons; providing for the punishment of those responsible for, or contributing to, the neglect, dependency or delinquency of said persons; and giving to the superior court jurisdiction of such offenses and repealing inconsistent Acts," approved March 8, 1909, and as amended by an Act approved April 5, 1911, and as amended by an Act approved June 16, 1913.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 154—An Act to add a new section to the Penal Code of the State of California, to be known as section one thousand ninety-eight *a*, relating to providing places where county jail prisoners may exercise.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 155—An Act to amend section six hundred twenty-nine of the Penal Code, relative to the placing and maintaining of screens over the inlets of pipes, flumes, ditches, canals, and mill races, taking water from any river, creek, stream or lake in which fish have been placed or may exist.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 156—An Act to amend section six hundred thirty-seven of the Penal Code, relative to the examination by the State Board of Fish Commissioners of dams and artificial obstructions in rivers and streams, and the ordering of constructing and maintaining fishways around or over dams and artificial obstructions in rivers and streams.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Beban: Senate Bill No. 157—An Act to establish the California state commission for the blind, providing for the maintenance of a register of the blind and a bureau of information and industrial aid, and providing for home teachers along industrial lines, also to cooperate with the State Board of Health for the prevention of blindness; and appropriating moneys to carry out the provisions of this Act.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 158—An Act to add a new section to the Political Code, to be numbered six hundred twenty *b*, relating to the withdrawal of deposit of securities by insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Senator Brown: Senate Bill No. 159—An Act providing for the formation of land banks and prescribing regulations for the conduct of their affairs.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 160—An Act to provide for the selection, location, purchase or acquisition of a site for a state building in the city of Los Angeles; to provide for the construction, equipment and furnishing of a state building thereon, and for the improvement of said site; to prescribe the use or occupancy of said building; creating a commission to locate and acquire said site and to construct said building, with power to determine the respective amounts to be paid for said site, for the improvement thereof, for the construction of said building and for furnishing or equipping the same; providing for the issuance and sale of state bonds to be known as "Los Angeles state building bonds," to provide a fund therefor; establishing said fund, appropriating the proceeds thereof for said purpose and directing the manner in which the same shall be expended; creating a sinking fund for the payment of said bonds and interest thereon; making an appropriation therefor; defining the duties of state officers in relation thereto, and providing for the collection of revenue for said purpose; making an appropriation of two thousand five hundred dollars for the expense of preparation of said bonds and providing for the submission of this Act to a vote of the people.

Bill read first time, and referred to Committee on Finance.

By Senator King: Senate Bill No. 161—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Benson: Senate Bill No. 162—An Act to amend section four thousand three hundred *a* of the Political Code, relating to the fees of county clerks.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 163—An Act to provide for one day of rest in seven, and to repeal an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 164—An Act to amend section four thousand two hundred ninety-five of the Political Code, relating to official services and fees.

Bill read first time, and referred to Committee on Judiciary.

By Senator Campbell: Senate Bill No. 165—An Act appropriating money for repairing and improving custom house at Monterey.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 166—An Act appropriating money for the purchase of equipment for shops, power plant, and laboratories at the California Polytechnic School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 167—An Act appropriating money for repairs and improvements to buildings and equipment at the California Polytechnic School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 168—An Act appropriating money to provide a permanent water supply for the California Polytechnic School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 169—An Act appropriating money for the purchase of live stock and poultry at the California Polytechnic School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 170—An Act appropriating money for the building and equipping of a carpenter shop at the California Polytechnic School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 171—An Act appropriating money for the purchase of farm machinery and implements at the California Polytechnic School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 172—An Act appropriating money for the establishment and maintenance of a normal and a business course at the California Polytechnic School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 173—An Act appropriating money for the building and equipping of an armory, gymnasium, assembly hall, and ball ground at the California Polytechnic School.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 174—An Act to provide for the accomplishment of the work of constructing a breakwater in Monterey Bay, California, as recommended in the report of the chief of engineers, United States army, and printed in a document of the United States House of Representatives, number one thousand eighty four, sixty-first congress, third session, calling for an expenditure of six hundred thousand dollars, and making an appropriation for such work.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 175—An Act appropriating money for building a horse barn, a hay barn, hog barn, dairy barn, greenhouses and poultry houses, and other farm buildings at the California Polytechnic School.

Bill read first time, and referred to Committee on Finance.

By Senator Benedict: Senate Bill No. 176—An Act to amend an Act entitled, "An Act to provide for the formation, management and dissolution of county irrigation districts, for supplying the inhabitants thereof with water, for levying and collecting taxes on property in such districts, and for the issuance of county irrigation district bonds and the payment thereof," approved June 13, 1913, by amending the title thereof, by amending sections one, two, three, five, six, eight, nine, ten, eleven, twelve, thirteen and fourteen thereof, and by adding a new section thereto, to be known as section seventeen, relating to change of name of said districts, and to bond issues thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Owens: Senate Bill No. 177—An Act to amend section four thousand two hundred fifty-one of the Political Code of the State of California relating to the salaries, fees, and expenses of officers in counties of the twenty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Luce: Senate Bill No. 178—An Act to amend section one hundred seventy-two of the Civil Code of the State of California, relating to the management and control of community property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 179—An Act to amend the Code of Civil Procedure of the State of California, by adding a new section thereto to be numbered six hundred two *a*, relating to examining, challenging and excusing jurors.

Bill read first time, and referred to Committee on Judiciary.

By Senator Shearer: Senate Bill No. 180—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 181—An Act to protect bear, and forbidding the use of steel traps, etc., in their pursuit.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Slater: Senate Bill No. 182—An Act to appropriate money for the construction and furnishing of a building for male epileptics at the Sonoma State Home.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 183—An Act to appropriate money for the improvement of grounds and roads at the Sonoma State Home.

Bill read first time, and referred to Committee on Finance.

By Senator Mott: Senate Bill No 184—An Act to appropriate money for repairs and alterations to main buildings Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No 185—An Act to appropriate money to pay the expense of improving the grounds of the Santa Barbara State Normal School of Manual Arts and Home Economics, including grading, installation of sewer, gas and water mains and conduits.

Bill read first time, and referred to Committee on Finance.

By Senator Benson: Senate Bill No. 186—An Act to amend section seven hundred fifty-one and one-half of the Political Code, relating to appointment and salary of stenographer of the clerk of the Supreme Court.

Bill read first time, and referred to Committee on Judiciary.

By Senator Finn: Senate Joint Resolution No. 4—Relative to placing veterans of the United States Army who fought in Indian wars from 1865 to 1891 on the pension roll.

Resolution read, and referred to Committee on Federal Relations.

By Senator Purkitt: Senate Bill No 187—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Bill read first time, and referred to Committee on Finance.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Beban:

Resolved, That Joseph L. Coughlin be and he is hereby allowed the sum of one hundred seventeen dollars and eighty-three cents ($117.83) payable out of the Contingent Fund of the Senate for excess paid by him at close of the fortieth session.

Packing boxes expressage	$37 83
Work, 10 days close foretieth session at $8	80 00
	$117 83

Resolution read, and referred to Committee on Contingent Expenses.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of the special order heretofore set for this day, being the consideration of Senate Concurrent Resolution No. 6, the same was taken up for consideration.

REREFERENCE OF SENATE CONCURRENT RESOLUTION.

Senator Anderson asked for and was granted unanimous consent that Senate Concurrent Resolution No. 6 be rereferred to Committee on Rules.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Breed:

WHEREAS, Elizabeth H. Stokes has tendered her resignation as Secretary to the President to take effect January 11, 1915; now therefore, be it

Resolved, That the name of Elizabeth H. Stokes be stricken from the pay roll of the Senate to take effect January 11, 1915.

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lee, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—39.

Noes—None.

ADJOURNMENT.

At ten o'clock and thirty minutes a.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned.

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Thursday, January 14, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lee, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry I. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 13, 1915, the further reading was dispensed with, on motion of Senator Rush.

STATEMENT BY THE PRESIDENT.

The following statement was received and read:

To the Senate:

I beg leave to inform you that in accordance with Standing Rule 4, I have assigned places in the Senate to the following properly accredited newspaper representatives:

Associated Press—Paul Herriott, Gilbert H. Parker.
Los Angeles Express and Tribune—Edward A. Dickson.
Oakland Enquirer—W. C. Daniels.
Sacramento Bee—J. E. Langdon, H. R. McLaughlin, C. K. McClatchy, Jr., John L. Davis, Robert E. Jones, A. B. Buell, Harold Thompson.
Sacramento Union—Carl Brazier.
Hichborn's Legislative Bulletin—Franklin Hichborn.
San Francisco Bulletin—Frank Havener.
San Francisco Chronicle—H. E. Walker, Kenneth C. Adams.
San Francisco Examiner—Edward H. Hamilton, Al Murphy, Philip H. Kingsley, Tom Brown.
Los Angeles Examiner—James R. Nourse.
United Press—Frank B. Anderson.
Underwriters' Report—John C. Piver.
Farmers' News—Arthur Dunn.

JOHN M. ESHLEMAN,
President of the Senate.

APPOINTMENT BY THE PRESIDENT.

To the Senate of the State of California:

I beg leave to announce that I have this day appointed Tom Lenahan as page at $2.50 per diem, and respectfully ask the consent of the Senate thereto.

JOHN M. ESHLEMAN,
President of the Senate.

MOTION.

Senator Breed moved that the appointment be confirmed by the Senate.

The question being on the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following report of special committee:

MR. PRESIDENT: Your Committee on Inaugural Ceremonies, to whom was referred the conduct of the inauguration of Governor Hiram W. Johnson and Lieutenant Governor John M. Eshleman, beg leave to report that in conjunction with the committee appointed by the Assembly, they have approved bills therefor aggregating the sum of $92.00 as per schedule A, annexed hereto, and made a part hereof; that the payment of the said sum was under the terms of the resolution appointing your committee, to be made, one half, $46.00, out of the Contingent Fund of the Senate, and one half, $46.00, out of the Contingent Fund of the Assembly. In 1899 the inaugural expense was $1,208.95; in 1903, $1,823.90; in 1907, $1,305.77; in 1911, $402.60, and in 1915, as above mentioned, $92.00. The committee realizes that $92.00 will probably be a low-water mark for future inaugural committees, but takes neither credit, nor assumes responsibility for the small expense, as their part in the matter was nominal. The low cost was due to the simplicity of the ceremonies out of deference to the wishes of the Governor and the further fact that the necessary labor involved was performed by the employees of the Superintendent of the Capitol Building under the personal direction of Mr. Radcliff. We, therefore, respetfully recommend the adoption of the following resolution:

Resolved, That the Committee on Inaugural Ceremonies be and they are hereby authorized to draw, on account of the expenses of said ceremonies, the sum of $46.00, and the Controller is hereby requested to draw his warrants for the said sum in favor of Edward J. Tyrrell, Chairman of the Committee on Inaugural Ceremonies on the part of the Senate, and the State Treasurer is directed to pay the same out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back and recommend that the report and resolution be adopted.

BEBAN, Chairman.

Senator Beban moved that the report and resolution be adopted.

The roll was called and the report and resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That Joseph L. Coughlin be and he is hereby allowed the sum of one hundred seventeen dollars and eighty-three cents ($117.83) payable out of the Contingent Fund of the Senate for excess paid by him at close of the fortieth session.

Packing boxes expressage	$37 83
Work, 10 days close fortieth session at $8	80 00
	$117 83

Have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

BEBAN, Chairman.

Senator Beban moved that the resolution and report be adopted

The question being on the adoption of the resolution and report

The roll was called, and the resolution and report adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named person be and he is hereby appointed to the respective position hereinafter set forth as provided by law with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant for the said respective amount, and the Treasurer is directed to pay the same

John Cooper, Committee Clerk	$4 00 per day

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—36.

NOES—None.

REPORT OF STANDING COMMITTEE (OUT OF ORDER).

The following report of standing committee was received and read:

ON EDUCATION.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 85—An Act to amend section ten of the Code of Civil Procedure of the State of California, relating to holidays—have had the same under consideration and respectfully report the same back with recommendation it be referred to the Committee on Judiciary.

ANDERSON, Chairman.

Senate Bill No. 85 ordered re-referred to Committee on Judiciary.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Luce: Senate Concurrent Resolution No. 8—Relative to the appointment of a commission to welcome the President of the United States to California, and to extend to the President of the United States an invitation to visit the Capitol and address the Legislature of California.

Resolution read, and referred to Committee on Federal Relations.

By Senator Cogswell: Senate Bill No. 188—An Act creating a department of agriculture and creating the office of secretary of agriculture; defining his powers and duties and fixing his salary; providing for the reorganization and consolidation of various departments and the administration of said departments under one head, to be known as the Department of Agriculture, and defining the powers and duties of its officers.

Bill read first time, and referred to Committee on Agriculture.

By Senator Brown: Senate Bill No. 189—An Act to be known as the usury law, relating to the rate of interest which may be charged for the loan or forebearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections nineteen hundred seventeen, nineteen hundred eighteen, nineteen hundred nineteen, and nineteen hundred twenty of the Civil Code and all Acts or parts of Acts in conflict with this Act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Stuckenbruck: Senate Bill No. 190—An Act to appropriate money for the purchase of additions to the dairy herd at the Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 191—An Act to appropriate money for repairs and improvements and erection of small buildings at the Preston School of Industry.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 192—An Act to appropriate money for the construction and furnishing of a convalescent building for females at the Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 193—An Act to appropriate money for the construction and furnishing of an isolation hospital at the Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 194—An Act to appropriate money for the purchase and expense of installation of a boiler at the Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 195—An Act authorizing municipal corporations to permit other municipal corporations and counties to construct and maintain sewers, water mains and other conduits, and pole lines for the transmission of electricity and electric energy in, through, over, along and across its streets and public places, and to construct and maintain sewers, water mains and other conduits and pole lines for the transmission of electricity and electric energy for their joint benefit and at their joint expense, through, over, along and across such streets and public places, and to make and enter into contracts for such purposes, prescribing a method for compelling such use of such streets and public places, and repealing an Act of the legislature of the State of California entitled "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Ballard: Senate Bill No. 196—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 197—An Act to amend section three hundred twenty-two of the Civil Code of the State of California, relating to liability of stockholders in corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 198—An Act to amend section four hundred ninety-nine *a* of the Penal Code of the State of California, relating to the stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 199—An Act to amend section one thousand eight hundred eighty-one of the Code of Civil Procedure of the State of California, relating to confidential communications.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 200—An Act to amend section six hundred one of the Code of Civil Procedure of the State of California, relating to challenge of jurors.

Bill read firist time, and referred to Committee on Judiciary.

Also: Senate Bill No. 201—An Act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances, and providing the punishment for the violation thereof, and the repeal of certain other Acts.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the constitution of the State of California, by adding a new section to article 11 thereof, to be numbered section seven, in relation to the qualification of electors to vote on any question of incurring any bonded indebtedness of this State or of any county, city and county, municipality, or other political subdivision of this State.

Constitutional amendment referred to Committee on Elections.

Also: Senate Constitutional Amendment No. 6—A resolution proposing to the people of the State of California an amendment to section three of article twelve of the constitution of California, relating to the liability of stockholders in corporations and joint stock companies and to the liability of directors and trustees thereof.

Constitutional amendment referred to Committee on Corporations.

By Senator Benson: Senate Bill No. 202—An Act to authorize county boards of supervisors to employ visiting nurses.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Kehoe: Senate Bill No. 203—An Act to authorize the incurring of indebtedness by counties, cities and counties and incorporated cities and towns for public improvements and the acquisition of public utilities and regulating the procedure of acquiring the same.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 204—An Act to repeal section four thousand one hundred fifty-six *b* of the Political Code of the State of California, approved March 21, 1911, prohibiting the defense by district attorneys of persons charged with crime, and to add a new section to said Political Code to be numbered four thousand one hundred fifty-six *c*, prohibiting the defense by district attorneys of persons charged with crime.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 205—An Act to provide for the establishment of State parks in the counties of California, providing for the issuance of county and of state bonds in aid of the establishment of such parks, and submission of such bond issues to a vote, providing a method of acquiring such parks with or without condemnation proceedings, and providing for the government of such parks.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Benedict: Senate Bill No. 206—An Act declaring certain persons or corporations engaged in the transportation of passengers for hire to be common carriers and subject to the provisions of an Act known as the "Public Utilities Act of the State of California," approved December 23, 1911, as amended June 14, 1913.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 207—An Act to amend sections five, seven and nine of an act entitled "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they be inconsistent with the provisions of this Act, and to make an appropriation therefor," approved June 16, 1913.

Bill read first time, and referred to Committee on Civil Service.

Also: Senate Bill No. 208—An Act to amend section six of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California and repealing 'An Act entitled "An Act to provide county library systems," approved April 12, 1909 and all Acts and parts of Acts in conflict with this Act'," approved February 25, 1911.

Bill read first time, and referred to Committee on Civil Service.

Also: Senate Bill No. 209—An Act to amend section nine of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April

12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 210—An Act to add a new section to the Penal Code, to be numbered six hundred thirty-four and three quarters, relating to fishing.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Maddux: Senate Bill No. 211—An Act to amend section four thousand two hundred fifty-four of the Political Code, relating to compensation of officers in counties of the twenty-fifth class.

Bill read first time and referred to Committee on County Government.

Also: Senate Bill No. 212—An Act to amend an Act entitled "An Act to provide for the payment of retirement salaries to public school teachers of this state, creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section thirteen thereof prescribing what teachers are entitled to retirement salaries.

Bill read first time, and referred to Committee on Education.

By Senator Mott: Senate Bill No. 213—An Act appropriating money for the construction of a machinery building at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 214—An Act appropriating money for the improvement and equipment of the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 215—An Act to amend section sixteen hundred twenty of the Political Code, relating to school supplies and libraries.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 216—An Act to add a new section to the Political Code, to be numbered section sixteen hundred twenty a, relating to county library compensation.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 217—An Act to repeal section seventeen hundred twelve, seventeen hundred thirteen and seventeen hundred fourteen of the Political Code, relating to school library funds, libraries and use of such libraries.

Bill read first time, and referred to Committee on Education.

By Senator Scott: Senate Bill No. 218—An Act to amend sections three, five, six and twelve, of an Act known as the "Net Container Act," approved May 24, 1913.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 219—An Act to amend section seven hundred ninety-one of the Political Code, relating to notaries public.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 220—An Act to provide against the publishing or circulating of an advertisement, in any form, containing any assertion, representation or statement of fact which is untrue, deceptive or misleading.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 221—An Act to amend section one hundred seventy-one of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 222—An Act to amend section eight hundred forty-eight of the Code of Civil Procedure of the State of California, relating to service of summons in the justice's court.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 223—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered three hundred thirty-seven *a*, relating to the time when an action upon an open book account accrues.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 224—An Act to amend section three hundred thirty-seven of the Code of Civil Procedure of the State of California, relating to time within which certain actions must be commenced.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 225—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered nine hundred five *a*, relating to the enforcement or carrying into execution of judgments rendered by the justice's court after the lapse of five years from the date of entry.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 226—An Act to amend the Penal Code of the State of California by adding a new section to be numbered six hundred twenty-six *c*, relating to the hunting or shooting of game or game birds with automatic shotguns or pump guns.

Bill read first time, and referred to Committee on Fish and Game.

By Senator King: Senate Concurrent Resolution No. 9—Relative to approving one certain amendment to the charter of the county of San Bernardino, State of California, voted for and ratified by the electors of said county of San Bernardino, at a general election held on the third day of November, 1914.

Resolution read, and referred to Committee on County Government.

By Senator Tyrrell: Senate Bill No. 227—An Act relating to persons engaged in the business of public weighing for hire and prescribing for such a bond and fixing the amount thereof; regulating fees to be collected for such service; a certificate and the form thereof; defining the duties of public weightmasters and providing penalties for violations of the provisions of this Act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Anderson: Senate Bill No. 228—An Act to validate the organization and incorporation of municipal corporations.

Bill read first time, and referred t oCommittee on Municipal Corporations.

Also: Senate Bill No. 229—An Act to add a new section to the Code of Civil Procedure, to be numbered ten hundred twenty, relating to the service of summons in actions for divorce or annulment of marriage.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 230—An Act to add a new section to the Civil Code, to be numbered one hundred twenty-eight *a*, providing for the service of summons and complaint on the district attorney in actions for divorce or annulment of marriage, and conditioning the courts' jurisdiction thereon.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 231—An Act to add a new section to the Political Code, to be numbered forty-one hundred fifty-three *a*, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and to authorize the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes, and providing for their compensation.

Bill read first time, and referred to Committee on Judiciary.

By Senator Irwin: Senate Bill No. 232—An Act to add a new section to the Code of Civil Procedure, to be numbered section twelve hundred ninety-six, relating to jurisdiction of courts over proceedings to convey, sell, lease, and mortgage property of an estate in process of administration.

Bill read first time, and referred to Committee on Judiciary.

By Senator Scott: Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to section sixteen of article twenty of the constitution of the State of California, relating to term of officers when not fixed by the constitution.

Constitutional amendment referred to Committee on Elections.

Also: Senate Bill No. 233—An Act to provide for the completion of the armory for the National Guard at San Francisco, and making an appropriation therefor.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Jones: Senate Bill No. 234—An Act to repeal an Act entitled, "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 235—An Act to amend section five hundred forty-two *a* of the Code of Civil Procedure of the State of California, relating to attachment liens.

Bill read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Concurrent Resolution No. 5—Relative to approving a certain amendment to the charter of the city of Santa Monica, State of California.

Also, Senate Concurrent Resolution No. 4—Relative to approving eleven certain amendments to the charter of the city of Petaluma, State of California.

Have had the same under consideration, and respectfully recommend that the same be adopted.

TYRRELL, Chairman.

Senate Concurrent Resolutions Nos. 5 and 4 ordered on file.

ADJOURNMENT.

At ten o'clock and forty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Friday, January 15, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Beban, Benedict, Benson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt Rush, Scott, Shearer, Slater, Strobridge, Sauckenbruck, Thompson, and Wolfe—36.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry I. Stark.

LEAVES OF ABSENCE.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for this day.

Senator Tyrrell was, on motion of Senator Hans, granted leave of absence for this day.

Senator Ballard was, on motion of Senator Anderson, granted leave of absence for this day.

Senator Breed was, on motion of Senator Thompson, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 14, 1915, the further reading was dispensed with, on motion of Senator Rush.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 13—An Act to amend the Code of Civil Procedure of California by adding thereto a new section to be numbered and known as section one thousand eight hundred seventy-one, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses, have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

KEHOE, Chairman.

Senate Bill No. 13 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 51—An Act to regulate the opening, widening and closing of roads and paths and the [illegible] to cities or cities and counties and which are used by them in trust for the purpose of maintaining said [illegible] as public [illegible], report same back, with recommendation that it be re-referred to Judiciary Committee.

BIRDSALL, Chairman.

Senate Bill No. 51 ordered re-referred to Committee on Judiciary.

RESOLUTIONS.

The following resolutions were offered:

By Senator Thompson:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate in the sum of seven hundred twenty-six ($726.00) dollars, payable out of the Contingent Fund of the Senate, and the State Treasurer is directed to pay the same, being in payment of the bill of Bender-Moss Company for codes and constitutions of California, ordered by the Senate.

Resolution read, and on motion of Senator Thompson, referred to Committee on Contingent Expenses.

By Senator Kehoe:

Resolved, That the Secretary of the Senate be and he is hereby authorized and directed to purchase for the use of the members of the Senate two sets of the 1909 Edition of Kerr's Pocket Code of the State of California, five volumes in the set, with the Consolidated Supplement of 1911-1913.

Also, two sets of pasters showing reference to sections amended or added since 1909.

Also, two volumes of Treadwell's Latest Edition of the Constitution of the State of California, with the [illegible] of the constitutional amendments [illegible].

Said books to be paid for out of the Contingent Fund of the Senate.

Resolution read, and, on motion of Senator Kehoe, referred to Committee on Contingent Expenses.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Wolfe: Senate Concurrent Resolution No. 10—Relating to the earthquake and loss of life in Italy.

Resolution read.

MOTION TO SUSPEND RULES.

Senator Wolfe moved that the standing rules of the Senate be suspended for the purpose of taking up for consideration at this time Senate Concurrent Resolution No. 10.

Motion duly seconded.

The question being upon the motion to suspend the rules,

The roll was called, and the motion carried by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Brown, Carr, Chandler, Cogswell, Conn, Crowley, Duncan, [illegible], [illegible], Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—33.

NOES—None.

Whereupon the President declared the rules suspended.

Senator Wolfe then moved the adoption of Senate Concurrent Resolution No. 10 under suspension of the rules.

SENATE CONCURRENT RESOLUTION No. 10.

Relating to the earthquake and loss of life in Italy.

WHEREAS, The people of the State of California have learned with deep sorrow of a dreadful calamity that has befallen the people of Italy by reason of an earthquake shock on Wednesday morning, as a result of which many thousands of lives have been lost, many thousands of persons injured, and property of great value destroyed; and

WHEREAS, The people of this State have not forgotten the calamity of a like nature that befell portions of California in 1906, and remember with gratitude the sympathy and help that the stricken communities in our State received from all over the nation and the greater portions of the civilized world; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That we deeply sympathize with the people of Italy in their hour of stress and trouble, and urge upon them courage and fortitude to bear their troubles, and we assure them that if their calamity is of so far reaching a nature as to require financial aid that an appeal to the people of this State and nation will meet with a prompt and generous response; and be it further

Resolved, That the Secretary of the Senate be directed to wire a copy of this preamble and resolution to the Italian Ambassador at Washington.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 10 adopted by the following vote:

AYES—Senators Anderson, Behan, Benedict, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.

NOES—None.

Senate Concurrent Resolution No. 10 ordered transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED)

The following bills, etc., were introduced:

By Senator Strobridge: Senate Bill No. 236—An Act to provide for the establishment and maintenance of vocational courses and schools by local boards of education for the purpose of encouraging agricultural, industrial, trade, commercial and all other practical subjects, and providing state aid therefor.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 237—An Act to provide for the establishment and maintenance of classes for the training of vocational teachers and providing state aid therefor.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 238—An Act to amend section thirteen hundred thirteen of the Civil Code of the State of California, relating to restrictions on devises or bequests for charitable uses.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rush: Senate Bill No. 239—An Act creating a board of retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, and the Sonoma State Home; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said board of retirement.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 240—An Act to amend section six hundred twenty-six of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 241—An Act to appropriate money for the construction and equipping of a new hospital building for the Veterans' Home of California.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 242—An Act to appropriate money for repairs and improvements to the buildings at the Veterans' Home of California.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 243—An Act to appropriate money for the construction and equipment of bathrooms in the barracks at the Veterans' Home.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 244—An Act to appropriate money for plumbing and repairs to plumbing at the Veterans' Home of California.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 245—An Act to appropriate money for wiring for electricity at the Veterans' Home of California.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 246—An Act to appropriate money for the construction and furnishing of a cottage for men patients at the Napa State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 247—An Act to appropriate money for the construction and furnishing of a cottage for women patients at the Napa State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 248—An Act to appropriate money for the construction and equipment of a building or buildings as a home for workingmen on what is known as the Smith-Brown ranch belonging to the Napa State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 249—An Act to appropriate money for remodeling South Bay Cottage at the Napa State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 250—An Act to appropriate money for the purchase of additional land at the Napa State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Stuckenbruck: Senate Bill No. 251—An Act to provide the manner in which protection districts may be dissolved.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 252—An Act to amend section three thousand eight hundred nineteen of the Political Code, relating to payment of taxes under protest.

Bill read first time, and referred to Committee on Judiciary.

By Senator Purkitt: Senate Constitutional Amendment No. 8—Proposed amendment to article IV of the constitution relative to officers, employees and attaches of the legislature.

Constitutional amendment referred to Committee on Finance.

By Senator Crowley: Senate Bill No. 253—An Act appropriating money to complete, equip and furnish the Folsom State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Benedict: Senate Bill No. 254—An Act appropriating money to pay the claim of Charles W. Williams against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 255—An Act repealing an Act entitled "An Act to authorize the State of California to release and convey to the United States such portions of the sixteenth and thirty-sixth sections of land contained in the Cleveland National Forest, formerly San Jacinto forest reserve (and referred to in that certain Act entitled 'An Act to authorize the settlement of an existing controversy between the United States of America and the State of California, and making an appropriation to carry out the provisions of said Act,' approved March 21, 1907,) as may remain after the settlement referred to in said Act has been consummated, for the purpose of reimbursing the United States for lands surrendered to it by the State and which said lands so surrendered were thereafter sold and patented by said State," approved March 20, 1909.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 256—An Act to establish an industrial commission, to define its powers and duties, to provide for a review of its orders, decisions, and awards, and making an appropriation therefor.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 257—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation thereof," approved February 20, 1905; approved April 14, 1911; approved June 2, 1913, as amended and providing for physical examination of minors, prohibiting sweat shop work, prohibiting the employment of minors under certain age in dangerous occupations, regulating street trades and repealing all Acts and parts of Acts inconsistent herewith.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Luce: Senate Bill No. 258—An Act to amend section one hundred sixty-two of the Civil Code of the State of California, defining the separate property of the wife.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 259—An Act repealing section one hundred sixty-nine of the Civil Code of the State of California, relating to the separate property of the wife.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 260—An Act to amend section four thousand two hundred thirty-six of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the seventh class.

Bill read first time, and referred to Committee on County Government.

By Senator Maddux: Senate Bill No. 261—An Act to amend section four thousand two hundred eighty-three of the Political Code, relating to compensation of officers in counties of the fifty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator King: Senate Bill No. 262—An Act to appropriate money for the construction and furnishing of two patient cottages at the Southern California State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 263—An Act to appropriate money for the development of water including the installation of pumping station and mains at the Southern California State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 264—An Act to appropriate money for the construction of fences and the purchase of wire and other material for enclosures at the Southern California State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 265—An Act appropriating the sum of forty thousand dollars for the support and maintenance of university extension work by the University of California.

Bill read first time, and referred to Committee on Education.

By SDenator Scott: Senate Bill No. 226—An Act to provide for memorial halls, and meeting places for army and navy veterans of the Civil War, the Spanish-American War, and the Philippine Insurrection.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 267—An Act to amend an Act entitled "An Act authorizing the Governor of the State of California to issue licenses to bodies of men to organize, drill, and bear arms as military companies or organizations, and providing for their control," approved March 9, 1911, by adding thereto two new sections to be numbered sections two and three, providing for an allowance for armory rent and proper and necessary incidental expenses, and providing for such companies means of target practice.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 268—An Act to amend section two hundred eighty *b* of the Code of Civil Procedure, relating to licenses to practice law.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 269—An Act to appropriate money for the construction and furnishing of a cottage for male patients at the Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 270—An Act to appropriate money for the purchase of a dairy herd for the Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 271—An Act to appropriate money for the construction of dairy buildings and equipment at the Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 272—An Act appropriating the sum of thirty-five thousand dollars for the construction of buildings and the purchase and installation of machinery and equipment for use by the Lick Observatory of the University of California.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 273—An Act to amend section one thousand two hundred seven of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, 1915.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 274—An Act to amend section four thousand three hundred sixteen of the Political Code of the State of California, relating to officers prohibited from practicing law.

Bill read first time, and referred to Committee on Judiciary.

By Senator Anderson: Senate Bill No. 275—An Act appropriating the sum of four thousand dollars for the construction of buildings on the lands of the agricultural experiment station of the University of California in the county of Imperial.

Bill read first time, and referred to Committee on Education.

By Senator Irwin: Senate Bill No. 276—An Act relating to the granting of certificates to practice medicine and surgery by the board of medical examiners of the State of California, to graduates from legally chartered or reputable medical schools in the State of California.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Thompson: Senate Bill No. 277—An Act to amend section one of an Act entitled "An Act to provide for direct legislation by cities and towns, including initiative and referendum," approved January 2, 1912.

Bill read first time, and referred to Committee on Elections.

Also: Senate bill No. 278—An Act to amend sections fourteen hundred ninety, fourteen hundred ninety-three, fourteen hundred ninety-four, fourteen hundred ninety-five, fourteen hundred ninety-six, fourteen hundred ninety-seven, fourteen hundred ninety-eight, fourteen hundred ninety nine, fifteen hundred, fifteen hundred two, fifteen hundred three, fifteen hundred five, fifteen hundred seven, fifteen hundred ten, fifteen hundred twelve, fifteen hundred thirteen, and fifteen hundred fourteen, of the Code of Civil Procedure of California relating to claims against estates of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 279—An Act to amend section three hundred twelve of the Civil Code, relating to meeting of stockholders of corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 280—An Act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of section three thousand six hundred eighty-two and three thousand seven hundred thirty-two of the Political Code, and to confirm, validate and legalize all certificates of sale, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 281—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 282—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 283—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 284—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Carr: Senate Bill No. 285—An Act to amend section thirty-six of an Act entitled "An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act," approved May 31, 1913.

Bill read first time, and referred to Committee on Roads and Highways.

REPORT OF STANDING COMMITTEE (OUT OF ORDER).

The following report of standing committee was received and read:

PUBLIC HEALTH AND QUARANTINE.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 148—An Act to provide for the establishment and maintenance of a bureau of tuberculosis under the direction of the State Board of Health; defining its powers and duties, providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis, making an appropriation therefor; and repealing certain Acts of the Legislature of the State of California.

Also: Senate Bill No. 34—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis and making appropriation therefor, and authorizing counties and cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue.

Have had the same under consideration, and respectfully report the same back with amendments and recommend that they do pass as amended, and be rereferred to the Committee on Finance.

BUTLER, Chairman.

Senate Bills Nos. 148 and 34 ordered rereferred to Committee on Finance.

RECESS.

At ten o'clock and thirty minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until eleven o'clock and fifteen minutes a.m.

RECONVENED.

At eleven o'clock and fifteen minutes a.m., the Senate reconvened. Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following: Senate Concurrent Resolution No. 1—Relative to inaugural ceremonies.

Also: Senate Concurrent Resolution No. 2—Relative to appointment of committee for joint rules.

And report that the same have been correctly enrolled, and presented the same to the Governor on this 6th day of January, 1915, at three o'clock and ten minutes p.m.

FLAHERTY, Chairman.

ADJOURNMENT.

At eleven o'clock and twenty minutes a.m., on motion of Senator Thompson, the President declared the Senate adjourned until Monday January 18, 1915, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Monday, January 18, 1915.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Ballard, Benson, [illegible], Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gates, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddox, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—33.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry L. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 15, 1915, the further reading was dispensed with on motion of Senator Rush.

LEAVES OF ABSENCE.

Senator Wolfe was, on motion of Senator Scott, granted leave of absence for this day.

Senator Benedict was, on motion of Senator Cogswell, granted leave of absence for this day.

By order of the Chair, Senators Carr, Anderson, Campbell, Chandler and King, all members of the committee appointed to report on the contested election in the nineteenth Senatorial district, were excused from attendance during the time occupied with business of the committee in accordance with the terms of the resolution authorizing the appointment of said committee.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 10—Relating to the earthquake and loss of life in Italy.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 10 was ordered to enrollment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

MR. PRESIDENT: Your Committee on Contingent Expenses to whom was referred the following resolutions:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate in the sum of seven hundred twenty-six ($726.00) dollars, payable out of the Contingent Fund of the Senate, and the State Treasurer is directed to pay the same, being in payment of the bill of Bender-Moss Company for codes and constitutions of California, ordered by the Senate.

Also:

Resolved, That the Secretary of the Senate be and he is hereby authorized and directed to purchase for the use of the members of the Senate two sets of the 1909 Edition of Kerr's Pocket Code of the State of California, five volumes in the set, with the Consolidated Supplement of 1911-1913.

Also, two sets of pasters showing reference to sections amended or added since 1909.

Also, two volumes of Treadwell's Latest Edition of the Constitution of the State of California, with the slips of the constitutional amendments pasted therein.

Said books to be paid for out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back and recommend that they be adopted.

BEBAN, Chairman.

Senator Beban moved the adoption of the resolutions and report.

The question being on the adoption of the resolutions and report.

The roll was called and the resolutions and report adopted by the following vote:

AYES—Senators Ballard, Beban, Benson, Birdsall, Breed, Butler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

COMMUNICATIONS.

The following communications were read and ordered printed in the Journal:

WASHINGTON, D. C., January 16, 1915.

HON. EDWIN F. SMITH, *Secretary of Senate, Sacramento:*

Deeply touched by the feelings of sympathy for the people of Italy in their sufferings so beautifully manifested through the spontaneous action of the California Legislature, I have the honor to acknowledge the receipt of your highly valued telegram of this date kindly conveying a copy of the resolutions unanimously adopted by the Senate and Assembly of your State. I esteem it a high privilege to communicate the same to my government immediately and your kind words will be gratefully received by my nation in this sad moment, with especial appreciation, coming from those who, having suffered in like manner, are best qualified to extend sympathy and realize fully what it means to be afflicted.

I feel particularly proud to be the mediumship through which your noble feelings will be made known to the Italian people and meanwhile in behalf of my government I beg you to kindly convey to the officials and through them to the people of your State every expression of warmest and deepest appreciation which will find reflection in the souls of the Italian people.

MACCHI DI CELLERE, Italian Ambassador.

Also:

LOS ANGELES, CALIFORNIA, January 16, 1915.

THE LIEUTENANT GOVERNOR, *Sacramento:*

The Federated Improvement Association, representing forty-three local improvement associations, at their regular meeting held tonight in Burbank Hall unanimously passed resolutions demanding the repeal of the 1913 special assessment act.

B. F. GROVES, President,
H. M. CHAPMAN, Secretary.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the treasurer is directed to pay the same:

Willard E. Bevans, Committee Clerk------------------------ $4 00 per day

Resolution read.

Senator Breed moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Beban, Benson, Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, [illegible], Gates, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Mott, Owens, Purkitt, Rush, Scott, [illegible], Slater, Strobridge, Stuckenbruck, Thompson and Tyrrell—31.
NOES—None.

By Committee on Contingent Expenses.

Resolved, That the persons herein named be allowed the several sums set opposite their respective names for services as stated rendered to the Senate preliminary to the organization of the forty-first session, payable out of the contingent fund of the Senate, and the Controller be and he is hereby directed to draw his warrant on the contingent fund in favor of the several persons hereinafter named for the sums set opposite their respective names, and the Treasurer is directed to pay the same.

F. A. McEachen, clerk room, 2 days at $3.00	$6 00
Joseph Coughlin, sergeant-at-arms, 1 day at $8.00	8 00
Walter N. Parrish, secretary, 8 days at $10.00	80 00
Marie Kruchen, stenographer, 2 days at $5.00	10 00
Wm. Vachet, assistant sergeant-at-arms, 1 day at $5.00	5 00
Frank Branch, page, 2 days at $2.50	5 00
Everett Rutherford, page, 1 day at $2.50	2 50
C. J. Sykes, mail carrier, 3 days at $3.00	9 00
	$125 50

BEBAN, Chairman.

Resolution read.

Senator Beban moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Beban, [illegible], Benson, Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gates, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Mott, Owens, Purkitt, Rush, Scott, [illegible], Slater, Strobridge, Stuckenbruck, Thompson and Tyrrell—32.
NOES—None.

Also:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of two hundred ($200.00) dollars, payable out of the Contingent Fund of the Senate, for the purchase of postage stamps and the payment of expressage, telegraphing, etc., and the State Treasurer is directed to pay the same.

BEBAN, Chairman.

Resolution read.

Senator Beban moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gates, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Mott, Owens, Purkitt, Rush, Scott, [illegible], Slater, Strobridge, Stuckenbruck, Thompson and Tyrrell—31.
NOES—None.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Strobridge, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Assembly Bill No. 75—An Act to provide for the government of irrigation districts having an area of more than 500,000 acres and to enable such irrigation districts to construct levees and to protect the lands within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 75 read first time, and referred to Committee on Irrigation.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Kehoe: Senate Bill No. 286—An Act to make an appropriation for the construction and completion of a State highway connecting the counties of Trinity, Shasta and Humboldt with the road system of Tehama county.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 287—An Act to amend section four hundred forty-one of the Code of Civil Procedure, relating to answers.

Bill read first time, and referred to Committee on Judiciary.

By Senator Duncan: Senate Bill No. 288—An Act appropriating the sum of twenty-five thousand dollars for the construction of a building to be known as the "Farm Machinery Building" at the Farm and Agricultural School of the University of California at Davis.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 289—An Act appropriating the sum of forty thousand dollars for the construction and equipment of buildings at the Farm and Agricultural School of the University of California at Davis.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 290—An Act appropriating the sum of one hundred thousand dollars for the construction and equipment of creamery and abattoir buildings at the Farm and Agricultural School of the University of California at Davis.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 291—An Act appropriating the sum of five thousand dollars for the construction of a building to be known as the "Live Stock Judging Room" at the Farm and Agricultural School of the University of California at Davis.

Bill read first time, and referred to Committee on Education.

By Senator Benson: Senate Bill No. 292—An Act to appropriate money to maintain a continuous course of instruction at the San Jose State Normal School.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 293—An Act to appropriate money to construct outdoor class rooms for the training school at the San Jose State Normal School.

Bill read first time, and referred to Committee on Education.

By Senator Cogswell: Senate Concurrent Resolution No. 11—Relative to approving a new charter for the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 15th day of October, 1914.

Resolution read, and referred to Committee on Municipal Corporations.

By Senator Purkitt: Senate Bill No. 294—An Act to appropriate money for the purchase and installation of three electric elevators at the Mendocino State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 295—An Act to appropriate money for the replacement of the main pipe line and connections thereto at the Mendocino State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 296—An Act to appropriate money for plumbing repairs at the Mendocino State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Cohn: Senate Bill No. 297—An Act providing for the construction and repairing of livestock barns and sheds on the State Fair Grounds at Agricultural Park in the City of Sacramento, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

By Senator Breed: Senate Bill No. 298—An Act to amend sections one and four of an Act approved April 25, 1911, and entitled "An Act to carry into effect the provisions of subdivision (a) of section fourteen of article XIII of the constitution of the State of California as the said article was amended on the eighth day of November in the year one thousand nine hundred and ten, in so far as the same relates to the State University, and also to provide for the permanent support and improvement of the University of California, and to that end making a continuing appropriation and creating an annual fund therefor, and repealing an Act entitled 'An Act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor and to repeal an Act approved February 14, 1887, entitled 'An Act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an Act approved February 27, 1897, entitled 'An Act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California, by the levy of a rate of taxation and the creation of a fund therefor,' approved March 20, 1909."

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 299—An Act appropriating the sum of sixty-two thousand dollars for the use and benefit of the University of California and specifying the duties of the Controller and Treasurer of the State in relation thereto.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 300—An Act amending section three of an Act entitled "An Act authorizing the construction of the unfinished portion of the library building of the University of California, and the construction of a building for general use as a recitation building, of a building for the use of the College of Agriculture, and of a building for the use of the College of Natural Sciences as a chemistry building, upon the grounds of said University of California at Berkeley; providing for the issuance and sale of state bonds to meet the cost of the foregoing purposes; and providing the necessary moneys for the payment of the principal and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 301—An Act amending section nine of an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act," approved March 20, 1903.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 302—An Act to amend section three thousand and eighty-eight of the Civil Code of the State of California relating to negotiable instruments.

Bill read first time, and referred to Committee on Judiciary.

By Senator Shearer: Senate Bill No. 303—An Act to recognize and declare valid all proceedings in Anderson-Cottonwood irrigation district.

Bill read first time, and referred to Committee on Irrigation.

By Senator Behan: Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the constitution of said State by inserting in article six of said constitution, a new section to be known and numbered as section eleven and one-half of said article six, relating to the election, appointment, duties, salaries, responsibilities, fees and perquisites of office, tenure and term of office of judges of such inferior courts as the legislature may establish, or has established in any township, district, incorporated city, or town, county, or city and county, in pursuance of sections one and eleven of said article six, except police judges and judges of municipal courts.

Constitutional amendment referred to Committee on Judiciary.

Also: Senate Bill No. 304—An Act to amend section seven hundred ninety-nine of the Political Code, relating to official bonds of persons authorized to administer oaths.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 305—An Act to amend section two thousand one hundred forty-one of the Political Code, relating to the powers of the Lunacy Commission.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Crowley: Senate Bill No. 306—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending sections eighty-five and ninety-seven thereof relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants.

Bill read first time, and referred to Committee on Judiciary.

By Senator Finn: Senate Bill No. 307—An Act appropriating the sum of two hundred thousand dollars for the support and maintenance of the medical department of the University of California in the city and county of San Francisco.

Bill read first time and referred to Committee on Finance.

Also: Senate Bill No. 308—An Act to amend section eighty-six of the Code of Civil Procedure of the State of California relating to clerks of justices' courts and repealing all acts inconsistent herewith.

Bill read first time and referred to Committee on Judiciary.

By Senator Luce: Senate Bill No. 309—An Act to recognize and declare valid all proceedings in La Mesa, Lemon Grove and Spring Valley irrigation district.

Bill read first time, and referred to Committee on Irrigation.

By Senator Scott (by request): Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings, regulating the examination of applicants for license, regulating registration of applicants, allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians, to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor, and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act.

Bill read first time and referred to Committee on Public Health and Quarantine.

Also (by request): Senate Bill No. 311—An Act to amend section six hundred forty of the Penal Code of the State of California relating to telegraph and telephone lines and messages.

Bill read first time and referred to Committee on Public Utilities.

By Senator Ballard: Senate Bill No. 312—An Act to amend sections five hundred forty-four and five hundred forty-five of the Code of Civil Procedure of the State of California, relating to garnishment.

Bill read first time and referred to Committee on Judiciary.

By Senator Mott: Senate Bill No. 313—An Act to create for the State of California a division of county highways of the State Department of Engineering; to provide for the appointment of an assistant state engineer to take charge of the division of county highways, and prescribing his duties; to provide for the appointment of county highway engineers for the several counties of the State and prescribing their duties; fixing and providing for the salaries and expenses of the engineers whose appointment is herein provided for and the necessary expenses of the division of county highways.

Bill read first time and referred to Committee on Roads and Highways.

By Senator Tyrrell: Senate Bill No. 314—An Act to amend section twenty-one hundred eighty-nine of the Political Code, relating to the discharge of patients from state hospitals.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No 315—An Act to amend section twenty-one hundred ninety-two of the Political Code, relating to the commitment of incompetents other than insane persons.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 316—An Act to amend section three hundred twenty-nine of the Civil Code, relating to lost, destroyed or stolen bonds of a corporation.

Bill read first time and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 317—An Act to provide for the care and confinement of certain delinquents in correctional institutions, to establish two correctional institutions, to provide for the government thereof, and making an appropriation therefor.

Bill read first time and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No 318—An Act to provide for the regulation of county jails, county hospitals and almhouses, county orphanages, detention homes and city or town jails under the supervision of the State Board of Charities and Corrections.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Strobridge: Senate Bill No. 319—An Act validating and formation and organization, and determining the boundaries of Alameda County Water District in the county of Alameda, State of California.

Bill read first time, and referred to Committee on Irrigation.

By Senator Thompson: Senate Bill No. 320—An Act to amend section four thousand one hundred thirty-two of the Political Code, prescribing what indexes shall be kept by county recorders.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 321—An Act to amend section three thousand seven hundred seventy-three of the Political Code, relating to revenue and taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 322—An Act to amend section twenty-one of an Act entitled "An Act to carry into effect the provisions of section fourteen of article XIII of the constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, (statutes 1911, page 530) as amended by an Act approved June 12, 1913 (statutes 1913, page 615), relating to revenue and taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 323—An Act to amend section three of an Act entitled "An Act requiring the compilation and publication of reports of the financial transactions of the several counties and municipalities of the State, and making an appropriation therefor," approved April 21, 1911.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 324—An Act to amend sections four hundred fifty-three t and four hundred fifty-three u of the Civil Code, relating to title insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Senator Lyon: Senate Bill No. 325—An Act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor.

Bill read first time, and referred to Committee on Labor and Capital.

REPORT OF STANDING COMMITTEE (OUT OF ORDER).

The following report of standing committee was received and read:

ON IRRIGATION.

MR. PRESIDENT: Your Committee on Irrigation, to whom was referred Assembly Bill No. 75—An Act to provide for the government of irrigation districts having an area of more than 500,000 acres and to enable such irrigation districts to construct levees and to protect the land within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

MOTT, Chairman.

CASE OF URGENCY.

The following resolution was offered by Senator Mott:

Resolved, That Assembly Bill No. 75 presents a case of urgency, as that term is used in section fifteen of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and section fifteen of article IV of the constitution suspended and the resolution adopted by the following vote:

AYES—Senators Ballard, Beban, Benson, Breed, Brown, Butler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Assembly Bill No. 75—An Act to provide for the government of irrigation districts having an area of more than 500,000 acres and to enable such irrigation districts to construct levees and to protect the land within such districts from damage resulting from floods and the overflow of rivers and for that purpose to provide additional powers for boards of directors within such irrigation districts.

Bill read first time previously.

Bill read second time and considered engrossed.

Read third time.

Section six, setting forth the urgency clause, read.

The question being: "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Ballard, Benson, Boone, Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Lee, Luce, Mullaly, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 75 passed by the following vote:

AYES—Senators Ballard, Benson, Boone, Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Lee, Luce, Mullaly, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—SECOND READING OF BILLS.

Senate Bill No. 7—An Act to amend section one thousand four hundred fifty-four of the Code of Civil Procedure relating to the collection by surviving heirs of money in banks.

Bill read second time, ordered engrossed and on file for third reading.

Senate Concurrent Resolution No. 4—Approving eleven certain amendments to the charter of the city of Petaluma.

On motion of Senator Slater, Senate Concurrent Resolution No. 4 was passed on file.

Senate Concurrent Resolution No. 5—Approving a certain amendment to the charter of the city of Santa Monica, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Santa Monica at a special municipal election held therein on the 1st day of December, 1914.

In the absence of the author, Senate Concurrent Resolution No. 5 was passed on file.

Senate Bill No. 13—An Act to amend the Code of Civil Procedure of California by adding thereto a new section to be numbered and known as section one thousand eight hundred seventy-one, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

COMMITTEE AMENDMENT.

During the second reading of the bill the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out all of lines 16, 17, and down to and including the word "when" in line 18 of page 2 of the bill, and insert in lieu thereof the following:

"Any expert so appointed by the court may be called and examined as a witness by any party to such action or proceeding or by the court itself; but, when called, shall be subject to examination and objection as to his competency and qualifications as an expert witness and as to his bias. Such expert [illegible]".

Amendment adopted.

Bill ordered to print, engrossment, and third reading.

USE OF SENATE CHAMBER GRANTED

Senator Cogswell asked for and was granted unanimous consent for the use of the Senate Chamber for a joint meeting of the Committees on Revenue and Taxation on Tuesday, January 19, at 2 p.m.

ADJOURNMENT

At twelve o'clock m., on motion of Senator Cogswell, the President pro tem. declared the Senate adjourned.

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Tuesday, January 19, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Ballard, [illegible], [illegible], [illegible], Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Crowley, Dennett, [illegible], Flaherty, [illegible], Gerdes, [illegible], Irwin, Jones, Kehoe, Lane, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—34.

Quorum present.

PRAYER

Prayer by the Chaplain, Rev. Father Henry L. Stark.

LEAVE OF ABSENCE

Senator Wolfe was, on motion of Senator Scott, granted leave of absence for this day.

READING OF THE JOURNAL

During the reading of the Journal of Monday, January 18, 1915, the further reading was dispensed with, on motion of Senator Rush.

COMMUNICATIONS

The following communications were received and ordered printed in the Journal:

Presented by Senator Flaherty.

SOUTH SAN FRANCISCO, CAL., January 18, 1915.

THE SECRETARY OF THE SENATE, *Sacramento*:

GENTLEMEN: The San Francisco Methodist Ministers, meeting today, passed resolutions respectfully protesting against the passage of legislation levying a state tax of one hundred dollars or any other state tax on each saloon in this State. You are respectfully requested to consider this action.

C. N. BERTELS, Secretary.

Also: By Senator Breed:

January 18, 1915.

TO THE SENATE OF THE STATE OF CALIFORNIA, *Sacramento, Cal.*:

GENTLEMEN: I have the honor to report to your honorable body that at a regular meeting of the Board of Education of the City and County of San Francisco, held January 5, 1915, it was resolved that, owing to the prospective loss of a large amount of the common school fund through the abolition of the poll tax, his Excellency, the Governor, and the Legislature be asked to consider the advisability of providing ways and means to supplement the Public School Fund from other sources.

Very respectfully yours,

M. R. NORRIS, Secretary Board of Education.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Thompson the following message from the Assembly was taken up and read:

SACRAMENTO, January 18, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 3—Relative to approving charter of the city of Bakersfield, county of Kern, State of California, voted for and ratified by the qualified voters of said city at a special municipal election held therein for that purpose on the seventh day of November, 1914.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 3 read and referred to committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 7—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition.

Also:

Senate Joint Resolution No. 4—Relative to placing veterans of the United States army who fought in Indian wars from 1865 to 1891 on the pension roll.

Have had the same under consideration, and respectfully report the same back and recommend that they be adopted.

RUSH, Chairman.

Senate Concurrent Resolution No. 7 and Senate Joint Resolution No. 4 ordered on file.

ON MILITARY AFFAIRS.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 223—An Act to provide for the completion of the armory for the National Guard at San Francisco, and making an appropriation therefor—have had the same under consideration, and respectfully recommend that it do pass and to be referred to Finance Committee.

SCOTT, Chairman.

Senate Bill No. 233 ordered referred to Committee on Finance.

ON PUBLIC MORALS.

MR. PRESIDENT: Your Committee on Public Morals, to whom was referred Senate Bill No. 163—Entitled an Act to provide for one day of rest in seven, and to repeal an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893—have had the same under consideration, and respectfully report the same back with the recommendation that the same be referred to the Committee on Labor and Capital.

LUCE, Chairman.

Senate Bill No. 163 ordered referred to Committee on Labor and Capital.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Benedict: Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to section four of article VI of the constitution of the State of

California, relating to the jurisdiction of the Supreme Court and District Courts of Appeal.

Constitutional amendment referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding to article VI thereof a new section to be numbered ten and one-half, relative to the length of time a person appointed to fill a vacancy in the office of Justice of the Supreme Court, Justice of the District Court of Appeal or Judge of a Superior Court shall hold office.

Constitutional amendment referred to Committee on Judiciary.

Also: Senate Bill No. 326—An Act making an appropriation for the equipment of the buildings of the medical school of the University of California at Los Angeles, California.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 327—An Act making an appropriation for additions and improvements to the buildings of the medical school of the University of California at Los Angeles, California.

Bill read first time, and referred to Committee on Education.

By Senator Flaherty: Senate Bill No. 328—An Act to regulate the practice or occupation of steam engineering in the State of California; providing for the registration and licensing of persons to carry on such practice or occupation; providing for a board of examiners and a clerk thereof, to be under the supervision and management of the Commissioner of the Bureau of Labor Statistics, fixing the terms, compensation, powers and duties of the clerk and the members of the said board of examiners; fixing the fees to be paid by persons authorized to practice under the provisions of this Act, and creating a fund to be kept by the State Treasurer for the purposes of this Act.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Birdsall: Senate Bill No. 329—An Act providing for the incorporation and management of land loan associations, for a commission to supervise such associations, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 330—An Act authorizing the establishment of a cash revolving fund for the Department of Engineering and defining its use.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 331—An Act making an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along the northern boundary of Lake Tahoe to the western boundary of the state of Nevada at Crystal Bay in Placer County.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 332—An Act to amend section four thousand forty-one of the Political Code, relating to the general powers of boards of supervisors.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 333—An Act to prevent the propagation, by the production of seed, of those certain plants known as *Sorghum* *halepense*, *Cnicus arvensis*, *Salsoli kali*, *Onopordon acanthium*, *Cnicus lanceolatus* and *Convolvulus arvensis*, and repealing all Acts or parts of Acts inconsistent herewith.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 334—An Act to reimburse the county of Plumas for net loss of revenue sustained by the withdrawal of railroad property from county taxation under the provisions of section fourteen of article XIII of the constitution of this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 335—An Act to amend section four thousand two hundred sixty of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-first class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 336—An Act to amend section four thousand two hundred eighty of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 337—An Act to amend section four thousand two hundred eighty-two of the Political Code of the State of California, relating to the compensation of officers in counties of the fifty-third class.

Bill read first time, and referred to Committee on County Government.

By Senator Benson: Senate Bill No. 338—An Act to prohibit the making or soliciting of contracts wherein one party thereto obligates himself to make to the other party periodical payments which may be applied to the operating expenses of the obligee, or which may be forfeited, and wherein an agreement by the obligee to lend money to the obligor is made to depend upon the date of contract and the number of periodical payments; and to prescribe penalties for violations hereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 339—An Act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Tyrrell: Senate Bill No. 340—An Act to amend section two thousand one hundred seventy-five of the Political Code, relating to the expenses incurred in determining the insanity of a person and securing his admission into a state hospital.

Bill read first time, and referred to Committee on Judiciary.

By Senator Brown: Senate Bill No. 341—An Act to provide for the organization of the State Marketing Commission, to define its powers and duties and the rights and privileges of producers of agricultural, horticultural, dairy and farm products, and products manufactured or processed therefrom, which shall be grown, raised, produced, processed, or manufactured within the State of California, and to provide a penalty for the offense of using or imitating the state brand or label adopted by such commission, and appropriating money for establishing and carrying out the provisions of this Act, creating the "State Marketing Commission Fund," and providing for the manner in which money shall be placed therein and paid therefrom, and appropriating the moneys therein to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with the provisions of this Act.

Bill read first time, and referred to Committee on Agriculture.

By Senator Crowley: Senate Bill No. 342—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof.

Bill read first time and referred to Committee on Public Health and Quarantine.

By Senator Butler: Senate Bill No. 343—An Act to safeguard the youth of the State in attendance at universities and normal schools, by adding a new section to the Penal Code of California, to be numbered and known as section one hundred seventy-two b, making unlawful the soliciting or receiving of orders for, also the sale, service or giving away, of, spirituous, vinous, malt or other alcoholic liquors on or within one mile of the grounds of any university or state normal school, with certain exceptions.

Bill read first time, and referred to Committee on Public Morals.

By Senator Slater: Senate Bill No. 344—An Act to add a new section to the Civil Code to be numbered four hundred eighty-five *a*, relating to crossings over railroads.

Bill read first time and referred to Committee on Public Utilities.

By Senator Thompson: Senate Bill No. 345—An Act to appropriate money for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 346—An Act to amend section one thousand four hundred thirty-one of the Political Code to provide for payment of the traveling expenses of the regents of the University of California.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 347—An Act to be known as the juvenile court law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crime; and repealing the juvenile court law approved March 8, 1909, as amended by an Act approved April 5, 1911, and as amended by an Act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith are hereby repealed.

Bill read first time, and referred to Committee on Judiciary.

By Senator Kehoe: Senate Bill No. 348—An Act creating the office of State Forester and providing for the appointment and revocation of appointment of a proper person thereto; prescribing the powers and duties of the State Forester and fixing his salary; providing for the appointment and revocation of appointment of assistant foresters and fixing their duties and salaries; providing for the appointment of and revocation of appointment of fire wardens and prescribing their duties and mode of compensation; providing for cooperative agreements between the State Conservation Commission and persons, firms, associations, or corporations, or any combinations or groups of such persons, firms, associations or corporations and for agreements between the State Conservation Commission and the federal government; declaring certain fires to be public nuisances, and requiring those owning or controlling the lands upon which said nuisances exist to abate them; declaring certain inflammable debris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the cost of the abatement of certain nuisances a lien upon the land upon which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs accruing for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duties of those owning or controlling lands on which fires may burn; providing for the payment in the county treasuries of moneys collected under the penal section of this act; providing penalities for violating the provisions of this act; defining the word "Forest"; repealing chapter 264 of the laws of 1905 as amended by the Act of April 7, 1911, and all Acts and parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 349—An Act relating to labor exchanges and employment agencies, erecting a bureau of labor exchanges under the Commission of Immigration and Housing of California, providing for the employment by said commission of a director, superintendents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said bureau, providing for the free service of said bureau in securing employment for applicants, prescribing certain rules and regulations for the conduct of private emplonment agencies, authorizing the said bureau to license private employment agencies and enforce all laws pertaining to the regulation of private employment agencies, and making an appropriation for the purpose of carrying out the provisions hereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Luce: Senate Bill No. 350—An Act to amend "An Act to provide for the incorporation and organization and management of municipal water districts" by adding thereto a new section to be known as section twenty-seven *a*, providing for the disincorporation of said districts.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 351—An Act to appropriate money to construct a highway between El Centro, California, and a point on the California State line directly opposite Yuma, Arizona.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Maddux: Senate Bill No. 352—An Act to amend section sixteen hundred eighty-seven of the Political Code relating to qualifications of teachers for beginners.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 353—An Act to amend section four thousand three hundred [illegible] of the Political Code relating to the fees to be charged by recorders.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 354—An Act to amend section one thousand two hundred thirty-nine of the Political Code relating to rules for determining place of residence of electors.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 355—An Act to amend section one thousand eighty-three of the Political Code relating to the right to vote and the registration of voters.

Bill read first time, and referred to Committee on Elections.

By Senator Strobridge: Senate Bill No. 356—An Act to appropriate money for the support and maintenance of the state prison at San Quentin for the sixty-sixth fiscal year.

Bill read first time, and referred to Committee on Prisons and Reformatories.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 7, 1915.

To the Senate of the State of California:

I have the honor to inform your honorable body that since the adjournment of the fortieth session of the Legislature on the 12th day of May, 1913, I have made the following appointments and request your concurrence therein and consent thereto:

July 23, 1913. H. J. [illegible], of [illegible], a member of the Board of Managers of the Napa State Hospital, vice J. W. [illegible], resigned.

July 24, 1913. [illegible], of Sacramento, a member of the Board of Managers of the Napa State Hospital, vice self, term expired.

September 8, 1913. Henry J. [illegible], of Eureka, a member of the Board of Trustees of the Humboldt State Normal School, for the term of two years, in pursuance of the provisions of chapter 608, statutes of 1913.

September 8, 1913. [illegible], of Eureka, a member of the Board of Trustees of the Humboldt State Normal School, for the term of three years, in pursuance of the provisions of chapter 608, statutes of 1913.

September 8, 1913. Reese M. [illegible], of Arcata, a member of the Board of Trustees of the Humboldt State Normal School, for the term of four years, in pursuance of the provisions of chapter 608, statutes of 1913.

September 22, 1913. W. Nat Friend, of San Francisco, a member of the Board of Directors of the California School for the Deaf and the Blind, vice W. J. Matthews, term expired.

September 22, 1913. Livingston Jenks, of San Francisco, a member of the Board of Directors of the California School for the Deaf and the Blind, vice Wiggington Creed, term expired.

September 22, 1913. David P. Barrows, of Berkeley, a member of the Board of Directors of the California School for the Deaf and the Blind, vice self, term expired.

September 22, 1913. William B. [illegible], of San Diego, a member of the Board of Trustees of the State Normal School at San Diego, vice Fred Baker, resigned.

September 22, 1913. Ernest E. White, of San Diego, a member of the Board of Trustees of the State Normal School at San Diego, vice Charles N. Andrews, resigned.

October 2, 1913. Percy S. King, of Napa, a member of the Board of Managers of the Sonoma State Home, vice Rev. W. A. Lyons, resigned.

October 8, 1913. Joseph S. Thompson, of San Francisco, a member of the Board of Trustees of the State Normal School, at San Francisco, vice W. M. Newhall, resigned.

October 10, 1913. P. M. Fisher, of Oakland, a member of the Board of Trustees of the State Normal School at San Francisco, vice John Swett, deceased.

October 16, 1913. James B. Davidson, of San Rafael, a member of the Board of Trustees of the State Normal School, at San Francisco, vice Vanderlyn Stow, resigned.

October 16, 1913. F. S. Brittain, of San Francisco, a member of the Board of Trustees of the State Normal School, at San Francisco, vice J. M. Allen, deceased.

December 20, 1913. Donald H. Currie, of San Francisco, a member of the State Board of Health, vice W. F. Snow, resigned.

December 30, 1913. Edward F. Glaser, of San Francisco, a member of the State Board of Health, vice F. K. Ainsworth, resigned.

January 10, 1914. William T. Randall, of San Diego, a member of the Board of Trustees of the State Normal School, at San Diego, vice Charles C. Chapman, resigned.

January 29, 1914. James Mills, of Berkeley, a member of the Board of Regents of the State University, vice Minnie E. Sherman, deceased.

March 4, 1914. Phoebe Apperson Hearst, of San Francisco, a member of the Board of Regents of the State University, vice self, term expired.

March 4, 1914. John A. Britton, of San Francisco, a member of the Board of Regents of the State University, vice self, term expired.

March 4, 1914. Edwin T. Earl, of Los Angeles, a member of the Board of Trustees of the State Normal School at Los Angeles, vice self, term expired.

March 16, 1914. Frank W. Marston, of San Francisco, a member of the Board of Directors of the California School for the Deaf and the Blind, vice Geo. W. Reed, term expired.

March 25, 1914. William Wyles, of Santa Barbara, a member of the Board of Trustees of the State Normal School of Manual Arts and Home Economics, at Santa Barbara, vice Clio Lloyd, term expired.

June 12, 1914. W. H. Carlin, of Marysville, a member of the Board of Trustees of the State Normal School at Chico, vice Clifford Coggins, term expired.

June 17, 1914. P. F. Pache, of Angels Camp, a member of the Board of Managers of the Stockton State Hospital, vice Charles D. Fontana, term expired.

June 19, 1914. C. E. McLaughlin, of Sacramento, a member of the State Board of Prison Directors, vice Tirey L. Ford, term expired.

July 1, 1914. J. E. Phelps, of Los Angeles, Insurance Commissioner, vice E. C. Cooper, resigned.

August 5, 1914. Martin A. Meyer, of San Francisco, a member of the State Board of Charities and Corrections, vice self, term expired.

September 11, 1914. Carrie P. Bryant, of Los Angeles, a member of the State Board of Charities and Corrections, vice self, term expired.

November 25, 1914. Chester H. Rowell, of Fresno, a member of the Board of Regents of the State University, vice F. W. Dohrmann, deceased.

December 2, 1914. E. W. Haight, of Fortuna, a member of the Board of Trustees of the Humboldt State Normal School, vice self, term expired.

December 5, 1914. E. E. Nichols, of Berkeley, a member of the Board of Directors of the California School for the Deaf and the Blind, vice J. Arthur Elston, resigned.

December 12, 1914. H. McPhee, of Santa Ana, a member of the Board of Managers of the Southern California State Hospital, vice self, term expired.

January 3, 1915. Robert L. Telfer, of San Jose, Superintendent of State Printing, vice F. W. Richardson.

January 4, 1915. T. S. Montgomery, of Saratoga, a member of the Board of Managers of the Agnews State Hospital, vice self, term expired.

January 4, 1915. W. S. Van Dalsem, of San Jose, a member of the Board of Managers of the Agnews State Hospital, vice F. H. Bangs, term expired.

January 4, 1915. W. L. Briebach, of San Jose, a member of the Board of Managers of the Agnews State Hospital, vice Edward White, term expired.

January 18, 1915. Dr. Adelaide Brown, of San Francisco, a member of the State Board of Health, vice O. Stansbury, term expired.

January 18, 1915. Dr. Fred F. Gundrum, of Sacramento, a member of the State Board of Health, vice Dr. W. A. Briggs, resigned.

January 18, 1915. Dr. George E. Ebright, of San Francisco, a member of the State Board of Health, vice Martin Regensburger, term expired.

Respectfully submitted,

HIRAM W. JOHNSON, Governor.

Message referred to Committee on Rules.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 4—Approving eleven certain amendments to the charter of the city of Petaluma.

In the absence of the author Senate Concurrent Resolution No. 4 passed on file.

SENATE CONCURRENT RESOLUTION No. 5.

Relative to approving a certain amendment to the Charter of the City of Santa Monica, in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said City of Santa Monica at a special municipal election held therefor on the first day of December, 1914.

WHEREAS, The city of Santa Monica in the county of Los Angeles, State of California, contains a population of more than fifteen thousand (15,000) inhabitants, and has been ever since the year 1907, and is now, organized and acting under a freeholders' charter adopted under and by virtue of section eight of article XI of the constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the 7th day of October, 1906, and approved by the legislature of the State of California on the 1st day of February, 1907 (Statutes of 1907, p. [illegible]); and

WHEREAS, A petition signed by more than fifteen per centum of the qualified electors of the city of Santa Monica, computed upon the total number of votes cast therein for all candidates for governor at the general election held in 1910, was filed on the 13th day of October, 1914, in the office of the city clerk of the city of Santa Monica, petitioning the council of said city to submit and propose the amendment to the charter of said city, hereinafter set forth, to the qualified electors thereof; and

WHEREAS, Said petition was forthwith examined and certified by the city clerk of the city of Santa Monica and was found by him to be signed by the requisite number of qualified electors of said city and was presented to the council of said city with the clerk's certificate thereon, on the 13th day of October, 1914; and

WHEREAS, The city council of said city of Santa Monica did, by special ordinance No. 565, adopted by said council on the 13th day of October, 1914, and approved by the mayor of said city on said last named date, and pursuant to section eight of article XI of the constitution of the State of California, duly propose to the qualified electors of said city of Santa Monica, a certain amendment, hereinafter set forth, to the charter of said city, to be submitted to said qualified electors at a special election, to be held in said city on the 1st day of December, 1914, and

WHEREAS, Said proposed amendment, hereinafter set forth, was published for ten times in a daily newspaper, printed and published in said city and of general circulation therein, to wit, "The Daily Outlook," said publication ending on the 27th day of October, 1914, and

WHEREAS, Thereafter the city council did, by ordinance known as special ordinance No. 572, which was duly adopted on the 5th day of November, 1914, order the holding of a special municipal election in said city of Santa Monica, on the 1st day of December, 1914, which said last mentioned date was not less than twenty days, nor more than forty days after the completion of the publication of said proposed amendment, hereinafter set forth, for ten times, in said daily newspaper, of general circulation in said city of Santa Monica, to wit: "The Daily Outlook," and did provide by said ordinance for submission of said proposed amendment, to said city charter, to the qualified electors of said city, for their ratification at said special municipal election, which said ordinance was approved by the mayor of said city on the 5th day of November, 1914, and was published for at least two weeks, prior to the date appointed for the holding of said election in "The Daily Outlook," a daily newspaper printed and published in said city; and,

WHEREAS, At said special election a majority of the qualified electors voting thereon, voted in favor of the ratification and did ratify said proposed amendment to said charter; and,

WHEREAS, The city council of said city of Santa Monica, at a regular meeting thereof held within ten days after said election, duly canvassed the returns of said election and duly found, determined and declared that a majority of said qualified electors voting thereon had voted for and ratified said amendment to said charter; and,

WHEREAS, The mayor and city clerk of said city of Santa Monica did, on the 28th day of December, 1914, duly certify to the submission to the electors of said city of Santa Monica of the said proposed amendment to said charter and to the ratification of said amendment and did further certify to a copy of said proposed amendment.

authenticated by the seal of the city of Santa Monica, which said certificate is in words and figures following, to wit:

STATE OF CALIFORNIA,
County of Los Angeles, } ss:
City of Santa Monica.

CERTIFICATE OF RATIFICATION OF PROPOSED CHARTER AMENDMENT TO THE CHARTER OF THE CITY OF SANTA MONICA.

We, the undersigned, T. H. Dudley, mayor of the city of Santa Monica, State of California, and G. A. Murray, city clerk of said city, do hereby certify as follows, to wit:

That the city of Santa Monica, in the county of Los Angeles, State of California, contains a population of over seven thousand inhabitants, and has been, ever since the year 1907, and is now, organized and acting under a freeholders' charter, adopted under and by virtue of section 8, article XI, of the constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city, at a special election held for that purpose on the seventeenth day of October, 1905, and approved by the legislature of the State of California, on the first day of February, 1907, (Statutes of 1907, p. 1007);

That a petition signed by more than fifteen per centum of the qualified electors of the city of Santa Monica, computed upon the total number of votes cast therein for all candidates for governor, at the general election held in 1910, was filed on the thirteenth day of October, 1914, in the office of the city clerk of the city of Santa Monica, petitioning the council of said city to submit and propose the amendment to the charter of said city, hereinafter set out, to the qualified electors of said city;

That such petition was forthwith examined and certified by the city clerk of the city of Santa Monica and found by him to be signed by the requisite number of qualified electors of said city and was presented to the council of said city with the clerk's certificate thereto, on the thirteenth day of October, 1914;

That the city council of said city of Santa Monica did, by special ordinance No. 565, adopted by said council on the thirteenth day of October, 1914, and approved by the mayor of said city on said last named date, and pursuant to section 8, of article XI, of the constitution of the State of California, duly propose to the qualified electors of said city of Santa Monica, a certain amendment to the charter of said city to be submitted to the qualified electors at a special municipal election to be held in said city on the first day of December, 1914, which said amendment was in words and figures, as follows, to wit:

CHARTER AMENDMENT.

Amendment to the charter of the city of Santa Monica amending certain sections thereof, repealing certain other sections thereof, and adding certain sections thereto.

1. Sections 2 and 3 of article I of the charter of the city of Santa Monica are hereby repealed.

2. Article 3 of the charter of the city of Santa Monica is hereby amended so that the same shall be and read as follows:

ARTICLE III.

DEPARTMENTS AND OFFICERS.

SECTION 1. The government of the city of Santa Monica shall be divided into three departments, as follows:

Department of public safety.
Department of public works.
Department of finance.

SEC. 2. There shall be elected by the electors of the city of Santa Monica at large three commissioners, a commissioner of the department of public safety, a commissioner of the department of public works, and a commissioner of the department of finance, at the municipal election to be held in December, 1915, when the commissioner of the department of public safety shall be elected for a term of four years, the commissioner of the department of public works shall be elected for a term of two years, and the commissioner of the department of finance shall be elected for a term of two years, and thereafter their successors shall be elected for a term of four years at the municipal election held in December preceding the expiration of their respective terms of office. The term of their offices shall begin on the first day of January next succeeding their election and qualification.

The commissioners shall compose and be the city council of the city of Santa Monica, trustees of the Santa Monica public library, and commissioners of departments.

Should a vacancy occur in the office of commissioner and the remainder of the term of his office exceed six months, there shall be a special election called to fill such vacancy, but if less than six months, the two remaining commissioners shall fill the vacancy by appointing a commissioner from the qualified residents of the city; *provided, however,* that if they can not agree within ten days after the date such vacancy occurs, each commissioner shall propose a candidate, and the two candidates shall cast lots for such department and the successful candidate shall be commissioner of the department for which the [illegible].

Each commissioner shall receive a salary of three thousand ($3,000) dollars per annum, payable in equal monthly installments at the end of each and every calendar month, and each commissioner shall devote his whole time and attention to the duties of his office. He shall receive no other compensation for his services.

SEC. 3. The commissioner of the department of public safety shall be ex officio mayor of the city, chief of police, superintendent of buildings, health officer and fire commissioner, and he shall perform the duties of said officers as provided by law. The board of health and the board of police commissioners and the board of fire commissioners are hereby abolished and their duties are conferred upon the commissioner of the department of public safety.

The commissioner of public works shall be ex officio street superintendent, park commissioner and water commissioner and shall perform the duties of such officers as provided by law. He shall also have charge of all public works, buildings and properties of every kind and description except free library and school buildings and properties. The board of park commissioners is hereby abolished and its duties conferred upon said commissioner. The board of water commissioners is hereby abolished and its duties conferred upon said commissioner.

The commissioner of the department of finance shall be ex officio vice president of the council, city clerk, city assessor, city treasurer and city tax and license collector, and shall perform the duties of all of said officers as provided by law.

SEC. 4. There shall be elected five members of the board of education at the December election to be held in the year 1915, who shall hold their offices as follows:

Three members shall be elected for a term of four years and two members for a term of two years and thereafter their successors shall be elected for a term of four years at the municipal election held in December preceding the expiration of their respective terms of office. The term of their offices shall begin on the first day of January next succeeding their election and qualification. Should a vacancy occur on the board of education the remaining members of the board shall, by a majority vote, fill the vacancy by appointing a member of the board of education from the qualified residents of the city, who shall hold office until the next municipal election when a member of the board of education shall be elected for the unexpired term, if any.

SEC. 5. There shall be elected at the December election to be held in the year 1915, a judge of the police court of the city of Santa Monica, who shall be elected for a term of two years, and thereafter his successors shall be elected for a term of two years at the municipal election held in December preceding the expiration of the term of office of the incumbent. The term of office of the police judge shall begin on the first day of January next succeeding his election and qualification. The police judge shall receive a salary of fifteen hundred ($1,500) dollars per annum, payable in equal monthly installments at the end of each and every calendar month. Should a vacancy occur in the office of police judge the city council shall fill the vacancy by appointment for the unexpired term in the same manner as other officers are appointed by the city council.

SEC. 6. The following officers shall be appointed by the city council:

A city attorney.

A city engineer.

The board of education shall appoint a superintendent of schools. Such officers shall perform the duties imposed upon them by law.

SEC. 7. The commissioner of each department shall appoint a sufficient number of deputies to perform the duties pertaining to his department; *provided, however*, that the city council shall by ordinance prescribe the number and compensation of such deputies.

All appointed officers shall hold office until removed by the appointing power which shall have the power of removal in all cases; *provided, however*, that the city council shall have power to suspend any officer of the city pending trial against whom criminal proceedings may be brought, and in such cases a substitute may be appointed for such officer during suspension.

In all voting upon appointment, suspension or removal of officers, the members of the city council shall vote on call of roll, and the vote of each member shall be spread upon the minutes.

SEC. 8. The city council shall by ordinance regulate the duties of all the officers of the city in conformity with the provisions of this charter and fix their compensation.

SEC. 9. Officers of the city must not be interested in any contract made by them in their official capacity, either directly or indirectly, nor by any body or board of which they are members.

SEC. 10. The commissioner of the department of public safety as mayor shall preside at meetings of the city council and shall perform the duties of mayor as provided by law; *provided, however*, that the mayor shall have no right to veto any ordinance or resolution passed by the council, but he shall have the right as councilman to vote on every matter, resolution, or ordinance, coming before the city council, and shall vote last on all measures. He shall not have control over any officers of the city other than of the deparment of public safety. All portions of the city charter in conflict herewith are hereby repealed.

3. Sections one, two, four and five of article IV of the charter of the city of Santa Monica are hereby amended so that the same shall be and read as follows:

Section 1. All legislative power of the city is vested in the city council and shall be exercised by ordinance; other action of the city council may be ordered upon motion.

Section 2. The said city council is the governing body of the city and shall meet every day except Saturdays, Sundays and other holidays, and all sessions shall be open to the public. When met in regular sessions all acts may be done and ordinances passed by a vote of two thirds of the members voting affirmatively thereon, anything in this charter or the ordinances of the city to the contrary notwithstanding.

Section 4. The enacting clause of all ordinances, shall be substantially as follows: "The city council of the city of Santa Monica ordains as follows:".

Section 5. Two members of the city council shall constitute a quorum for the transaction of business.

4. Article IV of the charter of the city of Santa Monica is hereby amended by adding thereto the following sections:

Sec. 25*a*. The council may by ordinance, provide for a civil service system subject to the terms of this charter in any or all departments of the city government, and thereupon all appointments shall be made subject to the rules of said civil service system.

Sec. 25*b*. The council shall designate some official of the city, other than the treasurer to act as purchasing agent, who shall approve all vouchers for the payment of supplies, and conduct all sales of personal property which the council may desire to sell. All purchases and sales shall conform to such regulations as the council may prescribe from time to time, but in case the amount involved is in excess of one hundred ($100) dollars opportunity for competition shall be given. The purchasing agent shall store and distribute all supplies purchased by the city under such regulations as the council may prescribe, and shall furnish a bond in a sum to be designated by the council.

Sec. 25*c*. The council shall have power to cause an estimate to be made and a bid submitted on behalf of the city by the city engineer, and the superintendent of streets, on the laying out, opening, extending, widening, improving, vacating, paving or repaving of any streets, alleys, sidewalks, crossings or other highways, or on constructing or maintaining sewers, drains and other works necessary for the disposition of sewage.

Said bid shall be in regular form but no bond, certified check or other deposit or security shall be required of the city. The contract for said work may be awarded to the city if the bid of said city is the lowest, or to the next highest responsible bidder at the option of the council. No bond shall be required of the city, but the contract shall be signed in regular form. The superintendent of streets shall have charge of the execution of any such contract and careful records of the cost must be kept. Any such work may be done by day labor, or sublet by contract, or both. Assessments for such work shall be collected as designated by the council.

4½. Section 29 of article IV of the charter of the city of Santa Monica is hereby repealed.

5. Section 2 of article XI of the charter of the city of Santa Monica is hereby amended so that the same shall be and read as follows:

Section 2. General municipal elections shall be held on the first Tuesday in December, 1915, and thereafter every two years. Any matter may be submitted to a vote of the electors at said election.

Special elections may be called at any time by the city council for any purpose required by law.

Election of officers. The mode of election of all elective officers of the city to be voted for at any municipal election shall be as follows, and not otherwise:

Preferential ballot form. The city clerk shall cause ballots for each general and special election to be printed, bound, numbered, endorsed and authenticated as provided by the laws of the state except as otherwise required in this charter. The ballots shall contain the full list and correct name of all the respective offices to be filled, and the names of the candidates nominated therefor. It shall be substantially in the following form with the cross (×) omitted, when there are four or more candidates for any office. (When there are three and not more candidates for any office then the ballot shall give first and second choice only; when there are less than three candidates for any office, all distinguishing columns as to choice, and all reference to choice may be omitted.)

GENERAL (OR SPECIAL) MUNICIPAL ELECTION, CITY OF SANTA MONICA.

(Inserting the date thereof.)

Instructions. To vote for any person, stamp a cross (×) in the square in the appropriate column according to your choice, at the right of the name voted for. Vote your first choice in the first column; vote your second choice in the second column; vote any other choice in the third column; vote only one first and one second choice, except on board of education, vote as many first choices and second choices as there are members of the board to be elected. Do not vote more than one choice for one person, as only one choice will count for any candidate by this ballot. All distinguishing marks make the ballot void. If you wrongly mark, tear or deface this ballot, return it, and obtain another.

Commissioner of public safety	First Choice	Second Choice	Other Choices
John Doe			X
James Foe	X		
Louis Hoe		X	
Dick Joe			X
Richard Roe			
Commissioner of public works			
Mary Brown	X		
Harry Jones		X	
Fred Smith			
Commissioner of finance			
Joe Black	X		
Robert White			

CHARTER AMENDMENTS, ORDINANCES, OR OTHER REFERENDUM PROPOSITIONS.

Blank spaces for additional candidates. One space shall be left below the printed names of the candidates for each office to be voted for, wherein the voter may write the name of any person for whom he may wish to vote.

Canvass and election. As soon as the polls are closed, the election judges shall immediately open the ballot boxes, take therefrom and count the ballots, and enter the total number thereof on the tally sheet provided therefor. They shall also carefully enter the number of the first, second, and other choice votes for each candidate on said tally sheet and make return thereof to the city clerk as provided by law. No vote shall be counted for any candidate more than once on any ballot, all subsequent votes on that ballot for that candidate being void.

The person receiving more than one half of the total number of ballots cast at such elections as the first choice of the electors for any office shall be elected to that office; *provided*, that if no candidate shall receive such a majority of the first choice votes for such office, then a canvass shall be made of the second choice votes received by each candidate for said office; said second choice votes shall then be added to the first choice votes received by each candidate for such office, and the candidate receiving the largest number of said first and second choice votes, if such votes constitute a majority of all ballots cast at such election, shall be elected thereto; *and provided, further*, that if no such candidate shall receive such a majority after adding the first and second choice votes, then, and in that event, a canvass shall be made of the other choice votes received by each candidate for such office; said other choice votes shall then be added to the first and second choice votes received by each candidate for such office and such candidate receiving the highest number of first, second and other choice votes shall be elected thereto.

A tie between two or more candidates is to be decided in favor of the one having the greatest number of first choice votes. If all are equal in that respect, then the greatest number of second choice votes shall determine the result. If this will not decide, then the tie shall be determined by lot, under the direction of the canvassing board.

Whenever the word "majority" is used in this section, it shall mean more than one-half of the total number of ballots cast at such election.

General election regulations. The provisions of any state law, now or hereafter in force, except as the council may otherwise by ordinance provide, relating to the qualifications and registrations of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of elections except as otherwise provided in this article, so far as they may be applicable, shall govern all municipal elections, *provided*, also, that the council shall meet as a canvassing board and duly canvass the election returns within two days after any municipal election. Whenever any member of the council is a candidate for reelection, the council shall appoint some justice of the peace or notary of said city to take the place of said candidate upon said canvassing board as a member thereof.

Political activity. No person in the employ of the city shall take any active part, or contribute any money towards the nomination or election of any candidate. A violation of any of the provisions of this section by any candidate or officer shall disqualify him from holding the office for which he may be elected or appointed.

6. Section 3 of article XI of the charter of the city of Santa Monica is hereby repealed.

7. Sections 6 and 7 of article XI of the charter of the city of Santa Monica are hereby amended so that the same shall be and read as follows:

Section 6. All elective officers must have resided in the city of Santa Monica continuously one year next preceding their elections.

All appointed officers must maintain offices in the city of Santa Monica, but need not be actual residents thereof.

Section 7. The city attorney and police judge must have been admitted to practice in all the courts of this state, and also in all federal courts within the southern district of California.

8. Section 1 of article XII of the charter of the city of Santa Monica is hereby amended so that the same shall be and read as follows:

Section 1. The commissioner of each department shall have control of expenditures and purchases for the use of his department and may enter into contracts therefor, *provided, however*, that a requisition shall be made and filed with the purchasing agent for all supplies purchased and *provided, further*, that every purchase or contract amounting to more than one hundred ($100.00) dollars shall be first authorized on requisition by the city council. On January 1st, April 1st, July 1st, and October 1st, of each year, each department shall file with the purchasing agent an itemized statement of the supplies that may be needed for the ensuing quarter-year. The purchasing agent shall post a copy of such lists on the city billboard, conspicuously affixed to the wall, in the city clerk's office, adjacent to the main door thereof, for ten days immediately succeeding the filing of such lists, and cause a brief notice to be published at least twice in one or more newspapers published in the city of Santa Monica, and in one or more newspapers to be designated by the city council, published outside of said city, calling attention to the filing of said lists and that itemized bids will be received therefor within ten days after said posting. Said published notice need not contain said itemized lists, but may describe the articles desired generally and refer to such lists for further information. The purchasing agent shall also mail a copy of said notice to the address of such dealers as may be directed by the commissioner of the departments. Itemized bids shall be filed with the city clerk and purchases shall be made of such bidders or of any of them of any article at the lowest price, quality considered, by any bidder for that article and in any quantity required, *provided, however* that the city council or any commissioner shall have the right to purchase of any other person or firm any article needed for the use of the city at a price lower, quality considered, than the minimum price bid for such article by any of said bidders.

All official notices, city printing and advertising shall be published in a newspaper of general circulation in the municipality, in the body type of the paper. The newspaper carrying such publication shall be paid a price per inch of space used and at the lowest and best rate offered, not exceeding that which it receives from regular commercial display advertisements for the quantity of space used. When it may appear to the council that the rates offered are unfair, the council may employ other means of securing publicity in lieu of newspaper advertising.

That said proposed amendment was published for ten times in a daily newspaper, printed and published in said city and of general circulation therein, to wit: the Daily Outlook, said publication ending on the 27th day of October, 1914;

That thereafter the city council did, by ordinance known as special ordinance No. 572, which was duly adopted on the fifth day of November, 1914, order the holding of a special municipal election in said city of Santa Monica, on the first day of

December, 1914, which said last mentioned day was not less than twenty days, nor more than forty days after the completion of the publication of said proposed amendment, for ten times in said daily newspaper of general circulation in said city of Santa Monica, to wit: the Daily Outlook, and did provide in said ordinance for submission of said proposed amendment to said city charter to the qualified electors of said city for their ratification at said special municipal election, which ordinance was approved by the mayor of said city on the 10th day of November, 1914, and was published for at least five times prior to the time appointed for the holding of said election, in the Daily Outlook, a daily newspaper printed and published in said city.

That at said special election a majority of the qualified electors voting thereon voted in favor of the ratification and did ratify said proposed amendment to said charter.

That the city council of said city of Santa Monica, at a regular meeting thereof held within ten days after said election, duly canvassed the returns of said election and duly found, determined and declared that a majority of such qualified electors voting thereon, had voted for and ratified said amendment to said charter.

In witness whereof, We have hereunto set our hands and affixed the corporate seal of the city of Santa Monica, this twenty-eighth day of December, A. D. 1914.

T. H. DUDLEY,
Mayor of the city of Santa Monica.
G. A. MURRAY,
(SEAL) City Clerk of the city of Santa Monica.

AND, WHEREAS, The said proposed amendment as ratified as hereinabove set forth has been duly presented and submitted to the legislature of the State of California for approval or rejection, without power of alteration or amendment, in accordance with section eight of article XI of the constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring herein), That the said proposed amendment to the said charter of the city of Santa Monica herein above set forth, as presented and as submitted to and adopted and ratified by the qualified electors of said city, be and the same is hereby approved as a whole for and as amendment to the said charter of the city of Santa Monica.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Beban, Benedict, Boone, Breed, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gates, Hans, Irwin, Jones, Kehoe, Luce, Lyon, [illegible], Mott, Owens, Purkitt, Scott, Strobridge, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Senate Concurrent Resolution No. 5 ordered to engrossment.

RECESS

At ten o'clock and forty minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until eleven o'clock a.m.

RECONVENED

At eleven o'clock a.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

PETITION — OUT OF ORDER

The following communication was read and ordered printed in the Journal.

LOS ANGELES, CAL., January 18, 1915.

SPEAKER OF THE SENATE, *Sacramento*:

The Inter-Presbyterian Ministerial Union of Los Angeles, representing a constituency of 18,000, are apposed to taxing saloons for revenue.

GEO. A. HUTCHISON.

REPORT OF SPECIAL COMMITTEE—(OUT OF ORDER).

The following report of special committee was received and read:

MR. PRESIDENT: Your special committee appointed to confer with a committee from the Assembly, and with said Assembly committee to recommend to the Legislature a general policy to be followed in the consideration of bills prior to the constitutional recess, in order to meet a contingency that now exists and in the interests of public business, begs leave to report and recommend, that prior to the constitutional recess:

First—The Senate act in the usual course upon all bills that may be made to take effect immediately under the provisions of article IV, section 1, of the constitution.

Second—The Senate act upon all other bills in the usual course except that no bill other than those mentioned in the first recommendation shall be placed upon its final passage prior to the constitutional recess.

KEHOE, Chairman.

Report read and, on motion of Senator Kehoe, adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

MR. PRESIDENT: Your Committee on Municipal Corporations to whom was referred Assembly Concurrent Resolution No. 3—Relative to approving charter of the city of Bakersfield, county of Kern, State of California—have had the same under consideration, and respectfully report the same back with the recommendation that same be adopted.

TYRRELL, Chairman.

Senate Concurrent Resolution No. 3 ordered on file.

ON REVENUE AND TAXATION.

MR. PRESIDENT: Your Committee on Revenue and Taxation to whom was referred Senate Bill No. 24—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to carry into effect the provisions of section fourteen of article thirteen of the constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of State from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation' approved April 1, 1911, by amending sections two, three, four, five, twenty-four and thirty-five," approved February 3, 1913, by amending sections one, two, three, four and six thereof—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

COGSWELL, Chairman.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Thompson asked for and was granted unanimous consent to take up consideration of Senate Bill No. 24 at this time.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill after the words "An Act" an insert in lieu thereof the following:

"To amend an Act entitled 'An Act to carry into effect the provisions of section fourteen of article thirteen of the constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the state, all relating to revenue and taxation,' approved April 1, 1911, as amended February 3, 1913, by amending sections two, three, four, five, eleven and thirty-five thereof."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out lines one to twelve inclusive on page one, all of pages two, three, four, five, six and lines one to ten inclusive on page seven of the printed bill and insert in lieu thereof the following:

"SECTION 1. Section two of an Act entitled 'An Act to carry into effect the provisions of section fourteen of article thirteen of the constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of state from local revenues and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the state, all relating to revenue and taxation,' approved April 1, 1911, as amended February 3, 1913, is hereby amended to read as follows:

Sec. 2. All railroad companies, including street railways, whether operated in one or more counties; all sleeping car, dining car, drawing-room car and palace car companies, all refrigerator, oil, stock, fruit, and other car-loaning and other car companies, operating upon the railroads in this state; all companies doing express business on any railroad, steamboat, vessel or stage line in this state; all telegraph and telephone companies; and all companies engaged in the transmission or sale of gas or electricity shall annually pay to the state a tax upon their franchises, roadways, roadbeds, rails, rolling stock, poles, wires, pipes, canals, conduits, rights of way, and other property, or any part thereof used exclusively in the operation of their business in this state, computed as follows: Said tax shall be equal to the percentages hereinafter fixed upon the gross receipts from operation of such companies and each thereof within this state. When such companies are operating partly within and partly without this state, the gross receipts within this state shall be deemed to be all receipts on business beginning and ending within this state, and a proportion, based upon the proportion of the mileage within this state to the entire mileage over which such business is done, of receipts on all business passing through, into, or out of this state. The percentages above mentioned shall be as follows: On all railroad companies, including street railways, [illegible] and one-fourth per cent; on all sleeping car, dining car, drawing-room car, and palace car companies, refrigerator, oil, stock, fruit and other car-loaning and other car companies, three and ninety-five hundredths per cent; on all companies doing express business on any railroad, steamboat, vessel or stage line, [illegible] per cent; on all telegraph and telephone companies, four and a half per cent; on all companies engaged in the transmission or sale of gas or electricity, [illegible] per cent. Such taxes shall be in lieu of all other taxes and licenses, state, county and municipal, upon the property above enumerated of such companies except as otherwise provided in section fourteen of article thirteen of the constitution of this state. The word "municipal" as used in this Act shall apply to incorporated towns and cities formed under article eleven of the constitution of this state and to cities and counties.

Sec. 2. Section three of said Act is hereby amended to read as follows:

Sec. 3. Every insurance company or association doing business in this state shall annually pay to the state a tax of [illegible] upon the amount of the gross premiums received upon its business done in this state, less return premiums and reinsurance in companies or associations authorized to do business in this state; *provided*, that there shall be deducted from said tax on such gross premiums the amount of any county and municipal taxes paid by such companies on real estate owned by them in this state. This tax shall be in lieu of all other taxes and licenses, state, county and municipal, upon the property of such companies, except county and municipal taxes on real estate, and except as otherwise provided in the constitution of this state; provided, that when by the laws of any other state or country, any taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, are imposed on insurance companies of this state, doing business in such other state or country, or upon their agents therein, in excess of such taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, imposed upon insurance companies of such other state or country, so long as such laws continue in force, the same obligations and prohibitions of whatsoever kind must be imposed by the insurance commissioner upon insurance companies of such other state or country doing business in this state.

SEC. 3. Section four of said Act is hereby amended to read as follows:

Sec. 4. The shares of capital stock of all banks, organized under the laws of this state, or of the United States, or of any other state and located in this state, shall be assessed and taxed to the owners or holders thereof by the state board of equalization, in the manner hereinafter provided, in the city or town where the bank is located and not elsewhere. There shall be levied and assessed upon such shares of capital stock and annual tax, payable to the state, of one and two-tenths per centum upon the value thereof. The value of each share of stock in each bank, except such as are in liquidation, shall be taken to be the amount paid in thereon, together with its pro rata of the accumulated surplus and undivided profits. The value of each share of stock in each bank which is in liquidation shall be taken to be its pro rata of the actual assets of such bank. This tax shall be in lieu of all other taxes and licenses, state, county, and municipal, upon such shares of stock and upon the property of such bank, except county and municipal taxes on real estate and except as otherwise provided in the constitution of this state. In determining the value of the capital stock of any bank there shall be deducted from the value, as defined above, the value, as assessed for county taxes, of any real estate, other than mortgage interests therein, owned by such bank and taxed for county purposes. The banks shall be liable to the state for this tax and the same shall be paid to the state by them on behalf of the stockholders in the manner and at the time hereinafter provided, and they shall have a lien upon the shares of stock and upon any dividends declared thereon to secure the amount so paid. The moneyed capital, reserve, surplus, undivided profits, and all other property belonging to unincorporated banks or bankers of this state, or held by any bank located in this state, which has no shares of capital stock, or employed in this state by any branches, agencies, or other representatives of any banks doing business outside of the State of California, shall be likewise assessed and taxed to such banks or bankers by the said board of equalization, in the same manner as above provided for incorporated banks, and taxed at the same rate that is levied upon the shares of capital stock of incorporated banks, as provided in the first paragraph of this section. In the case of a branch, an agency, or other representative of any bank doing business outside of this state, the capital of said branch, agency, or representative used in this state shall be taken to be the average amount owed by the said branch, agency, or representative to the bank of which it is a branch, agency, or representative during the year ending the first Monday in March. The value of said property shall be determined by taking the entire property invested in such business, together with all reserve, surplus, and undivided profits, at their full cash value, and deducting therefrom the value as assessed for county taxes of any real estate, other than mortgage interests therein, owned by such bank or banker and taxed for county purposes. Such taxes shall be in lieu of all other taxes and licenses, state, county, and municipal, upon the property of the banks and bankers mentioned in this section, except county and municipal taxes on real estate, and except as otherwise provided in the constitution of this state. All moneyed capital and property of the banks and bankers mentioned in this paragraph shall be assessed and taxed at the same rate as an incorporated bank, provided for in this section. In determining the value of the moneyed capital and property of the banks and bankers mentioned in this section, the said state board of equalization shall include and assess to such banks all property and everything of value, owned or held by them which would go to make up the value of the capital stock of such banks and bankers, if the same were incorporated and had shares of capital stock. The word "banks" as used in this Act shall include banking associations, unincorporated banks and bankers, branches, agencies or other representatives of any banks doing business outside of the State of California, savings and loan societies, and such trust companies, as conduct the business of receiving money on deposit, but shall not include building and loan associations.

SEC. 4. Section five of said Act is hereby amended to read as follows:

Sec. 5. All franchises, other than those of the companies mentioned in sections two, three and four of this Act, shall be assessed at their actual cash value, after making due deduction for good will, in the manner hereinafter provided and shall be taxed at the rate of one and two tenths per centum each year, and the taxes collected thereon shall be exclusively for the benefit of the state. These franchises shall include the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this state and the actual exercise of the right to do business as a corporation in this state when such right is exercised by a corporation incorporated under the laws of any other state or country, also the right, authority, privilege, or permission to maintain wharves, ferries, toll roads, and toll bridges, and to construct, maintain or operate, in, under, above, upon, through, or along any streets, highways, public places or waters, any mains, pipes, canals, ditches, tanks, conduits or other means for conducting water, oil or other substances.

SEC. 5. Section eleven of said Act is hereby amended to read as follows:

Sec. 11. The insurance commissioner of this state must on or before the last day of March in each year make and file with the state board of equalization a report showing:

1. All companies, domestic and foreign, and all firms, associations, or persons, engaged in the business of insurance in this state.

2. The total amount of the gross premiums received from its business in this state by each of said companies, firms, associations, and persons during the year ending the thirty-first day of December last preceding.

3. The amount of return premiums paid on business done in this state and the amount of reinsurance on business done in this state paid to other insurance companies or associations authorized to do business in this state, by said companies, firms, associations, and persons, during said year.

4. The amount of any county and municipal taxes paid during said year by such companies on real estate owned by them in this state, and where said real estate is located.

In making this report he shall list separately all those companies, firms, associations, or persons, which, under the second proviso in subdivision (b) of section fourteen of article XIII of the constitution and of section three of this Act, are subject to a tax at a rate higher than two per cent on their gross premiums, or to any additional tax or license, and shall indicate in each case the amount and character of said tax or license.

Every company, firm, association or person engaged in the business of insurance in this state shall file with the insurance commissioner on or before the first Monday in March of each year [illegible] statements [illegible] under the provisions of article XVI of chapter three of title one of part three of the Political Code as said insurance commissioner shall deem necessary to enable him to prepare the report required of him in this section [illegible] in the same manner as is provided for the verification of other [illegible] in section six hundred ten of the Political Code [illegible] shall be verified by the oath of the [illegible] residing within this state.

SEC. 6. Section thirty-five of said Act is hereby amended to read as follows:

Sec. 35. [illegible] described and enumerated in section fourteen of article XIII of the constitution of the State of California and in section one of said Act approved April 1, 1911, as amended February 3, 1912, [illegible] and franchises as fixed and defined by this Act, it is hereby declared to be the intent and purpose of the legislature [illegible] of all the [illegible] two houses [illegible] of the authority conferred upon the legislature by subdivision [illegible] of section fourteen of article XIII of the constitution to change the rates of taxation [illegible] fixed and imposed by said section of the constitution and [illegible] in said Act approved April 1, 1911, as amended February 3, 1912, [illegible] by and in this Act.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page eight, line [illegible], printed bill, strike out the figure "6" and insert in lieu thereof the figure "7."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Thompson, the Secretary was directed to issue a rush order for printing Senate Bill No. 24.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER.)

By consent of the Senate the following bills, etc., were introduced out of the regular order.

By Senator Mott: Senate Bill No. 357—An Act providing for the acquisition by purchase or gift, of lands for reforestation and agricultural purposes; for the management and control of same; for the distribution of seeds and seedlings, and appropriating money to carry out the provisions of this act.

Bill read first time, and referred to Committee on Agriculture.

By Senator Duncan: Senate Bill No. 358—An Act to appropriate money for repairs and improvements to the Chico State Normal School.

Bill read first time, and referred to Committee on Education.

By Senator Gerdes: Senate Bill No. 359—An Act to appropriate money for remodeling the training school building at the San Francisco State Normal School.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 360—An Act to appropriate money for repairs and furnishings at the San Francisco State Normal School.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 361—An Act directing the State Bureau of Vital Statistics to collect, compile and present certain statistics relating to marriage and divorce and making it the duty of certain officers to furnish such statistics in compliance with the provisions of this Act, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Finn: Senate Bill No. 362—An Act to appropriate money for the purchase of machinery and equipment for the manufacturing departments at the state prison at San Quentin.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 363—An Act to appropriate money for repairs and improvements at the state prison at San Quentin.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 364—An Act to appropriate money for the construction and equipment of dairy and farm buildings at the state prison at San Quentin.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 365—An Act to appropriate money for the construction and equipment of a concrete bathhouse at the state prison at San Quentin.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 366—An Act to appropriate money for the extension of the walls at the state prison at San Quentin.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 367—An Act to appropriate money for the development of the water supply and pumping plant at the state prison at San Quentin.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 368—An Act to appropriate money for the purchase of live stock at the state prison at San Quentin.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Benedict: Senate Bill No. 369—An Act to appropriate money to pay additional salaries at the Los Angeles State Normal School for the sixty-sixth fiscal year.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 370—An Act to appropriate money for additional support at the Los Angeles State Normal School for the sixty-sixth fiscal year.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 371—An Act to appropriate money to complete and furnish the Los Angeles Normal School buildings.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 372—An Act to appropriate money to purchase additional equipment for the industrial training departments of the Los Angeles State Normal School.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 373—An Act to appropriate money to construct an addition to the manual training building of the Los Angeles State Normal School.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 374—An Act to appropriate money to pay the expenses of street improvements and sewer assessments fronting the property of the Los Angeles State Normal School in the city of Los Angeles.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 375—An Act to appropriate money for improvement to grounds at the Los Angeles State Normal School.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 376—An Act to appropriate money to pay the expense of compiling and publishing the revenue laws of the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Shearer: Senate Bill No. 377—An Act to amend section two hundred twenty-five of the Code of Civil Procedure, relating to the manner of serving jurors by the sheriff.

Bill read first time, and referred to Committee on Judiciary.

By Senator Purkitt: Senate Bill No. 378—An Act to amend section nine hundred fifty-four of the Penal Code of the State of California, relating to charging two or more different offenses in indictments and informations.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cohn: Senate Bill No. 379—An Act to appropriate money for the construction of a horse barn at the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 380—An Act to appropriate money for furnishing and decorating the warden's residence at the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 381—An Act to appropriate money for the expense of changing from coal to oil burners at the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 382—An Act to appropriate money for the purchase of live stock for the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 383—An Act to appropriate money for reconstruction of electrical equipment connected with the power house at the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 384—An Act to appropriate money for repairs and improvements at the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 385—An Act to appropriate money for the purchase and installation of refrigerating plant at the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 386—An Act to appropriate money for the construction of farm buildings at the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 387—An Act to appropriate money for the expense of purchasing and installing new bake oven at the state prison at Folsom.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Luce: Senate Bill No. 388—An Act to appropriate money for repairs and improvements at the San Diego State Normal School.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 389—An Act to appropriate money for furniture and equipment at the San Diego Normal School.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 390—An Act to appropriate money for improvement of grounds at the San Diego State Normal School.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section two of article IX of the constitution of the said state, relating to the election and salary of a Superintendent of Public Instruction and also by repealing section ten of article XXII of said constitution, relating to the term of officers first elected under the constitution and also to the election and term of office of the successors of such officers and also to the election of judicial officers and the Superintendent of Public Instruction.

Constitutional amendment referred to Committee on Elections.

Also: Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending section seventeen of article V of the Constitution of the State, relating to the election and term of office of a Secretary of State, a Controller, a Treasurer, an Attorney General and a Surveyor General and also by amending section nineteen of article V of the said Constitution, relating to the compensation of the Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General and Surveyor General.

Constitutional amendment referred to committee on elections.

By Senator Lyon: Senate Bill No. 391—An Act providing for a two platoon system in the fire departments of cities having paid fire departments.

Bill read first time, and referred to Committee on Municipal Corporations.

RESOLUTION—OUT OF ORDER.

The following resolution was offered:

BY COMMITTEE ON CONTINGENT EXPENSES.

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of the Secretary of the Senate in the sum of forty-two dollars ($42), payable out of the contingent fund of the Senate; and the State Treasurer is directed to pay the same, being for payment of bill of Bender-Moss Company for additional copies of codes and constitutions of California ordered by the Senate.

BEBAN, Chairman.

Resolution read.

Senator Beban moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Finn, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Thompson and Tyrrell—29.

NOES—None.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Wednesday, January 20, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson and Tyrrell—36.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry I. Stark.

LEAVES OF ABSENCE.

Senator Wolfe was, on motion of Senator Campbell, granted leave of absence for this day.

Senator Breed was, on motion of Senator Mott, granted leave of absence for this day.

Senator Strobridge was, on motion of Senator Thompson, granted leave of absence for this day.

Senator Purkitt was, on motion of Senator Slater, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 19, 1915, the further reading was dispensed with, on motion of Senator Rush.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 19, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 7 An Act to amend section one thousand four hundred fifty-four of the Code of Civil Procedure relating to the collection by surviving heirs of money in banks, and report that the same has been correctly engrossd.

FLAHERTY, Chairman.

Senate Bill No. 7 ordered on file for third reading.

COMMUNICATION.

The following communication was read and ordered printed in the Journal:

ALHAMBRA, CAL., January 19, 1915.

SENATOR N. W. THOMPSON, *Sacramento*:

The Methodist Ministers Association of Southern California, with two hundred members representing a constituency of fifty thousand church members, hereby expresses itself as unalterably opposed to the proposed tax upon saloons for purpose of raising deficit in revenues of State and urges that you exert utmost influence to prevent further dependence of State upon liquor interests for support.

W. E. KILOE, President.
CHARLES D. LEWIS, Secretary.

REPORT OF STANDING COMMITTEE.

The following report of committee was received and read:

ON RULES.

SACRAMENTO, January 20, 1915.

MR. PRESIDENT: Your Committee on Rules, to whom was referred the following message from the Governor:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 7, 1915.

To the Senate of the State of California:

I have the honor to inform your honorable body that since the adjournment of the fortieth session of the Legislature on the 12th day of May, 1913, I have made the following appointments and request your concurrence therein and consent thereto:

July 23, 1913. H. J. Widenmann, of Vallejo, a member of the Board of Managers of the Napa State Hospital, vice J. W. Clark, resigned.

July 24, 1913. Emmett Phillips, of Sacramento, a member of the Board of Managers of the Napa State Hospital, vice self, term expired.

September 8, 1913. Henry J. Bridges, of Eureka, a member of the Board of Trustees of the Humboldt State Normal School, for the term of two years, in pursuance of provisions of chapter 608, statutes of 1913.

September 8, 1913. Charlotte Gale, of Eureka, a member of the Board of Trustees of the Humboldt State Normal School, for the term of three years, in pursuance of the provisions of chapter 608, statutes of 1913.

September 8, 1913. Rease M. Wiley, of Arcata, a member of the Board of Trustees of the Humboldt State Normal School, for the term of four years, in pursuance of the provisions of chapter 608, statutes of 1913.

Sepember 22, 1913. W. Nat Friend, of San Francisco, a member of the Board of Directors of the California School for the Deaf and the Blind, vice W. J. Matthews, term expired.

September 22, 1913. Livingston Jenks, of San Francisco, a member of the Board of Directors of the California School for the Deaf and the Blind, vice Wigginton Creed, term expired.

September 22, 1913. David P. Barrows, of Berkeley, a member of the Board of Directors of the California School for the Deaf and the Blind, vice self, term expired

September 22, 1913. William B. Thorp, of San Diego, a member of the Board of Trustees of the State Normal School at San Diego, vice Fred Baker, resigned.

September 22, 1913. Ernest E. White, of San Diego, a member of the Board of Trustees of the State Normal School at San Diego, vice Charles N. Andrews, resigned.

October 2, 1913. Percy S. King, of Napa, a member of the Board of Managers of the Sonoma State Home, vice Rev. W. A. Lyons, resigned.

October 8, 1913. Joseph S. Thompson, of San Francisco, a member of the Board of Trustees of the State Normal School at San Francisco, vice W. M. Newhall, resigned.

October 10, 1913. P. M. Fisher, of Oakland, a member of the Board of Trustees of the State Normal School at San Francisco, vice John Swett, deceased.

October 16, 1913. James B. Davidson, of San Rafael, a member of the Board of Trustees of the State Normal School, at San Francisco, vice Vanderlyn Stow, resigned.

October 16, 1913. F. S. Brittain, of San Francisco, a member of the Board of Trustees of the State Normal School at San Francisco, vice J. M. Allen, deceased.

December 20, 1913. Donald H. Currie, of San Francisco, a member of the State Board of Health, vice W. F. Snow, resigned.

December 30, 1913. Edward F. Glaser, of San Francisco, a member of the State Board of Health, vice F. K. Ainsworth, resigned.

January 10, 1914. William T. [illegible], of San Diego, a member of the Board of Trustees of the State Normal School at San Diego, vice Charles C. Chapman, resigned.

January 29, 1914. James Mills, of Berkeley, a member of the Board of Regents of the State University, vice [illegible], deceased.

March 4, 1914. Phoebe Apperson Hearst, of San Francisco, a member of the Board of Regents of the State University, vice self, term expired.

March 4, 1914. John A. Britton, of San Francisco, a member of the Board of Regents of the State University, vice self, term expired.

March 4, 1914. Edwin T. Earl, of Los Angeles, a member of the Board of Trustees of the State Normal School at Los Angeles, vice self, term expired.

March 16, 1914. Frank W. Marston, of San Francisco, a member of the Board of Directors of the California School for the Deaf and the Blind, vice Geo. W. Reed, term expired.

March 25, 1914. William Wyles, of Santa Barbara, a member of the Board of Trustees of the State Normal School of Manual Arts and Home Economics, at Santa Barbara, vice Clio Lloyd, term expired.

June 12, 1914. W. H. Carlin, of Marysville, a member of the Board of Trustees of the State Normal School at Chico, vice Clifford Coggins, term expired.

June 17, 1914. P. F. [illegible], of Angels Camp, a member of the Board of Managers of the Stockton State Hospital, vice Charles D. Fontana, term expired.

June 19, 1914. C. E. McLaughlin, of Sacramento, a member of the State Board of Prison Directors, vice Tirey L. Ford, term expired.

July 1, 1914. J. E. Phelps, of Los Angeles, Insurance Commissioner, vice E. C. Cooper, resigned.

August 5, 1914. Martin A. Meyer, of San Francisco, a member of the State Board of Charities and Corrections, vice self, term expired.

September 11, 1914. [illegible] P. Bryant, of Los Angeles, a member of the State Board of Charities and Corrections, vice self, term expired.

November 25, 1914. Chester H. Rowell, of Fresno, a member of the Board of Regents of the State University, vice F. W. Dohrmann, deceased.

December 2, 1914. F. W. [illegible], of Fortuna, a member of the Board of Trustees of the Humboldt State Normal School, vice self, term expired.

December 5, 1914. E. E. Nichols, of Berkeley, a member of the Board of Directors of the California School for the Deaf and the Blind, vice J. Arthur Elston, resigned.

December 12, 1914. H. McPhee, of Santa Ana, a member of the Board of Managers of the Southern California State Hospital, vice self, term expired.

January 3, 1915. Robert L. Telfer, of San Jose, Superintendent of State Printing, vice F. W. Richardson.

January 4, 1915. T. S. Montgomery, of Saratoga, a member of the Board of Managers of the Agnews State Hospital, vice self, term expired.

January 4, 1915. W. S. Van Dalsem, of San Jose, a member of the Board of Managers of the Agnews State Hospital, vice F. H. Bangs, term expired.

January 4, 1915. W. L. [illegible], of San Jose, a member of the Board of Managers of the Agnews State Hospital, vice Edward White, term expired.

January 18, 1915. Dr. Adelaide Brown, of San Francisco, a member of the State Board of Health, vice O. Stansbury, term expired.

January 18, 1915. Dr. Fred F. Gundrum, of Sacramento, a member of the State Board of Health, vice Dr. W. A. Briggs, resigned.

January 18, 1915. Dr. George E. Ebright, of San Francisco, a member of the State Board of Health, vice Martin Regensburger, term expired.

Respectfully submitted,

HIRAM W. JOHNSON, Governor.

Have had the same under consideration, and respectfully report the same back and recommend that the Senate advise and consent to the several appointments.

THOMPSON, Chairman.

SENATE CONFIRMS APPOINTMENTS OF GOVERNOR.

Senator Thompson moved that the Senate advise and consent to the several appointments of the Governor.

The President put the question, "Will the Senate advise and consent to the appointment of H. J. [illegible], of Vallejo, a member of the Board of Managers of the Napa State Hospital, vice J. W. Clark, resigned?"

The roll was called, with the following result:

Ayes—Senators Anderson, Ballard, [illegible] and Thompson—[illegible].

Noes—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of H. J. [illegible], of Vallejo, a member of the Board of Managers of the Napa State Hospital, vice J. W. Clark, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of [illegible] Phillips, of Sacramento, a member of the Board of Managers of the Napa State Hospital, vice self, term expired?"

The roll was called, with the following result:

Ayes—Senators Anderson, Ballard, [illegible] and Thompson—[illegible].

Noes—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of [illegible] Phillips, of Sacramento, a member of the Board of Managers of the Napa State Hospital, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Henry J. [illegible], of Eureka, a member of the Board of Trustees of the Humboldt State Normal School, for the term of two years, in pursuance of the provisions of chapter [illegible], statutes of 1913?"

The roll was called, with the following result:

Ayes—Senators Anderson, Ballard, [illegible] and Thompson—[illegible].

Noes—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Henry J. [illegible], of Eureka, a member of the Board of Trustees of the Humboldt State Normal School, for the term of two years, in pursuance of the provisions of chapter [illegible], statutes of 1913.

The President put the question, "Will the Senate advise and consent to the appointment of Charles [illegible], of Eureka, a member of the Board of Trustees of the Humboldt State Normal School, for the term of three years, in pursuance of the provisions of chapter [illegible], statutes of 1913?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater and Thompson—30.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Charlotte Gale, of Eureka, a member of the Board of Trustees of the Humboldt State Normal School for the term of three years, in pursuance of the provisions of chapter 608, statutes of 1913.

The President put the question, "Will the Senate advise and consent to the appointment of Rease M. Wiley, of Arcata, a member of the Board of Trustees of the Humboldt State Normal School, for the term of four years, in pursuance of the provisions of chapter 608, statutes of 1913?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Shearer, Slater, and Thompson—28.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Rease M. Wiley, of Arcata, a member of the Board of Trustees of the Humboldt State Normal School for the term of four years in pursuance of the provisions of chapter 608, statutes of 1913.

The President put the question, "Will the Senate advise and consent to the appointment of W. Nat Friend, of San Francisco, a member of the Board of Directors of the California School for the Deaf and the Blind, vice W. J. Matthews, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—31.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of W. Nat Friend, of San Francisco, a member of the Board of Directors of the California School for the Deaf and the Blind, vice W. J. Matthews, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Livingston Jenks, of San Francisco, a member of the Board of Directors of the California School for the Deaf and the Blind, vice Wiggington Creed, term expired?"

The roll was called with the following result:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—30.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Livingston Jenks, of San Francisco, a member of the Board of Directors of the California School for the Deaf and the Blind, vice Wiggington Creed, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of David P. Barrows, of Berkeley, a member of the Board of Directors of the California School for the Deaf and the Blind, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—32.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of David P. Barrows, of Berkeley, a member of the Board of Directors of the California School for the Deaf and the Blind, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of William B. Thorp, of San Diego, a member of the Board of Trustees of the State Normal School at San Diego, vice Fred Baker, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Shearer, Slater and Thompson—31.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of William B. Thorp, of San Diego, a member of the Board of Trustees of the State Normal School at San Diego, vice Fred Baker, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of Ernest E. White, of San Diego, a member of the Board of Trustees of the State Normal School at San Diego, vice Charles N. Andrews, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater and Thompson—32.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Ernest E. White, of San Diego, a member of the Board of Trustees of the State Normal School at San Diego, vice Charles N. Andrews, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of Percy S. King, of Napa, a member of the Board of Managers of the Sonoma State Home, vice Rev. W. A. Lyons, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater and Thompson—32.

NOES—None

Whereupon the President announced that the Senate had advised and consented to the appointment of Percy S. King, of Napa, a member of the Board of Managers of the Sonoma State Home, vice Rev. W. A. Lyons, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of Joseph S. Thompson, of San Francisco, a member of the Board of Trustees of the State Normal School, at San Francisco, vice W. M. Newhall, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—32.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Joseph S. Thompson, of San Francisco, a member of the Board of Trustees of the State Normal School, at San Francisco, vice W. M. Newhall, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of P. M. Fisher, of Oakland, a member of the Board of Trustees of the State Normal School at San Francisco, vice John Swett, deceased?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—32.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of P. M. Fisher, of Oakland, a member of the Board of Trustees of the State Normal School at San Francisco, vice John Swett, deceased.

The President put the question, "Will the Senate advise and consent to the appointment of James B. Davidson, of San Rafael, a member of the Board of Trustees of the State Normal School, at San Francisco, vice Vanderlyn Stow, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—33.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of James B. Davidson, of San Rafael, a member of the Board of Trustees of the State Normal School, at San Francisco, vice Vanderlyn Stow, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of F. S. Brittain, of San Francisco, a member of the Board of Trustees of the State Normal School, at San Francisco, vice J. M. Allen, deceased?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—33.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of F. S. Brittain, of San Francisco, a member of the Board of Trustees of the State Normal School, at San Francisco, vice J. M. Allen, deceased.

The President put the question, "Will the Senate advise and consent to the appointment of Donald H. Currie, of San Francisco, a member of the State Board of Health, vice W. F. Snow, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—33.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Donald H. Currie, of San Francisco, a member of the State Board of Health, vice W. F. Snow, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of Edward F. Glaser, of San Francisco, a member of the State Board of Health, vice F. K. Ainsworth, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater and Thompson—33.

NOES—None.

Whereupon the President announced that the appointment of Edward F. Glaser, of San Francisco, a member of the State Board of Health, vice F. K. Ainsworth, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of William T. Randall, of San Diego, a member of the Board of Trustees of the State Normal School, at San Diego, vice Charles C. Chapman, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—34.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of William T. Randall, of San Diego, a member of the Board of Trustees of the State Normal School, at San Diego, vice Charles C. Chapman, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of James Mills, of Berkeley, a member of the Board of Regents of the State University, vice Minnie E. Sherman, deceased?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—33.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of James Mills, of Berkeley, a member of the Board of Regents of the State University, vice Minnie E. Sherman, deceased.

The President put the question, "Will the Senate advise and consent to the appointment of Phoebe Apperson Hearst, of San Francisco, a member of the Board of Regents of the State University, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—33.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Phoebe Apperson Hearst, of San Francisco, a member of the Board of Regents of the State University, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of John A. Britton, of San Francisco, a member of the Board of Regents of the State University, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—32.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of John A. Britton, of San Francisco, a member of the Board of Regents of the State University, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Edwin T. Earl, of Los Angeles, a member of the Board of Trustees of the State Normal School at Los Angeles, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—34.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Edwin T. Earl, of Los Angeles, a member of the Board of Trustees of the State Normal School at Los Angeles, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Frank W. Marston, of San Francisco, a member of the Board of Directors of the California School for the Deaf and the Blind, vice Geo. W. Reed, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—33.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Frank W. Marston, of San Francisco, a member of the Board of Directors of the California School for the Deaf and the Blind, vice Geo. W. Reed, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of William Wyles, of Santa Barbara, a member of the Board of Trustees of the State Normal School of Manual Arts and Home Economics, at Santa Barbara, vice Clio Lloyd, term expired?"

The roll was called, with the following result:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—33.

Noes—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of William Wyles, of Santa Barbara, a member of the Board of Trustees of the State Normal School of Manual Arts and Home Economics, at Santa Barbar vice Clio Lloyd, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of W. H. Carlin, of Marysville, a member of the Board of Trustees of the State Normal School at Chico, vice Clifford Coggins, term expired?"

The roll was called, with the following result:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—33.

Noes—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of W. H. Carlin, of Marysville, a member of the Board of Trustees of the State Normal School at Chico, vice Clifford Coggins, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of P. F. Pache, of Angels Camp, a member of the Board of Managers of the Stockton State Hospital, vice Charles D. Fontana, term expired?"

The roll was called, with the following result:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—33.

Noes—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of P. F. Pache, of Angels Camp, a member of the Board of Managers of the Stockton State Hospital, vice Charles D. Fontana, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of C. E. McLaughlin, of Sacramento, a member of the State Board of Prison Directors, vice Tirey L. Ford, term expired?"

The roll was called, with the following result:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—33.

Noes—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of C. E. McLaughlin, of Sacramento, a member of the State Board of Prison Directors, vice Tirey L. Ford, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of J. E. Phelps, of Los Angeles, Insurance Commissioner, vice E. C. Cooper, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lee, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—33.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of J. E. Phelps, of Los Angeles, Insurance Commissioner, vice E. C. Cooper, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of Martin A. Meyer, of San Francisco, a member of the State Board of Charities and Corrections, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lee, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—34.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Martin A. Meyer, of San Francisco, a member of the State Board of Charities and Corrections, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Carrie P. Bryant, of Los Angeles, a member of the State Board of Charities and Corrections, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lee, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Thompson—34.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Carrie P. Bryant, of Los Angeles, a member of the State Board of Charities and Corrections, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Chester H. Rowell, of Fresno, a member of the Board of Regents of the State University, vice F. W. Dohrmann, deceased?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lee, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—35.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Chester H. Rowell, of Fresno, a member of the Board of Regents of the State University, vice F. W. Dohrmann, deceased.

The President put the question, "Will the Senate advise and consent to the appointment of E. W. Haight, of Fortuna, a member of the

Board of Trustees of the Humboldt State Normal School, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—35.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of E. W. Haight, of Fortuna, a member of the Board of Trustees of the Humboldt State Normal School, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of E. E. Nichols, of Berkeley, a member of the Board of Directors of the California School for the Deaf and the Blind, vice J. Arthur Elston, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—35.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of E. E. Nichols, of Berkeley, a member of the Board of Directors of the California School for the Deaf and the Blind, vice J. Arthur Elston, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of H. McPhee, of Santa Ana, a member of the Board of Managers of the Southern California State Hospital, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—35.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of H. McPhee, of Santa Ana, a member of the Board of Managers of the Southern California State Hospital, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Robert L. Telfer, of San Jose, Superintendent of State Printing, vice F. W. Richardson?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—35.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Robert L. Telfer, of San Jose, Superintendent of State Printing, vice F. W. Richardson.

The President put the question, "Will the Senate advise and consent to the appointment of T. S. Montgomery, of Saratoga, a member of the

Board of Managers of the Agnews State Hospital, vice self, term expired?''

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—35.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of T. S. Montgomery, of Saratoga, a member of the Board of Managers of the Agnews State Hospital, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of W. S. Van Dalsem, of San Jose, a member of the Board of Managers of the Agnews State Hospital, vice F. H. Bangs, term expired?''

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—34.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of W. S. Van Dalsem, of San Jose, a member of the Board of Managers of the Agnews State Hospital, vice F. H. Bangs, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of W. L. Biebrach, of San Jose, a member of the Board of Managers of the Agnews State Hospital, vice Edward White, term expired?''

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—35.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of W. L. Biebrach, of San Jose, a member of the Board of Managers of the Agnews State Hospital, vice Edward White, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Dr. Adelaide Brown, of San Francisco, a member of the State Board of Health, vice O. Stansbury, term expired?''

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—34.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Dr. Adelaide Brown, of San Francisco, a member of the State Board of Health, vice O. Stansbury, term expired.

The President put the question: "Will the Senate advise and consent to the appointment of Dr. Fred F. Gundrum, of Sacramento, a member of the State Board of Health, vice Dr. W. A. Briggs, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—35.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Dr. Fred F. Gundrum, of Sacramento, a member of the State Board of Health, vice Dr. W. A. Briggs, resigned.

The President put question: "Will the Senate advise and consent to the appointment of Dr. George E. Ebright, of San Francisco, a member of the State Board of Health, vice Martin Regensburger, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—35.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Dr. George E. Ebright, of San Francisco, a member of the Board of Trustees of the State Board of Health, vice Martin Regensburger, term expired.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SACRAMENTO, January 20, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same—have had the same under consideration, and respectfully report the same back and recommend by a majority vote that it do pass.

BUTLER, Chairman.

Also:

SACRAMENTO, January 20, 1915.

MR. PRESIDENT: A minority of your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same—have had the same under consideration, and respectfully report the same back and recommend that it do not pass.

Signed, BUTLER and MOTT.

Senate Bill No. 10 ordered on file for second reading.

ON JUDICIARY.

SACRAMENTO, January 20, 1915.

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate Bill No. 72—An Act to add a new section to the Civil Code to be numbered two thousand nine hundred forty and one half, relative to presumption payment of mortgages ten years after maturity of the obligations secured thereby—have had the same under consideration, and respectfully recommend that it do pass as amended.

Senate Bill No. 72 ordered on file for second reading.

Also:

SACRAMENTO, January 20, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 108—An Act to amend section four hundred [illegible] of the Political Code of the State of California, authorizing the Controller of State to maintain an inheritance tax department and in connection therewith to appoint an inheritance tax attorney and [illegible], have had the same under consideration, and respectfully recommend that it do pass as amended and be referred to Finance Committee.

KEHOE, Chairman.

Senate Bill No. 108 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, January 20, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 273—An Act to amend section one thousand two hundred seven of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, 1915.

And Senate Bill No. 255—An Act to amend an Act entitled "An Act to authorize the State of California to [illegible] and convey to the United States such portions of the sixteenth and thirty-sixth sections of land [illegible] in the Cleveland National Forest, formerly San Jacinto forest reserve (and referred to in that certain Act entitled 'An Act to authorize the settlement of an existing controversy between the United States of America and the State of California, and making an appropriation to carry out the provisions of said Act,' approved March 21, 1907,) as may remain after the settlement referred to in said Act has been consummated, for the purpose of reimbursing the United States for lands surrendered to it by the State and which said lands so surrendered were thereafter sold and patented by said State," approved March 20, 1909.

Have had the same under consideration, and respectfully recommend that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 273 and 255 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Concurrent Resolution No. 4 approving eleven certain amendments to the charter of the city of Petaluma.

On motion of Senator Slater, Senate Concurrent Resolution No. 4 was passed on file.

Senate Concurrent Resolution No. 7—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition.

On motion of Senator Finn, Senate Concurrent Resolution No. 7 was passed on file.

SENATE JOINT RESOLUTION No. 4.

Relative to placing veterans of the United States army who fought in Indian wars from 1865 to 1891 on the pension roll.

WHEREAS, There is now pending in the Congress of the United States, what is known as the "Keating Bill," providing that men who have served in the United States army, and took part in Indian campaigns between the years 1865 and 1891, shall be placed on the regular pension roll of Indian war veterans; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Senators and Representatives in Congress of the State of California, be respectfully urged to take all proper means to expedite and secure the passage and enactment into law of the said "Keating Bill", and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed to transmit copies of this resolution forthwith to the Senators and Representatives in Congress of the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 4 was adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Senate Joint Resolution No. 4 ordered engrossed and transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION NO. 3.

Relative to approving charter of the city of Bakersfield, county of Kern, State of California, voted for and ratified by the qualified voters of said city at a special municipal election held therein for that purpose on the seventh day of November, 1914.

WHEREAS, The city of Bakersfield, a municipal corporation of the county of Kern, State of California, now is, and was at all times herein referred to, a city containing a population of more than three thousand five hundred inhabitants, as ascertained and established by the census of 1910 taken under the direction of the congress of the United States; and

WHEREAS, At a special election duly held in said city on the fifth day of May, 1914, under and in accordance with the law and the provisions of section 8, article XI, of the constitution of the State of California, a board of fifteen freeholders, duly qualified, was elected in and by said city by the qualified electors thereof to prepare and propose a charter for the government of said city; and

WHEREAS, Said board of freeholders did, within one hundred and twenty days after the result of said election was declared, prepare and propose a charter for the government of the city of Bakersfield; and

WHEREAS, Said charter was on the 31st day of August, 1914, signed in duplicate by a majority of said board of freeholders, and was thereupon duly returned and filed, one copy with the city clerk of the said city of Bakersfield, and the other copy with the county recorder of the county of Kern; and

WHEREAS, Said proposed charter was thereafter published ten times in the Bakersfield Californian, a daily newspaper of general circulation, printed, published and circulated in the city of Bakersfield on the following days of publication, to wit: September 17, 18, 19, 21, 22, 23, 24 25, 26 and 28; the first publication thereof having been made within fifteen days after the filing of the copy thereof on the third day of September, 1914, in the office of the said city clerk; and

WHEREAS, Said proposed charter was, not less than twenty days nor more than forty days after the completion of said publication, to wit: on the seventh day of November, 1914, submitted by the board of trustees of the city of Bakersfield to the qualified electors of said city at a special election duly called and held therein; and

WHEREAS, At said last mentioned special election a majority of the qualified electors of said city, voting at said special election, voted in favor of and duly ratified said charter as proposed as a whole; and

WHEREAS, Said board of trustees, after canvassing the return of said last mentioned special election, duly found and declared that a majority of said qualified electors voting at said special election had voted for, and ratified said charter as above specified; and

WHEREAS, Said charter was ratified in the words and figures following, to wit:

THE CHARTER OF THE CITY OF BAKERSFIELD.

ARTICLE I.

NAME AND BOUNDARIES.

Name of city.

SECTION 1. The inhabitants of the city of Bakersfield, as its limits now are, or may hereafter be established, shall be a body politic and corporate, by name the city of Bakersfield, and as such shall have perpetual succession.

Boundaries of the city of Bakersfield.

SEC. 2. Commencing at intersection of the east boundary line of Union avenue with the north boundary of Thirty-fourth street, if extended easterly, thence running west along the said north boundary line of Thirty-fourth street and in prolongation thereof, to the left or east bank of Kern river; thence meandering southwesterly along said east bank of Kern river to its intersection with the west boundary line of Oak street, thence south along the west boundary line of Oak street to its intersection with the south boundary line of Palm street, if extended westward; thence east along the south boundary line of said Palm street, if so extended, to the west boundary line of H street; thence south along the west boundary line of H street to the south boundary line of Fourth street; thence east along the north boundary line of Fourth street and the extension of same to the east boundary line of said Union avenue; thence north along the east boundary line of said Union avenue to the intersection thereof with the south boundary line of section twenty-one (21), township twenty-nine (29) south, range twenty-eight (28) east, Mount Diablo base and meridian; thence east to the south-east corner of the southwest quarter of section twenty-eight (28), township twenty-nine (29) south, range twenty-eight (28) east, Mount Diablo base and meridian; thence north one mile to the northeast corner of the northwest quarter of said section twenty-eight; thence west to the northwest corner of the northwest quarter of said section twenty-eight; thence north to the northeast corner of the south-east quarter of section twenty (20), township twenty-nine (29) south, range twenty-eight (28) east, Mount Diablo base and meridian; thence west to the center of said section twenty; thence south on the half-section line of said section twenty to the south boundary line of said section twenty; thence west on said boundary line to the east boundary line of Union avenue; thence north on said east boundary line of Union avenue and Union avenue extended, to the place of beginning.

ARTICLE II

POLITICAL SUBDIVISIONS

Ward divisions.

SEC. 3. The city of Bakersfield shall be divided into seven political subdivisions which shall be known as wards, and shall be numbered, bounded and described as follows:

First ward.

SEC. 4. All that portion of the city of Bakersfield lying east of the center line of Baker street.

Second ward.

SEC. 5. All that portion of the city of Bakersfield lying west of the center line of Baker street, and otherwise bounded by wards Three, Four and Seven.

Third ward.

SEC. 6. Beginning at the intersection of the center line of Twenty-fourth street with the center line of Chester avenue; thence running east along the center line of Twenty-fourth street to the intersection thereof with the center line of L street; thence north on the center line of L street to the intersection thereof with the center line of Twenty-fourth street, between L street and M street; thence east on the center line of Twenty-fourth street to the intersection thereof with the center line of M street; thence south on the center line of M street to the intersection thereof with the center line of Twenty-fourth street east thereof, thence east on the center line of Twenty-fourth street and the center line of Twenty-fourth street extended to the center line of the Kern Island canal; thence southwesterly and following the center line of said Kern Island canal to the center line of Nineteenth street; thence west on the center line of Nineteenth street to the intersection thereof with the center line of Q street; thence south on the center line of Q street to the intersection thereof with the center line of Truxtun avenue; thence west on the center line of Truxtun avenue to the intersection thereof with the center line of Chester avenue; thence north on the center line of Chester avenue to the point of beginning.

Fourth ward.

SEC. 7. All that portion of the city of Bakersfield lying west of the center line of Chester avenue and north of the center line of Eighteenth street and the continuation thereof.

Fifth ward.

SEC. 8. Beginning at the intersection of the center line of Chester avenue with the center line of Eighteenth street; thence south on the center line of Chester avenue to the boundary line between sections thirty and thirty-one, township twenty-nine south, range twenty-eight east, M. D. B. and M.; thence west along said boundary line to the west boundary line of the city; thence north on said west boundary line to the southwest corner of the Fourth ward; thence east on the south boundary line of said Fourth ward to the place of beginning.

Sixth ward.

SEC. 9. All that portion of the city of Bakersfield lying south of the south boundary line of the Fifth ward and west of the center line of Chester avenue as the same is now, or may hereafter be extended.

Seventh ward.

SEC. 10. All that portion of the city of Bakersfield lying south of the center line of Truxtun avenue and between the center line of Union avenue, as the same now is or may hereafter be extended, and the center line of Chester avenue, as the same now is, or may hereafter be extended.

Voting precincts.

SEC. 11. The council shall establish voting precincts under the provision of state law, but each shall be wholly in one ward, nor shall the boundaries of a precinct be changed within twenty days before an election.

ARTICLE III.

LEGISLATIVE DEPARTMENT.

Rights and liabilities.

SEC. 12. The city may use a corporate seal; may sue and be sued; may acquire property in fee simple or lesser interest, by estate, purchase, gift, appropriation, devise, lease, lease with privilege to purchase, for any municipal purpose; may sell, lease, hold, manage and control such property; may make any and all rules and regulations, to carry out all covenants or conditions of any conveyance, deed, gift, bequest or lease; may acquire, construct, own, lease, operate and regulate public utilities; may engage in the manufacture, sale or distribution of any commodity generally used by the inhabitants of the city of Bakersfield; may assess, levy and collect taxes and provide penalties for non-payment thereof, for general and special purposes, on all subjects or objects which the city may lawfully tax; may enforce the lien of taxes and penalties against property, for taxes assessed and levied thereon, by sale thereof; may borrow money on the faith and credit of the city, by sale of bonds or notes of the city; may appropriate the money of the city for all lawful purposes; may create, provide for, construct, regulate, and maintain all things of the nature of public works and improvements, hospitals, parks, playgrounds or other places of amusement or entertainment; may for purposes of regulation and revenue, license all persons, corporations and associations engaged in any business, occupations and associations engaged in any business, occupation, profession or trade; may establish and maintain a free municipal employment office; may define, prohibit, abate, suppress and prevent all things detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the city, and may abate all nuisances and causes thereof; may regulate the construction, height and material used in all buildings, and the maintenance and occupancy thereof; may regulate and control the use of the streets and other public places; may create, establish, abolish and organize offices other than those herein provided, and except as herein provided, fix the salaries and compensations and hours of labor of all officers and employees; may make and enforce local police, sanitary and other regulations; and may pass such ordinances as may be expedient for maintaining and promoting the peace, good government and welfare of the city; the city shall have all powers that now are, or hereafter may be granted to municipalities by the constitution or laws of the State of California; and all such powers, whether expressed or implied, shall be exercised and enforced in the manner prescribed by this charter, or when not prescribed herein, in such manner as shall be provided by ordinance or resolution of the council. The enumeration of particular powers by this charter shall not be held or deemed to be exclusive, but, in addition to the powers enumerated herein, the city shall have, and may exercise all other powers which, under the constitution and laws of California, it would be competent for this charter specifically to enumerate.

Public entertainment.

SEC. 13. The city may appropriate money for any or all of the following purposes: reception and entertainment of public guests, assistance of public celebrations held by the city at large, to aid or carry on the work of inducing immigration to the city; and generally, for the purpose of advertising the city, *provided, however*, that the aggregate expenditures for all of said purposes shall not exceed in any fiscal year the sum of two cents on each one hundred dollars of the assessed value of property.

Legislative powers of council.

SEC. 14. The legislative power of the city, except as reserved to the people by this charter, shall be vested in a council of seven members, one to be elected from each of the seven wards of the city by the electors thereof.

Term of office.

SEC. 15. Councilmen shall be elected for a term of two years, and shall serve until their successors are elected or appointed and have qualified.

Vacancies in council.

SEC. 16. Vacancies in the council shall be filled by the council, for the unexpired term, except when caused by recall election. When a vacancy occurs in the council, electors in the ward in which the vacancy occurred equal in number to twenty-five per cent or more of the total vote cast for councilman therein, at the last general election, may file a petition, praying for a special election, to fill such vacancy. When such petition is filed, the signatures thereto shall be verified and certified, as provided for petitions for recall elections, and it shall thereupon be mandatory on the council to call such special election, within thirty days thereafter. If no such petition be filed within two weeks after the vacancy occurs council shall proceed to fill such vacancy.

Qualifications of councilmen.

SEC. 17. Members of the council, and candidates therefor, shall be residents of the city for three years and electors of the ward which they represent. Councilmen shall not hold any other public office except that of notary public or member of the state militia, and shall not be interested in any contract, job, work or service for the municipality. Any member who shall cease to possess any of the qualifications herein required shall forfeit his office, and any such contract, in which any member is or may become interested, shall be void. No member of the council shall, except in so far as is necessary in the performance of the duties of his office directly or indirectly take any part in the appointment, promotion or dismissal of any officer, or employee in the service of the city other than the officers or employees of the council.

Salary of councilmen.

SEC. 18. The salaries of the councilmen first elected under this charter shall be fifty dollars per month. Thereafter the council may, by ordinance submitted to a referendum at any municipal election, change the salary of members of the council.

Meetings of council.

SEC. 19. On the second Monday following a regular municipal election, the council shall meet in the council chambers of the city hall at eight p.m., at which time the newly elected and qualified councilmen shall assume the duties of their office. Thereafter the council shall meet at such times as may be prescribed by ordinance or resolution. Any three members thereof may call special meetings of the council upon notice to each member. Such notice shall state the subjects to be considered at the meeting and no other business shall be there considered. All meetings of the council shall be public, and any citizen shall have access to the minutes and records thereof at all reasonable times.

The council shall determine its own rules and order of business and shall keep a minute book of its proceedings.

President of council.

SEC. 20. At the first meeting after assuming the duties of the office, the council shall elect one of its members president, who shall hold the title of mayor, and preside at meetings of the council. He shall be the chief executive of the city and perform such other duties as presiding officer as may be imposed upon him by the council. In the absence of the president, the council shall elect a president pro tempore.

Legislative procedure.

SEC. 21. The council shall be the judge of the election of its members. A majority of its members shall be a quorum to do business, but a less number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The affirmative vote of a majority of the members of the council shall be necessary to adopt an ordinance or resolution. The vote upon the passage of all ordinances and upon the adoption of such resolutions as the council by its rules prescribe, shall be taken by "yeas" and "nays" and entered upon the journal.

Ordinances, enactment.

SEC. 22. Each proposed ordinance or resolution shall be in written form and shall contain but one subject which shall be clearly expressed in the title, but general appropriation ordinances may contain the various subjects and accounts for which moneys are to be appropriated. The enacting clause of all ordinances passed by the council shall be: "Be it ordained by the council of the city of Bakersfield as follows:" The enacting clause of all ordinances submitted by the initiative shall be: "Be it ordained by the people of Bakersfield as follows:"

Emergency measures.

SEC. 23. All ordinances and resolutions shall be in effect from and after thirty days from the date of their passage except as otherwise provided in this charter. The council may, by a two-thirds vote of its members, pass emergency measures to take effect at the time indicated therein.

Definition of emergency measure.

SEC. 24. An emergency measure is an ordinance or resolution for the immediate preservation of the public health, peace, property or safety, or providing for the daily operation of a municipal department, in which the emergency is set forth in the preamble thereto. Ordinances appropriating money may be passed as emergency measures, but no measure making a grant of a franchise or other special privilege or regulating the rate to be charged for its services by the public utility shall ever be so passed.

Initiative petition.

SEC. 25. Any proposed ordinance may be submitted to the council by a petition signed by registered electors of the city equal in number to fifteen per cent of the total votes cast at the last general municipal election. The form and contents of the petition and the mode of verification and presentation and filing shall be substantially as hereinafter provided.

Procedure.

SEC. 26. When such petition and ordinance is presented, the clerk must endorse it, with date of filing, and within ten days thereafter he must verify the signature thereto, and submit it to the council at the next regular meeting thereafter. The council shall pass the ordinance within ten days after its submission or call a special election, to be held within forty days after the clerk shall have submitted said petition, at which said ordinance shall be submitted to a vote of the people.

Publication of ordinances.

SEC. 27. Wherever an ordinance is required by this charter to be submitted to the voters of the city, such ordinance shall be published in like manner as ordinance adopted by the council.

Form of ballot.

SEC. 28. The ballots used when voting upon such ordinances shall give the title in full and state the general nature of the proposed ordinance and contain the words "For the Ordinance" and the words "Against the Ordinance" and otherwise conform to the provisions of this charter. If a majority of the votes cast thereon at such election be for the ordinance, it shall thereupon become a valid and binding ordinance of the city.

Plurality of ordinance.

SEC. 29. Any number of proposed ordinances may be submitted at the same election.

Repeal or amendment.

SEC. 30. The council may submit an ordinance to repeal or amend any such ordinance to the electors at any succeeding general municipal election; and should such proposed ordinance so submitted receive a majority of the votes cast thereon at such election, the original ordinance shall be repealed or amended accordingly. An ordinance proposed by petition, or adopted by a vote of the people, can not be repealed or amended except by a vote of the people.

Affidavit of signatures.

SEC. 31. The petition hereinbefore referred to must be signed by electors of the city and attached to an affidavit of one or more of the signers thereof, that the names thereto are names of electors as thereinbefore set forth and were subscribed to the said petition in the presence of the affiant.

The referendum.

SEC. 32. No ordinance passed by the council shall go into effect before thirty days from the time of its final passage, except when otherwise regulated by the general laws of the state, or by the provisions of this charter respecting street improvements, and except the ordinance making the annual tax levy, and except an ordinance for the immediate preservation of the public health or safety, the said ordinance to contain a statement of its urgency: *provided*, that no grant of any franchise shall be construed to be an urgency measure, but all franchises shall be subject to the referendum vote herein provided. If before any ordinance is in force a petition signed by electors of the city, equal in number to twenty-five per centum or more of the entire vote cast at the last general election, protesting against the passage of such ordinance, be presented to the council, said ordinance shall thereupon be suspended. The council shall submit the ordinance to the electors of the city either at the next general municipal election, or at a special election, and such ordinance shall not go into effect unless a majority of the electors voting on the same, shall vote in favor thereof. The provisions of article VII respecting the forms and conditions of the petition and the mode of verification and certification and filing, and the ballot to be used, shall be substantially followed, with such modifications as the nature of the case may require.

Conflicting measures.

SEC. 33. At any special election, one or more other questions or ordinances may be submitted to the electors either by the same or by different ordinances, if said other questions and ordinances are such as may legally be submitted at such election, and the requirements of the charter have been complied with. If two or more measures approved or adopted at the same election conflict, the measure receiving the highest affirmative vote shall control in such conflicting portions.

ARTICLE IV.

OFFICERS AND EMPLOYEES.

Officers appointed by the council.

SEC. 34. The council shall appoint the following officers whose terms of office shall be at the pleasure of the council:

1. City manager, who may or may not be a resident of the city at the time of his appointment.
2. Treasurer.
3. Assessor.
4. Attorney.
5. Clerk.

The council shall appoint the following officers whose terms of office shall be for a period of two years:

1. Auditor.
2. Police judge.
3. Public welfare commissioners.

City manager.

SEC. 35. The city manager shall have general supervision and direction of the administrative operation of the city government.

Duties of manager.

SEC. 36. The duties of the manager are:

1. To see that all the laws and ordinances are faithfully enforced by the heads of the departments;
2. To attend all meetings of the council at which his attendance may be required by that body;

3. To recommend for adoption to the council such measures as he may deem necessary or expedient;

4. To keep the council fully advised of the financial condition of the municipality and its future needs;

5. To prepare and submit to the auditor a tentative budget for the next fiscal year;

6. To appoint and remove, except as herein otherwise provided, all officers and subordinate officers and employees of the departments in both the classified and unclassified service; all appointments to be upon merit and fitness alone;

7. To exercise control over all other departments and divisions that may be hereafter created by the council and assigned to his management, not in conflict with the provisions of this charter;

8. To investigate all complaints in regard to the service maintained by any and all public utilities in the city, and to take such proceedings as may be necessary to correct the abuse, if any.

Salary of manager.

Sec. 37. The city manager shall receive such salary as may be fixed by the council, and before entering upon the duties of his office, he shall take the official oath required by this article.

Heads of departments.

Sec. 38. The following officers shall be appointed by and hold office at the pleasure of the city manager:

1. Chief of police.
2. Chief of fire department.
3. City engineer.
4. Superintendent of streets.
5. Health officer.
6. Building and plumbing inspector.

Duties of appointive officers.

Sec. 39. The council shall define the duties of appointive officers, where not otherwise provided for in this charter, and where practicable, the duties of two or more officers may be performed by the same person.

Auditor.

Sec. 40. The duties of the auditor shall be: To certify to the treasurer the amount due to the city from any source and the treasurer shall not receive such money, unless such certificate shall have been presented and filed, showing the amount, from what source the indebtedness has arisen, and to what fund it should be apportioned; to keep a complete set of books showing the balance of money in the treasury, and the amount charged against each officer or employee; to prepare, countersign and deliver, from time to time, as may be required, to the proper officer, agents or employees, all licenses and receipts, charging such officer, agent or employee therewith, and taking his receipt therefor; to draw and sign all warrants upon the treasurer for the payment of any legal demand against the city, when allowed by the council, or proper board or officer. No warrant shall be drawn, except upon a written demand, as aforesaid, which shall be filed and kept in the office of the auditor, with the date of filing, when allowed, and the name of the person holding the original demand against the city. He shall, upon the death or removal or expiration of the term of any officer handling any funds of the city, or being charged with any such funds, examine the accounts of such officer or employee, and report the result of his examination to the manager.

Examination of records.

Sec. 41. The city council shall employ, at the beginning of each fiscal year, a certified public accountant who shall, at least twice each year, without notice, examine the books, records and reports of the auditor and of all other officers and employees who receive or disburse city money, and of such other officers and departments as the council may direct. Reports of such examination, in triplicate, shall be made and one each thereof shall be filed with the clerk, auditor and attorney. Any officer, clerk or employee who shall refuse to give all required assistance and information to such accountant or submit to him for examination such books, papers and records of his office as may be required, shall forfeit his office.

Uniform accounts and reports.

Sec. 42. The council shall prescribe uniform forms and accounts, which shall be observed by all officers and departments of the city which receive or disburse moneys. Whenever an act shall be passed by the state legislature calling for uniform municipal reports, the city authorities shall be governed thereby.

Qualifications of officers and employees.

Sec. 43. Except as otherwise specified in this charter, the qualifications of officers and employees of the city shall be as follows: Each elective officer must be a citizen of the United State, of the State of California, and of the city of Bakersfield, for three years next preceding the date of his election. Residence within the limits of any territory which has been or may hereafter become annexed to the city of Bakersfield, shall, after any such annexation has been accomplished, be deemed and construed to have been within the city. Appointive officers, members of the public welfare board, subordinate officers and municipal employees, except employees in the unskilled labor division, must be citizens of the United States; each member of the police and fire department shall be of good repute for honesty and sobriety, able to read and write the English language; shall have been a resident of the city of Bakersfield for one year next preceding his appointment; *and further provided*, that in appointments to positions citizens of the United States shall be employed in preference to aliens, and married men and men of family in preference to single men.

Oath of office.

SEC. 44. Every officer of the city before entering upon the duties of his office, shall take the following oath of office and file the same with the clerk: I solemnly swear or affirm that I will support the constitution of the United States, the constitution of the State of California, and the charter and ordinances of the city of Bakersfield, and will truly and to the best of my ability perform the duties of the office of________________________.

(Signed) ____

Subscribed and sworn to before me, this _________ day of _____________, 19____.

Bonds of officers.

SEC. 45. All officers, commissioners, heads of departments, the city manager, and any subordinates, deputies or employees, as may be required by the council, shall execute a good and sufficient undertaking, in such sum as may be fixed by the council, for the faithful performance of their official duties, signed and executed by two or more persons, or by any surety company authorized to do business in the State of California.

Restrictions upon officers and employees.

SEC. 46. No officer, appointee or employee of the city, shall be interested in any contract or transaction with the city, or with any department, board, officer or employee thereof, nor become surety for the performance of any contract or subcontract made with or for the city, upon any bonds given for the perfomance thereof to the city, or contractor. No officer, appointee or employee shall receive any commission, money or things of value, or derive any profit, benefit or advantage direct or indirect, from or by reason of any dealings with or services for the city by himself or others, except his lawful compensation as such officer, appointee or employee. The violation of the provisions of this section shall be a misdemeanor and shall work the forfeiture of such office or employment.

Day of rest each week.

SEC. 47. No employee or police officer shall be required to render services for which he is employed or appointed for more than six days in any week, except in times of stress or emergency; and when it would not result in the impairment of the service of which he is engaged, Sunday shall be preferred as the day of rest.

ARTICLE V.

FINANCE AND TAXATION.

The fiscal year.

SEC. 48. The fiscal year of the city shall commence upon the first day of July each year.

Tax system.

SEC. 49. The council shall by ordinance provide a system for the assessment, levy and collection of all city taxes not inconsistent with the provisions of this charter.

Compliance with state law.

SEC. 50. The council shall have power to avail itself by ordinance of any law of the State of California now or hereafter in force, whereby assessments may be made by the assessor of the county in which the city of Bakersfield is situated, and taxes collected by the tax collector of said county for and on behalf of the city of Bakersfield. Other provisions of this charter concerning the assessment levy and collection of taxes shall be subject to the provisions of any such ordinance while the same shall be in force.

Department estimates of annual requirements.

SEC. 51. On or before the first Monday in April in each year, or on such day in each year as shall be fixed by the council, the heads of departments, offices, board and commissions shall submit to the city manager a careful estimate in writing of the amounts specifying in detail the objects thereof, required for the business and proper conduct of their respective departments, offices, boards and commissions during the next ensuing fiscal year.

Annual estimate of city's requirements and revenue.

SEC. 52. On or before the first Monday in May in each year, or on such date in each year as shall be fixed by the council, the auditor shall submit to the council an estimate of the probable expenditure of the city government for the next ensuing fiscal year, stating the amount required to meet the interest and sinking funds for the outstanding bonded indebtedness of the city, and the wants of all the departments of the municipal government in detail, and showing specifically the amount necessary to be provided for each fund and department; also an estimate of the amount of income from fines, licenses and other sources of revenue, exclusive of taxes upon property, and the probable amount required to be levied and raised by taxation.

Annual budget

SEC. 53. The council shall [illegible] annually, prior to fixing the tax levy, and make a budget of the estimated amounts required to pay the expenses of conducting the business of the city government for the ensuing fiscal year. The budget shall be prepared in such detail as to the aggregate sum and the items thereof allowed to each department, office, board or commission as the council may deem advisable.

Board of equalization

SEC. 54. The council shall meet on the first Monday in August in each year, at ten o'clock in the forenoon of said day, and sit as a board of equalization, and shall continue in session [illegible]. They shall have power to hear complaints and to correct or modify any assessment or cancel any assessment illegally made, provided, that notice shall be given to the party whose assessment is to be raised.

Annual tax levy

SEC. 55. The council must, not later than the first Tuesday in September in each year, levy the necessary amount upon the assessed valuation of the taxable property in the city, a rate of taxation upon each one hundred dollars of valuation, sufficient to raise the amounts estimated to be required by the annual budget, less the estimated amount to be received from fines, licenses and other sources of revenue. They shall then deliver the assessment roll to the auditor, who shall compute and carry out the amount of the tax so levied upon each parcel of property contained in said assessment roll. The assessment roll for each tax shall be the assessment roll of said tax for said year, and it shall be certified by the auditor as being the assessment roll of said tax.

Limit of tax levy

SEC. 56. The tax levy authorized by the council, to meet the municipal expenses for each fiscal year, shall not exceed (except as herein provided) the rate of one dollar on each one hundred dollars of the assessed value of all real and personal property within the city. The council, if requested by the board of education, shall in addition to the tax for municipal purposes, levy a tax for the adequate support of the public schools, such levy not to exceed twenty-five cents on each one hundred dollars of the assessed value of all real and personal property within the school district.

Bond tax and library tax.

SEC. 57. The council shall have power to levy and collect taxes, in addition to the taxes herein authorized to be levied and assessed, sufficient to pay the interest and maintain a sinking fund of the bonded indebtedness of the city, and to provide for the support of free public libraries and reading rooms, and for any other purpose not forbidden by this charter or the laws of the state.

Cash basis fund

SEC. 58. The council shall create and maintain a revolving fund, to be known as the cash basis fund, for the purpose of putting the payment of the running expenses of the city on a cash basis. For this purpose the council shall provide that, from the money collected from the annual tax levy and from money received from other sources, a sum equal to not less than two and one half cents on each one hundred dollars of the assessed value of said property shall be placed in such fund until the accumulated amount thereof shall be sufficient to meet all legal demands against the city for the first four months or other necessary period of the succeeding fiscal year. The council shall have power to transfer from the cash basis fund to any other fund or funds such sum or sums as may be required for the purpose of placing such fund or funds, as nearly as possible, on a cash basis. It shall be the duty of the council to provide that all money so transferred from the cash basis fund be returned before the end of the fiscal year.

Tax liens

SEC. 59. All taxes assessed, together with any percentage and penalties imposed for delinquency and the cost of collection, shall constitute liens on the property assessed; every tax upon the personal property shall be a lien upon the real property of the owner thereof. The liens provided for in this article shall attach as of the first Monday in March of each year, and may be enforced by action in any court of competent jurisdiction to foreclose such liens, or by a sale of the property affected and the execution and delivery of all necessary certificates and deeds therefor, under such regulations as may be prescribed by ordinance; *provided*, that when real estate is offered for sale for city taxes due thereon, the same shall be struck off and sold to the city, in like case and in like manner and with like effect and with like right of redemption and with like right of sale by the city, as it may be struck off and sold to the state when offered for sale for county taxes and sold by the state.

Disposition of money collected.

SEC. 60. Every officer collecting or receiving any funds belonging to or for the use of the city shall settle for the same immediately. The council may provide, in its discretion, for the deposit of the city's funds in banks in accordance with the state law.

ARTICLE VI.

DEPARTMENT OF PUBLIC WELFARE.

Departments.

SEC. 61. The department of public welfare shall include the following subordinate departments:

Public health and sanitation.
Public charities.
Parks and playgrounds.

Commission to control.

SEC. 62. The department shall be under the administrative control of a commission of seven members who shall serve without compensation, and shall be appointed one from each ward by the council, for a term of two years. The operative management of each department shall be under the direction and control of a head official to be appointed by the manager. Public welfare commissioners shall have charge of the direction and supervision of all public amusements and entertainments, with full police powers to control, censure or suppress anything detrimental to public morals.

Department of public health.

SEC. 63. The department of public health shall be under the control and management of the health officer, who must be a physician licensed to practice medicine and surgery in California, who shall have supervision of all matters pertaining to the sanitary conditions of the city and the health of its inhabitants. He shall have power, and it shall be his duty:

1. To see that all the ordinances and regulations of the council and of the department are enforced and complied with.
2. To inspect the drainage, sewage and garbage disposal.
3. To supervise the care, preparation, production and sale of all articles in any way distributed for food consumption.
4. To enforce all laws of the State of California and all regulations made by the department of health, applicable to the city.
5. In the exercise and enforcement of the duties of his department, he shall have the power of a peace officer and may make arrests for the violation of any ordinances or laws governing his department, and may seize and confiscate any articles of food unfit for human consumption.
6. When necessary to the efficiency of his department, he may, with the consent of the manager, appoint one or more physicians, emergency surgeons, bacteriologists, and food and market inspectors, school and district nurses and a clerk of the department, and prescribe and direct their duties.
7. He shall have supervision and control of all hospitals or sanitoriums that may be established or maintained by the city.

Department of public charities.

SEC. 64. The department of charities shall be under the supervision of a commissioner, who shall investigate all applications for charity, and may furnish relief for immediate want or distress, and at once report the particulars of each case to the public welfare commissioner. He shall have the care and supervision of all homes, shelters and charitable institutions maintained by the city, that are not under the supervision and control of the department of health.

Department of parks and playgrounds.

SEC. 65. The department of parks and playgrounds shall be under the supervision and direction of a park commissioner, who shall have the care and supervision and management of parks and playgrounds, and enforce the rules and regulations relating thereto and the use thereof. He shall make suggestions to the manager for improving and beautifying all property under the supervision of his department and for the general betterment thereof, for the purposes for which the property is dedicated.

ARTICLE VII.

ELECTIONS.

Mode of election.

SEC. 66. The mode of nomination and election of all elective officers of the city and members of the board of education shall be as provided in this article.

When held.

SEC. 67. Within ten days after this charter shall have been ratified by the legislature and a certified copy thereof has been filed in the office of the secretary of state and a like copy has been recorded in the office of the county recorder of Kern county and deposited in the archives of the city, the governing body of the city of Bakersfield shall call a nominating election and a general election, under the provisions of this charter, to elect officers as herein provided. The nominating election shall be held on the first Tuesday after the expiration of fifty days from the filing of the certified copy of this charter in the archives as aforesaid. The officers so elected shall hold office until their successors are elected and qualified. Thereafter a general election shall be held on the second Tuesday of April of the year 1917, and each odd-numbered year thereafter, for the election of members of the council, and members of the board of education shall be elected as herein provided.

Condition of candidacy.

SEC. 68. The candidate, not later than the first presentation to the clerk of his petition of nomination, and not earlier than thirty days before such presentation, shall file with the city clerk a declaration of his candidacy in the following form:

Declaration of Candidacy.

I, ______________________ residing at No. __________ street, Bakersfield, California, being duly sworn, hereby declare myself a candidate for the office of ______________________ to be voted for at the ______________________ municipal election, to be held in the city of Bakersfield on the ______________ day of ______________________, 19____, and hereby appoint ______________________, residing at No. ____________ street, city of Bakersfield, verification deputy.

(Signed) ______________________

STATE OF CALIFORNIA, } ss.
County of Kern. }

Subscribed and sworn to before me this __________ day of ______________________, 19____.

Form of nominating petition.

SEC. 69. The petition for nomination shall consist of not less than twenty-five nor more than fifty individual certificates which shall read substantially as follows:

PETITION OF NOMINATION

(Individual Certificate)

I, the undersigned, certify that I do hereby join in a petition for the nomination of ______________________, whose residence is at No. ____________, to be voted for the nominating election, to be held in the city of Bakersfield, on the ____________ day of ______________________, 19____, for the office of ______________________; that I believe said ______________________________ is fully qualified for said office, and should be elected thereto; and I further certify that I am a qualified elector, and am not, at this time, a signer of any other petition nominating any other candidate for the above named office; that my residence is at No. ______________________ street, between ______________________ street and ______________________ street, Bakersfield, and that my occupation is ______________________.

(Signed) ______________________

Forms to be supplied by city clerk.

SEC. 70. It shall be the duty of the clerk to furnish, upon application, a reasonable number of forms of individual certificate of the above character.

Requirements of certificates.

SEC. 71. Each certificate must be a separate paper. All certificates must be of a uniform size as determined by the clerk. Every certificate must contain the name of one signer thereto and the name of but one candidate. Each signer must be an elector, entitled to vote for the candidate named, and must not, at the time of signing a certificate, have signed any other certificate for the same office. In case an elector has signed two or more conflicting certificates, all except the one first presented shall be rejected. Each signer must sign his name in the presence of the verification deputy, who must take oath before some officer authorized to administer and certify oaths, that the signatures thereto and each thereof were made in his presence, and are genuine.

Date of presenting petition and how filed.

SEC. 72. A petition for nomination, consisting of not less than twenty-five nor more than fifty individual certificates for any one candidate, may be presented to the clerk, not earlier than fifty days nor later than twenty-five days before the election. The clerk shall endorse thereon the day, hour and minute when the petition was presented to him.

The certificates constituting such petition, before being presented to the clerk, shall be fastened together in book form, arranged in alphabetical order, according to surnames, and fastening them together at one edge in a secure and suitable manner, and the certificates shall then be numbered consecutively.

Examinations of petitions by city clerk.

SEC. 73. When a petition of nomination is presented for filing to the clerk, he shall forthwith examine the same and ascertain whether it is sufficient under the provisions of this charter. Within seven days thereafter he must examine and determine whether or not it is sufficient and shall attach to said petition his certificate, showing the result of said examination, and forthwith send by registered mail, or deliver, a copy of said certificate to the person seeking a nomination. If the petition be found insufficient such certificate of the clerk shall designate each individual certificate found to be defective and the defects therein. If the petition be insufficient, it may be amended or supplemented by the presentation of an additional nominating petition containing additional nominating certificates, not later than twenty-five days before the date of the nominating municipal election. The clerk shall, within five days after the presentation of such additional nominating petition, make like examination and determination of the amended petition, and attach to it a like certificate and mail a copy as aforesaid, and if his certificate shall show the amended petition to be insufficient, or if no additional nomination petition shall have been presented, the petition shall be returned to the person seeking a nomination named as the person to whom the petition is to be returned. If necessary, the council shall provide extra help to enable the clerk to perform his duties, under any election provision of this charter.

Withdrawal of signature.

SEC. 74. Any signer to a certificate forming part of the petition of nomination may withdraw his name from the same, by filing with the clerk a revocation of his signature before the presentation of the petition to the city clerk, and not otherwise. He may then sign a petition for another candidate for the same office.

Withdrawal of candidate for nomination.

SEC. 75. Any person who has filed his declaration of candidacy, as in this article provided, may, not later than thirty days before the day of the nominating election, cause his name to be withdrawn from nomination, by filing with the clerk an affidavit stating that he so withdraws, and no name so withdrawn shall be printed on the ballot.

Filing of petitions.

SEC. 76. If either the original or the amended petition be found to conform to the provisions of this article, the clerk shall file the same not later than twenty days before the date of the election. When a petition of nomination shall have been filed with the clerk, it shall not be withdrawn nor added to, and no signature shall be revoked thereafter.

Preservation of petitions.

SEC. 77. The clerk shall preserve in his office for a period of one year all petitions of nomination and all certificates belonging thereto, filed under this section.

Election proclamation.

SEC. 78. Immediately after such petitions are filed, the clerk shall enter the names of the candidates in a list, with the offices to be filled, whether for a full or unexpired term and the names of the candidates for each, and shall, not later than twenty days before the nominating election, certify such list as being the list of candidates nominated, and the council shall cause said certified list to be filed and published in the proclamation calling the election for three successive days, commencing seven days before the day of the election. Said proclamation shall in all other respects be governed by ordinances.

Form of ballot.

SEC. 79. The clerk shall cause the ballots to be printed and bound and numbered as provided for by the State law, except as otherwise required in this charter.

Requirements of ballot.

SEC. 80. The form of the ballot shall be prescribed by the council and shall be printed on precisely the same size, quality and tint of paper, with precisely the same kind of type and color of ink, so that without the number it would be impossible to distinguish one ballot from another; and the names of all candidates printed upon the ballot shall be in type of the same size and style. The names of the candidates for each office shall be arranged in alphabetical order by surnames, and nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate.

Space for voting cross.

SEC. 81. A space one-half inch square, shall be left at the right of the name of each candidate, wherein to mark the cross.

SEC. 82. As many blank spaces as there are candidates to be voted for shall be left below the printed names of candidates for each office to be voted for, wherein the voter may write the name of each person for whom he may wish to vote.

Sample ballots.

SEC. 83. The clerk shall cause to be printed sample ballots identical, except on a different color of paper, with the ballot to be used at the election, and shall furnish copies of the same, on application, to registered voters, at his office for at least five days before the date fixed for such election, and shall mail one such ballot to each voter entitled to vote at such election, so that all of said sample ballots shall have been mailed at least five whole days before said election.

General election.

SEC. 84. There shall be two candidates nominated for each officer to be elected and such number of candidates as may receive a higher number of votes than any other opposing candidates shall be the nominees; *provided*, that if there be any person who, under the provisions of this article, would have been entitled to become a candidate for any office, except for the fact that one or more other persons received an equal number of votes therefor, all such persons receiving an equal number of votes shall likewise be candidates for such office. If, at any nominating election, any candidate for any office shall receive a majority of all votes cast for that office, he shall be declared elected to the said office, and no other election therefor shall be held. If, at any election, no candidate is elected, by reason of a tie vote, the office for which such persons were candidates shall, at the expiration of the current term, become vacant.

Informalities in elections.

SEC. 85. No informalities in conducting elections shall invalidate the same, if they have been conducted fairly and in substantial conformity to the requirements of this charter and the ordinances relating thereto.

General election regulations.

SEC. 86. The provisions of the state law relating to the qualifications of voters, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of elections, so far as they may be applicable and not inconsistent or in conflict with this charter shall govern all elections. The council shall meet as a canvassing board and have the same powers and duties as boards of supervisors.

RECALL ELECTIONS.

SEC. 87. Any officer elected or appointed for a definite term may be recalled, after the expiration of three months from the commencement of his term, by the electors entitled to vote for his successor. When a petition for the recall of a councilman is presented signed by electors of the ward which he represents, equal in number to twenty-five per cent, or more, of the total vote cast for councilman in such ward, at the last general election, and certified by the clerk and his resignation shall not have been received, as herein provided, the recall of such councilman shall be submitted to a vote of the electors of such ward. When the officer sought to be recalled is not a councilman, the recall of such officer shall be signed by electors of the city equal in number to twenty-five per cent or more, of the number of votes cast at the last general election. The signatures to such petition need not be all appended to one paper.

SEC. 88. Petition papers shall be procured only from the clerk, who shall keep a sufficient number of such blank petitions for distribution, as herein provided.

SEC. 89. Prior to the issuance of such petition papers an affidavit shall be made by one or more qualified electors and filed with the clerk, stating the name and office of the officer sought to be removed. The clerk upon issuing such petition papers to an elector shall enter in a record to be kept in his office, the name of the elector to whom issued, the date of such issuance, and the number of papers issued, and shall certify upon such papers the name of the elector to whom issued and the date of the issuance. No petition paper so issued shall be accepted as a part of a petition unless it bears such certificate of the clerk and unless it be filed as provided herein.

SEC. 90. Each signer of a recall petition shall sign his name in ink or indelible pencil and shall place thereafter after his name his place of residence by street and number. To each such petition paper shall be attached an affidavit of the circulator thereof stating the number of signers to such part of the petition and that each signature appended to the paper was made in his presence and is the signature of the person whose name it purports to be.

SEC. 91. All papers comprising a recall petition shall be assembled and filed with the clerk as one instrument within thirty days after the filing with the clerk of the affidavit stating the name and office of the officer sought to be removed. Within ten days from the date of the filing of such petition, the clerk shall determine the sufficiency thereof and attach thereto a certificate showing the result of his examination. If the clerk shall certify that the petition is insufficient, he shall set forth in the certificate the particulars in which the petition is defective, and shall return a copy of the certificate to the circulator thereof.

SEC. 92. Such recall petition may be amended at any time within twenty days after the making of the certificate of insufficiency by the clerk, by filing a supplementary petition upon an additional petition paper, issued, signed and filed as provided herein for the original petition. The clerk shall, within ten days after such amendment is filed, make like examination of the amended petition, and if his certificate shall show the same to be still insufficient, he shall return it to the person designated in such petition to receive it, without prejudice, however, to the filing of a new petition for the same purpose.

SEC. 93. If a recall petition or amended recall petition shall be certified by the clerk to be sufficient, he shall at once submit the same with his certificate to the council and notify the officer sought to be recalled of such action. If the official whose removal is sought does not resign within five days after such notice, the council shall thereupon order and fix a day for holding a recall election. Such election shall be held not less than forty nor more than sixty days after the petition has been presented to the council, at the same time as any other general or special election which may be held within such period; if no such election be held within such period, the council shall call a special recall election to be held within the time aforesaid.

SEC. 94. The form of ballots used at recall elections, the method of marking and counting such ballots, and determining and declaring the result of such election shall conform to the provisions of this charter, relating to regular elections.

SEC. 95. Nominations of candidates to succeed any officer whose removal is sought and the election of his successor shall be made in the manner provided for nominations, elections and special elections.

SEC. 96. If removed his successor shall hold office during the unexpired term. If the successor fails to qualify within ten days after receiving notice of his election, the office shall thereupon be vacant.

SEC. 97. An officer removed from office by recall election, or who shall resign from such office pending recall proceedings against him, shall be ineligible to hold the same office within two years after such recall or resignation.

ARTICLE VIII.

JUDICIAL DEPARTMENT.

Police court.

SEC. 98. There is hereby created in and for the city of Bakersfield a court, which shall be known as the Police Court of the city of Bakersfield.

Qualification of judge.

SEC. 99. Said court shall have one judge, who shall be appointed by the council for the term of two years and until his successor shall be appointed and qualified. The judge of said police court shall be subject to removal only by recall in the manner provided in this charter for the recall of elective officers.

Exclusive jurisdiction.

SEC. 100. The said court shall have exclusive jurisdiction:

1. In all criminal prosecutions of misdemeanors, under this charter, or ordinances of the city.

2. In all actions for the recovery of any fine, penalty or forfeiture, for the enforcement of any obligation or liability prescribed or created by the city ordinances, in which the sum sued for, exclusive of interest, does not amount to three hundred dollars.

Concurrent jurisdiction with justices' court.

SEC. 101. Within the city limits said court shall have concurrent and coordinate jurisdiction with township justice's courts, in case of misdemeanor, in which said justices' courts now or may hereafter have jurisdiction.

Appeals.

SEC. 102. Appeals may be taken to the superior court of the State of California, in and for the county of Kern, from the judgments and orders of said police court, in all cases in which appeals now or may hereafter be taken to said superior court, from said justices' courts and police courts.

Proceedings on appeal.

SEC. 103. In all proceedings in and appeals from said police court, the pleadings, practice, procedure and laws now applicable or that may hereafter be made applicable to said justice courts, are hereby adopted and made applicable to said police court.

Inability of judge to act.

SEC. 104. Upon the sickness, absence or inability to act of the judge of said police court, he shall cause to preside in his place any qualified justice of the peace or judge of any other inferior court of the county of Kern.

Proceedings as in justice courts.

SEC. 105. All provisions of law relating to justices of the peace and justices' courts including appeals, are hereby made applicable to said police court; and said court and said judge shall have all powers and jurisdiction now or hereafter conferred by law upon justices' courts, police courts or justices of the peace in criminal cases.

Fines paid into general fund.

SEC. 106. All fines imposed and collected by the police court, and not otherwise appropriated by the general law of the state, shall be paid into the general fund of the city. The council shall provide a courtroom and courtroom accommodations, dockets, blanks and stationery.

Violation of state laws.

SEC. 107. Police officers of the city shall have authority and it shall be their duty to make arrests for all violations of any of the laws of the State of California.

ARTICLE IX.

PUBLIC UTILITIES.

Ownership.

SEC. 108. It is hereby declared to be the purpose and intention of the people of the city of Bakersfield that such public utilities as shall be deemed best for the interest of the people shall be acquired by purchase, condemnation or construction, and owned and operated by the city.

Control and fixing of rates.

SEC. 109. The power to control the operation of, and to fix rates to be charged by, public utilities shall be in the railroad commission of the State of California, or such commission or tribunal as may exercise the powers now vested in the railroad commission of California, until the electors shall, at a special election, vest said powers in the council.

Plan submitted to voters.

SEC. 110. The council shall, upon petition of electors equal in number to not less than thirty-five per cent of the votes cast at the last general municipal election, submit as separate questions, by ordinance, to the electors of the city, at any general municipal election thereof, a plan for the acquisition of one or more public utilities and its adoption and the issuance of bonds of the city for the payment therefor.

Estimate of cost.

SEC. 111. Before submitting for adoption any plan for the construction and establishment of a public utility, the council shall cause to be ascertained and make an estimate of the cost at which such public utility can be constructed or acquired.

Contents of ordinance calling election.

SEC. 112. The ordinance calling such election shall contain a statement of the plan proposed for the acquisition of such public utility or utilities, including the amount, the estimated cost or price thereof, and shall otherwise conform to the provisions of this charter governing the calling and holding of elections for the incurring of bonded indebtedness, and the law for issuing of bonds therefor.

Operation.

SEC. 113. In the event the city council acquire one or more public utilities, the operation of the same shall be under the supervision of the city manager.

Property rights of city inalienable.

SEC. 114. The rights of the city in and to its public buildings, streets, highways, public parks and all other public places owned or controlled, except as otherwise provided in this charter, are hereby declared inalienable and no franchise, permit or privilege granted shall be construed as granting the right to cut, trim, break or destroy any shade, ornamental or other trees in or on the parking space of any street or public park.

Granting franchise.

SEC. 115. No franchise shall be granted by the council unless as otherwise especially provided in this charter, but may be granted by the electors by ordinance passed by referendum vote at any general election, or at a special election; provided, that no franchise shall be granted for a longer term than twenty-five years, and no exclusive franchise, permit or privilege shall be granted.

Public utilities.

SEC. 116. No person, firm or corporation shall ever exercise any franchise, permit or privilege mentioned in this article, except in so far as the holder thereof may be entitled to do so by direct authority of the constitution of the state, or of the constitution or laws of the United States, in, upon, over, under or along any street, highway or other public property in the city, unless a grant therefor shall have been obtained in accordance with the provisions of this article.

Application for franchise.

SEC. 117. An applicant for a franchise, permit or privilege shall file with the council written application therefor, which must state the character and purpose of the franchise, permit or privilege applied for, and if it be a street railroad, the route to be traversed. Said application shall be accompanied by a petition, signed by electors, equal in number to at least twenty per centum of the votes cast at the last preceding general election, asking that an ordinance granting the franchise be submitted to the vote of the electors of the city.

Advertisement.

SEC. 118. The council, upon receipt of such application and petition as provided in the foregoing section, shall publish a notice of said application and petition in a daily newspaper of general circulation in the city, as often as said paper is published, for ten successive publications. Said notice must refer to the petition and application in full, and state the time prior to which, the place where and the person to whom, sealed bids for such franchise may be delivered, and the time and place the same will be opened and published, and that an ordinance will be submitted to a vote of the electors of the city, awarding the franchise, permit or privilege to the bidder offering to pay to the city, during the life of the franchise, permit or privilege, the highest percentage of the gross annual receipts received from the use, operation or possession, of the franchise, permit or privilege, provided that such percentage be not less than three per centum of the said gross annual receipts for the entire life of the franchise, permit or privilege.

Bidding for franchise.

SEC. 119. At the time of opening the sealed bids, any responsible person, firm, or corporation may bid for such franchise, permit or privilege not less than one half of one per cent of the gross annual receipts for the entire term of the franchise, above the highest sealed bid therefor, and such bid so made may be raised not less than one half of one per cent of the gross annual receipts for such entire term by any other responsible bidder, and such bidding shall continue until there are no further bids, then the council shall submit, within not less than thirty days and not more than one hundred twenty days thereafter, to the electors an ordinance granting a franchise to the highest bidder in accordance with the application and petition.

Division of receipts.

SEC. 120. If the franchise, permit or privilege is for a street railroad which shall extend beyond the limits of the city of Bakersfield, then and in that case the percentage of the gross receipts above specified shall be fixed by ordinance.

Deposit as guarantee of good faith.

Sec. 121. Every applicant or bidder for franchise, permit or privilege under this article, shall deposit $2000.00 or a certified check therefor, payable to the city treasurer, certified to by some responsible bank, in Kern county, as a guarantee of the good faith of the applicant or bidder, and as a fund out of which to pay all expenses connected with such application and the granting of such franchise, permit or privilege. All deposits made by unsuccessful bidders shall be returned. Deposit of the successful bidder shall be retained, until the approval and filing of the bond hereinafter provided for, whereupon the remainder of such deposit, after the payment therefrom of all expenses incurred by the city in connection with the advertising and awarding of such franchise, permit or privilege, including the expense of a special election, where such special election was held for the purpose of granting the said franchise, shall be returned.

Filing of bonds.

Sec. 122. The grantee of any franchise, permit or privilege, shall file a bond running to the city, to be approved by the council, in the penal sum prescribed by the council, and set forth in the advertisements for bids, conditioned that such bidder shall well and truly observe and faithfully perform each and every term and condition of such franchise, permit or privilege and that in case of any breach of condition of such bond, the whole amount of the penal sum therein named shall be taken and deemed to be liquidated damages and shall be recoverable from the principal and surety upon such bond; *provided, however*, that the legislative body of the city shall have power to waive action on the bond, and in lieu thereof, declare the franchise forfeited. In case such bond be not so filed, within thirty days after the result of the election awarding the franchise has been officially declared by the council, the award of such franchise, permit or privilege shall be set aside and any money deposited in connection with the awarding of the franchise, permit or privilege shall be forfeited.

Beginning and completion of work.

Sec. 123. Construction work under any franchise, permit or privilege granted, in accordance with the terms of this article, shall be commenced in good faith, within not more than four months from the date of the taking effect of the ordinance, and if not so commenced within said time, said franchise, permit or privilege shall be forfeited. Work under any franchise, permit or privilege so granted shall be completed within the time fixed for such completion in the ordinance granting such franchise, permit or privilege, and if not so completed within said time, such franchise, permit or privilege shall be forfeited; *provided*, that if good cause be shown, the council may, by resolution, extend the time for completion thereof; *and provided, further*, that the limitations and provisions thereof, as to the time within which work shall be completed shall not apply to the extensions of service under franchises, permits, or privileges, other than for railroads, street railroads or interurban railroads.

Service and accommodation.

Sec. 124. The grant of every general municipal franchise, permit or privilege shall be subject to the right of the city, whether or not reserved in such grant, to make all regulations which shall be necessary to secure in the most ample manner the safety, welfare and accommodation of the public, including the right to pass and enforce ordinances for the extension of service and to protect the public from danger or inconvenience in the operation of any work or business authorized by the grant of the franchise, permit or privilege, and the right to make and enforce all such regulations as shall be reasonably necessary to secure adequate, sufficient and proper service and accommodations for the people and insure their safety, comfort and convenience. Nothing in this section shall be construed as conflicting with section 109 of this charter.

All United States mail carriers, when in uniform, and all policemen and members of the fire department, while in actual discharge of their duties, shall be allowed to ride in all cars of street railroads within the boundaries of the city, without paying fare and with all rights of other passengers.

Lease or assignment of franchise.

Sec. 125. The council shall not pass an ordinance permitting the leasing or alienation of any franchise, so as to relieve the franchise or property held thereunder, from the liabilities by the lessor or grantor, lessee or grantee, contracted or incurred in the operation, use or enjoyment of such franchise or any of its privileges.

Street paving.

Sec. 126. Every grant of any franchise, for a street or other railway, shall be subject to the conditions that person, firm or corporation exercising or enjoying the same shall plank or replank, pave or repave, macadamize or remacadamize the entire length of the street, highway or other public place used by the track or tracks of such railway, and two feet each side thereof, and between the tracks, if there be more than one, and keep the same in repair and flush with the surface of the street. Such street work must be done with such materials and in such manner as the council may by ordinance direct, at the same time and as part of the same operation as the work on the remainder in width of said street, highway or other public place, to the satisfaction of the city manager.

Examination of company's books.

SEC. 127. All ordinances granting franchise, permits, or privileges under this article, shall provide that the grantee, his successors or assigns, shall keep, in such manner as the council may from time to time require, vouchers, records, and books of accounts. The city shall have the right, at all reasonable times, to examine all the books, vouchers, records and other papers, of all holders exercising or enjoying any franchise, permit or privilege under this article. Refusal to keep said books, vouchers and records, in the manner provided above, or to produce the same at any reasonable time for examination by the clerk, accountant, or other agents, appointed by the council shall work a forfeiture of the said franchise, permit or privilege.

Annual report of company.

SEC. 128. Every holder, or operator, of any business under a franchise, permit or privilege granted under this article shall file annually with the city clerk, on such date as shall be fixed by the council, a report for the preceding year. Such report shall be in writing, verified by the affidavit of such person or persons, or officer of the corporation, as the council shall direct, and shall contain a statement, in such form and details as shall from time to time be prescribed by the council, of all the gross receipts arising from all the business done under said franchise, permit or privilege, within the city for the year immediately preceding such report. Such report shall contain such further information as may be required by the council concerning the character and amount of business done under said franchise, permit or privilege, and the amount of receipts and expenses connected therewith, and also an itemized account of the money expended under said franchise, permit or privilege, for new construction, repairs and betterments during the year. The council shall have power to call for a special report, at any time covering any specific period.

Books of records and reference.

SEC. 129. The council shall provide and cause to be kept in the office of the city clerk a franchise record, indexed, and of convenient form, in which shall be transcribed accurate and correct copies of all franchises, permits, or privileges granted by the city, the names of the grantees, and thereafter the name of any assignee or lessee thereof.

Payment of gross receipts.

SEC. 130. The stipulated percentage of gross receipts provided in this charter to be paid for the use and enjoyment of any franchise, permit or privilege as set forth in the ordinance granting such franchise, permit or privilege, shall be paid annually by the holders thereof at the time of filing the annual report provided for in this charter. Failure to pay such percentage shall work a forfeiture of the franchise.

Franchises for railroads other than street railroads.

SEC. 131. Franchises, permits or privileges may be granted by the council, for the construction, maintenance and operation of railroads other than street railroads, along, upon, over, or under, or across any street or streets, or other public places in the city, upon petition therefor, as provided for street railroads, but no action shall be taken upon any such application or petition, until thirty days after the same has been filed. If within that time a petition is filed and signed by the electors of the city, equal in number to ten per centum, or more, of the total votes cast at the last general election, praying that the granting of said franchise be referred to a vote of the electors of the city, said application shall be so referred under same provisions governing the granting of franchise for street railroads.

Franchises for sidings and spurs.

SEC. 132. Franchises for temporary spurs or side tracks may be granted for not more than one year by the council upon the same notice as provided in the foregoing section, and may be revoked when the purpose for which granted shall cease.

Ice a public utility.

SEC. 133. Ice being a necessity in the city of Bakersfield, the manufacture, sale and distribution thereof is hereby declared to be a public utility, and the city shall have and is hereby given the power to purchase or manufacture, and sell and distribute ice the same as any other public utility.

ARTICLE X.

PUBLIC WORK AND SUPPLIES.

Form of contracts.

SEC. 134. All contracts shall be drawn under the supervision of the city attorney. All contracts must be in writing, executed in the name of the city of Bakersfield, by an officer or officers authorized to sign the same, and must be countersigned by the auditor, who shall number and register the same in a book kept for that purpose.

***Progressive payment** of contracts.*

SEC. 135. Any contract may provide for progressive payments if in the ordinance authorizing or ordering the work permission is given for such payment. But no progressive payments can be provided for or made at any time which, with prior payments, if there have been such, shall exceed in amount at time seventy-five per cent of the value of the labor done and the materials used up to that time, and no contract shall provide for or authorize or permit the payment of more than seventy-five per cent of the contract price before the completion and acceptance of the work.

Public work to be done by contract.

SEC. 136. In the erection, improvement and repair of all public buildings and works, and in furnishing any supplies and materials for the same, or for any other use by the city, when the expenditure required for the same exceeds the sum of five hundred dollars, the same shall be done by contract, and shall be let to the lowest responsible bidder, after advertising for sealed proposals for the work contemplated for five consecutive days in the official newspaper. Such notice shall state the proposed work to be done as provided by the council; *provided, however*, the council may reject any and all bids, if deemed excessive, and readvertise for bids, or provide for the work to be done under the direction of the city manager. In case no bid is received, the council may likewise provide for the work to be done under the direction of the city manager.

Contracts for official advertising.

SEC. 137. The council shall let annually contracts for the official advertising for the ensuing fiscal year. For this purpose the council shall advertise five consecutive days, setting forth distinctly and specifically the work contemplated to be done, and asking for sealed bids therefor. The proposals shall specify the type and spacing to be used at the rate or rates named in the bids. The council shall let the contracts for such official advertising to the lowest responsible bidder, publishing a daily newspaper in the city which is qualified under the laws of the State of California for the publication of official advertising, provided that the council may reject any or all bids if found excessive, and advertise for new bids.

Official newspaper.

SEC. 138. The newspaper to which the award of such advertising is made shall be known and designated as the "official newspaper."

Contracts for lighting.

SEC. 139. No contract for lighting streets, public buildings, places or offices shall be made for a longer period than one year, nor shall any contract to pay for electric light or any illumination material at a higher rate than the minimum price charged to any other consumer be valid.

Collusion with bidder.

SEC. 140. Any officer of the city, or of any department thereof, who shall aid or assist a bidder in securing a contract to furnish labor, material or supplies at a higher price than that proposed by any other bidder or who shall favor one bidder over another by giving or withholding information or who shall wilfully mislead any bidder in regard to the character of the material or supplies called for, or who shall knowingly accept materials or supplies of a quality inferior to those called for by the contract, or who shall knowingly certify to a greater amount of labor performed than has actually been performed, or to the receipt of a greater amount or different kind of material or supplies than has been actually received, shall be deemed guilty of malfeasance and shall be removed from office.

Collusion by bidder.

SEC. 141. If the person to whom a contract has been awarded has colluded with any other party or parties for the purpose of preventing any other bid being made, the contract so awarded shall be void.

Hours and minimum wages.

SEC. 142. The time of service of any laboror, workman or mechanic employed upon any of the public works of the city, or upon work done for said city, is hereby limited and restricted to eight hours during any one calendar day; and it shall be unlawful for any officer, or agent of said city, or for any contractor or subcontractor doing work under contract upon any public work aforesaid, who employs, or who directs or controls, the work of any laborer, workmen, or mechanic employed as herein aforesaid, to require or permit such laborer, workman, or mechanic to labor more than eight hours during any one calendar day, except in cases of extraordinary emergency, caused by fire, flood, or danger to life or property, or except to work upon any public, military or naval defenses or works in time of war. The minimum wage of any laborer, workman, or mechanic, employed upon any public work, whether so employed directly by the city and its officers, or by contractor or subcontractor, or by any other person or persons, shall be three dollars for any one calendar day.

Penalty for violation.

SEC. 143. Any officer or agent of the city of Bakersfield, making or awarding, as such officer or agent, any contract, the execution of which involves or may involve the employment of any laborer, workman, or mechanic upon any of the public works, or upon work done for the city, shall cause to be inserted therein a stipulation which shall provide that the contractor to whom said contract is awarded, shall forfeit as a penalty, to the city, ten dollars, for each laborer, workman, or mechanic employed, in the execution of said contract, by him, or by any subcontractor under him, upon any of the public works, or upon any work done for the city, for each calendar day during which such laborer, workman, or mechanic is required or permitted to labor more than eight hours, or for less than the minimum wage of three dollars in violation of the provisions of this charter; and it shall be the duty of such officer or agent to take cognizance of all violations of the provisions of this charter committed in the course of the execution of said contract, and to report the same to the representative of the city, party to the contract, authorized to pay said contractor moneys becoming due to him under said contract, and said representative, when making payments of moneys thus due, shall retain and withhold therefrom, all sums and amounts which shall have been forfeited pursuant to the herein said stipulation. Any officer, agent or representative of the city, who shall violate any of the provisions of this section, shall be deemed guilty of misdemeanor and shall, upon conviction, be punished by a fine not exceeding five hundred dollars, or by imprisonment, not exceeding six months, or by both.

Employment of citizens at Bakersfield.

SEC. 144. When laborers, workmen or mechanics, are employed upon any public work, whether so employed directly by the city and its officers, or by contractor or subcontractor, or by any other person or persons, such laborers, workmen or mechanics whenever possible must be qualified electors of the city, and married men must be given preference over unmarried men.

ARTICLE XI

PUBLIC SCHOOLS

Membership.

SEC. 145. The Board of Education shall consist of five members, elected at the the general election on a general ticket from the city at large, arrangements shall be made so that voters residing within the limits of the Bakersfield school district and without the limits of the city of Bakersfield may vote for such school directors at such election.

Eligibility.

SEC. 146. Members of the Board of Education and candidates therefor must be electors of the city of Bakersfield for three years next preceding nomination.

Term of office.

SEC. 147. Members of the Board of Education shall hold office for a term of four years from and after the first day of May after their election and until their successors are elected or appointed and qualified, unless sooner removed by recall or otherwise; *provided*, that the members of the Board of Education first elected under this charter shall, at their first meeting, so classify themselves by lot, that two shall serve for two years and three for four years.

The Board of Education.

SEC. 148. The Board of Education shall have control and management of the public schools in the Bakersfield school district in accordance with the constitution and general laws of the State, and is hereby vested with all the powers and charged with all the duties provided by this charter and by the general laws of the State for city boards of education.

President of the Board.

SEC. 149. The Board of Education shall annually elect one of its own members to be President of the Board. He may be removed by the affirmative vote of four members.

Meetings.

SEC. 150. The Board of Education shall meet at such times as may be designated by resolution of said Board and in the place provided therefor by the council. The Board shall provide the manner in which special meetings shall be called.

Quorum.

SEC. 151. Three members of the board shall constitute a quorum and the affirmative votes of three members shall be necessary to pass any measure, but a less number than three may adjourn from time to time and compel the attendance of absent members in such manner as the board may prescribe.

Rules of proceedings.

SEC. 152. The board of education may determine the rules of its proceedings.

Meetings to be public.

SEC. 153. All meetings of the board of education shall be public.

Annual estimate of expenses.

SEC. 154. The board of education shall annually, on such date as shall be fixed by the council, submit in writing to the council a careful estimate of the whole amount of money to be received from the State and county for the support of the public schools in the city, together with a careful estimate of the amounts, specifying in detail the objects thereof, required from the city for the adequate support of the public schools for the ensuing year. The amount estimated to be required from the city, shall, subject to the provisions of this charter, be assessed and collected in the annual tax levy.

Record to be kept.

SEC. 155. The board of education shall beep a complete record of its proceedings and the same shall be open to the inspection of the public.

Vacancies.

SEC. 156. Vacancies occurring in the board of education shall be filled by the board of education, provided that in case such vacancy or vacancies are not filled within thirty days after date of occurrence, the council shall fill such vacancy or vacancies.

Ex officio library board.

SEC. 157. The members of the board of education shall be ex officio members of, and shall constitute, the library trustees, and shall have the powers and duties prescribed by the council, unless herein otherwise given.

ARTICLE XII.

MISCELLANEOUS.

Continuation of officers.

SEC. 158. The board of trustees of the city of Bakersfield, under the present municipal government thereof, shall be and is hereby continued as such governing body, until the election and qualification of members of the council, under this charter. No officer, commissioner, head of department, clerk or employee, appointed before the members of the council elected at the first election have qualified, shall hold office, except at the pleasure of the council so elected.

Validity of proceedings.

SEC. 159. All ordinances of the city, in force at the time this charter becomes effective, shall be and remain as valid ordinances of the city of Bakersfield, until amended or repealed.

SEC. 160. All proceedings, all contracts, all indebtedness and obligations of the city, existing at the time this charter takes effect, including the expense of compiling this charter and the election thereof, shall be in no way affected by the adoption of this charter or by the municipal government established thereunder; all official signatures and seals and all ministerial or executive acts of the proper officers of the city prior to the taking effect of this charter, shall be valid; and all certificates, acceptances and approvals or receipts of any officer under the preceding government, relating to or for anything prior to the taking effect of this charter, shall be valid.

SEC. 161. Whenever any municipal function or affair arises, for which no provision is made by this charter or ordinances, the law of the State applicable thereto shall govern. Any law of the State applicable may be made the law of the city by ordinance.

SEC. 162. The rules of construction and interpretation and the definition of words and phrases provided by the Political Code of the State of California, the Civil Code of the State of California, the Code of Civil Procedure of California, and the Penal Code of California, shall be and are hereby made the rules of construction and interpretation and the definitions for this charter, except where otherwise provided herein.

SEC. 163. The following words have, in this charter, the signification attached to them in this connection, unless otherwise apparent from the context:

The word "elector" shall mean electors under the election law of California, and whose names are in the current great register of the county of Kern, and who are entitled to vote in the precinct or ward where they reside.

"Council" shall mean the council of the city of Bakersfield, as the governing body thereof.

"City" shall mean the city of Bakersfield.

SEC. 164. Papers and petitions addressed to the council shall be deemed presented when filed with the clerk.

In witness whereof, We have hereunto set our hands at the city of Bakersfield, county of Kern, State of California, this thirty-first day of August, 1914.

S. F. SMITH
LOUIS V. OLCESE
C. L. TAYLOR
JOSEPH REDLICK
GUS. SCHAMBLIN
E. A. WHEELER
H. E. METZNER
W. G. HUDLOW
E. B. DUNCAN
A. G. LITTLE
RAY STEVENSON
W. A. STARR
J. B. CRANDALL
ELBERT E. McCLURE
GEO. HAY

(Endorsed): Filed Sept. 3, 1914.
A. G. JONES, City Clerk.

STATE OF CALIFORNIA
County of Kern } ss.
City of Bakersfield

I, W. V. Matlack, president of the board of trustees of the city of Bakersfield, State of California, do hereby certify that I now am, and at all the times herein mentioned was, the duly elected, qualified and acting president of the board of trustees of said city; that S. L. Smith, Louis V. Olcese, C. L. Taylor, Joseph Rethick, Gus Schamblin, E. A. Wheeler, H. E. Metzner, W. G. Hudlow, E. B. Duncan, A. G. Little, Ray Stevenson, W. A. Starr, J. B. Crandall, Elbert E. McClure and Geo. Hay, a majority of whose names appear signed to the foregoing proposed charter, were, and each of them was on the 5th day of May, 1914, at a special election held in said city of Bakersfield on said day duly elected by the qualified voters of the said city as a board of freeholders to prepare and propose a charter for said city of Bakersfield; that each of said persons so elected was a freeholder and was at the time of said election and had been continuously for more than five years immediately prior thereto, a qualified elector of said city of Bakersfield; that the foregoing is a full, true and correct copy of said charter prepared by said board of freeholders, and filed in the office of the city clerk of said city of Bakersfield on the 3d day of September, 1914, and within 120 days after the result of said election was declared by the said board of trustees as required by section 8 of article XI of the constitution of this state; that said proposed charter was then published in the Bakersfield Californian, which at all times herein mentioned was, and now is a daily newspaper of general circulation, printed, published and circulated in said city of Bakersfield; that said proposed charter was published ten times in said newspaper on the following days of publication, to wit: September 17, 18, 19, 21, 22, 23, 24, 25, 26 and 28, 1914; that the first publication thereof was made on the 17th day of September, 1914, and within fifteen days after the filing of a copy of said charter as aforesaid in the office of the city clerk of said city of Bakersfield; that, as required by section 8, article XI, of said constitution, a special election was held in said city not less than twenty days, nor more than forty days after the completion of the publication of said charter, to wit: on the 7th day of November, 1914, for the purpose of ratifying said proposed charter as a whole; that by a majority of the votes of the qualified electors voting at said election said proposed charter was ratified as a whole; that the returns of said election were duly canvassed by the board of trustees of said city of Bakersfield on the 11th day of November, 1914, and the result thereof declared as above set forth; and that in all matters and things pertaining to said proposed charter all provisions of said section of the constitution and the laws of the State of California pertaining to the adoption of said charter have been fully complied with in every particular.

In witness whereof, I have hereunto set my hand and caused the corporate seal of the city of Bakersfield to be affixed this 2nd day of January, 1915.

W. V. MATLACK,
President of the Board of Trustees
of the City of Bakersfield.

Attest:
A. G. JONES,
City Clerk of the City of Bakersfield.
[SEAL]

AND WHEREAS, The said charter of the city of Bakersfield so ratified is now submitted to the legislature of the State of California, for approval or rejection without power of alteration or amendment, in accordance with section eight of article eleven of the Constitution of the State of California. Now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring therein), That the said charter of the said city of Bakersfield hereinbefore set forth as presented and submitted to and adopted and ratified by the qualified electors of the said city of Bakersfield be, and the same is, hereby approved as a whole for and as the charter of the said city of Bakersfield.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 3 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Assembly concurrent resolution ordered transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Cogswell: Senate Bill No. 392—An Act to amend section sixteen hundred sixty-seven of the Political Code of the State of California.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 393—An Act creating a department of natural resources and creating the office of secretary of said department; defining his powers and duties and fixing his salary; providing for the consolidation of certain commissions, boards and offices; providing for the organization and administration of said department, and defining the powers and duties of its officers.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 394—An Act to appropriate money for the support and maintenance and erection of additional buildings at the State Hospital at Norwalk, Los Angeles County, California.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 395—An Act to appropriate money for the erection of a superintendent's residence at the Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 396—An Act to appropriate money for repairs, improvements and equipment at the Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 397—An Act to appropriate money for the erection of school quarters and library building at the Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 398—An Act to appropriate money for the erection and furnishing of cottages at the Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 399—An Act appropriating money for building, equipping and furnishing quarters for officers at Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 400—An Act appropriating money for building, equipping and furnishing an administration building at Whittier State School.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Duncan: Senate Bill No. 401—An Act to amend sections one, two, eight and eleven of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911, relative to territory included within petition, form of petition; form of ballot.

Bill read first time, and referred to Committee on Public Morals.

By Senator Flaherty: Senate Bill No. 402—An Act to prohibit discrimination against employees who belong to or join any labor organizations, and fixing penalties for violations thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Beban: Senate Bill No. 403—An Act to require employers of labor to furnish, without charge, pure drinking water to their employees during working hours.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Brown: Senate Bill No. 404—An Act to amend section six hundred fifty-four *a* of the Penal Code, relating to false representations as to property advertised to be sold and service advertised to be performed.

Bill read first time, and referred to Committee on Judiciary.

By Senator Scott: Senate Bill No. 405—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employment; creating a liability on the part of the employers to pay damages in certain cases; and authorizing the commissioner of the bureau of labor statistics to enforce the provisions of this Act.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 406—An Act to select, designate and adopt a State song to be known as "California's State Song."

Bill read first time and referred to Committee on Military Affairs.

Also: Senate Bill No. 407—An Act creating the position of stenographer of the State Board of Health and fixing the compensation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Maddux: Senate Bill No. 408—An Act to amend section forty-two hundred sixty-nine of the Political Code relating to compensation of officers in counties of the fortieth class.

Bill read first time, and referred to Committee on County Government.

By Senator Owens: Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to section 2, article IV, of the constitution of said State, relating to sessions of the Legislature.

Constitutional amendment referred to Committee on Judiciary.

By Senator Gerdes: Senate Bill No. 409—An Act to regulate bakeries; to provide for inspection, regulation and control thereof by the commissioner of the bureau of labor statistics; and prohibiting the operation of bakeries without sanitary certificates as herein provided.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Crowley: Senate Bill No. 410—An Act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labelled; and making the violation of any of the provisions of this Act a misdemeanor, and repealing legislation inconsistent with this Act.

Bill read first time and referred to Committee on Public Health and Quarantine.

By Senator Irwin: Senate Bill No. 411—An Act to establish the Allensworth Polytechnic Institute in the County of Tulare, and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

By Senator Hans: Senate Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the constitution of the State by amending section VII of article IX thereof, relating to free text books in the elementary and secondary schools of the State.

Constitutional amendment referred to Committee on Education.

By Senator Benson: Senate Bill No. 412—An Act to appropriate money for repairs and improvements at the Women's Relief Corps Home at Evergreen.

Bill read first time, and referred to Committee on Finance.

By Senator Slater: Senate Bill No. 413—An Act to amend section twelve hundred forty-seven of the Code of Civil Procedure, relating to the jurisdiction of a court to regulate the mode of making crossings.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 414—An Act to amend section one thousand two hundred fifty-one of the Code of Civil Procedure of the State of California relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 415—An Act to amend section four hundred sixty-five of the Civil Code, relating to the powers of railroad corporations.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Mott: Senate Bill No. 416—An Act to appropriate money for the construction of a commissary building and equipment at the California School for Girls located near Ventura.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 417—An Act to appropriate money for the construction of farm buildings and improvements at the California School for Girls located near Ventura.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 418—An Act to appropriate money for the construction and furnishing of a cottage for males at the California School for Girls located near Ventura.

Bill read first time, and referred to Committee on Finance.

By Senator Kehoe: Senate Bill No. 419—An Act to amend section four thousand two hundred eighty-five of the Political Code of California, relating to the salaries of officers.

Bill read first time, and referred to Committee on County Government.

By Senator Benedict: Senate Bill No. 420—An Act to add a new section to the Political Code of the State of California to be numbered six hundred two *b* to provide a uniform system of classification of risks, premium rates and schedule ratings for the State Compensation Insurance Fund and all other insurance carriers in this State insuring employers or employees under the Workmen's Compensation, Insurance and Safety Act, chapter 176, laws 1913; to establish adequate rates for such insurance; to permit the limited issuance of compensation participating policies; requiring the Industrial Accident Commission to furnish certain information for the use of the State Insurance Commissioner; requiring every insurance carrier writing such insurance to file an annual report of its loss experience, and empowering the State Insurance Commissioner to supervise, control and enforce the provisions of this Act.

Bill read first time, and referred to Committee on Insurance.

By Senator King: Senate Bill No. 421—An Act to add to the Civil Code a new section to be numbered three hundred two *a*, providing for the sending of a financial statement to the stockholders of every corporation prior to the annual meeting.

Bill read first time, and referred to Committee on Corporations.

By Senator Anderson: Senate Bill No. 422—An Act to amend section one thousand five hundred forty-four of the Political Code of the State of California relating to the annual report of the superintendent of schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 423—An Act to amend section one thousand seven hundred thirty of the Political Code, relating to boards of trustees in high school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 424—An Act to amend section one thousand five hundred forty-three of the Political Code, relating to the duties of superintendent of schools.

Bill read first time, and referred to Committee on Education.

By Senator Thompson: Senate Bill No. 425—An Act to amend section four hundred seventy-five of the Code of Civil Procedure by providing that in certain cases on appeal, the appellate court may disregard errors of the trial court and determine substantial rights upon the record.

Bill read first time, and referred to committee on Judiciary.

Also: Senate Bill No. 426—An Act to appropriate money to pay the cost of printing, publishing and distributing state text books free to the school children of the State in accordance with the provisions of the constitution.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 427—An Act to add a new section to the Political Code to be numbered sixteen hundred seventeen *b*, relating to the employment of home teachers.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 428—An Act to amend section two thousand nine hundred sixty-nine of the Civil Code of the State of California relating to limitation of rights of officers to levy on mortgaged personal property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 429—An Act to add a new section to the Civil Code to be known as section three hundred eighteen *a*, relating to the calling of stockholders' meetings.

Bill read first time, and referred to Committee on Corporations.

RECESS.

At eleven o'clock and twenty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m. the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

RECESS.

At two o'clock and fifteen minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until three o'clock p.m.

RECONVENED.

At three o'clock p. m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 20, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate Bill: No. 24, an Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article XIII of the constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the state, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, by amending sections two, three, four, five, eleven and thirty-five thereof. And report that the same has been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF BILL—(OUT OF ORDER).

Senator Thompson asked for and was granted unanimous consent to have the consideration of Senate Bill No. 24 taken up out of the regular order.

Senate Bill No. 24—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said Constitution was amended November 8, 1910, providing for the separation of State from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation" approved April 1, 1911, as amended February 3, 1913, by amending sections two, three, four, five, eleven and thirty-five thereof.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 24 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Rush, Scott, Shearer, Thompson, Tyrrell and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER.)

The following bills, etc., were introduced:

By Senator Thompson: Senate Bill No. 430—An Act to amend section three hundred eighty-six of the Political Code, relating to the salary of the executive secretary of the Governor.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 431—An Act to amend section three hundred sixty-eight of the Political Code and to repeal section three hundred sixty-nine thereof, relating to executive officers, their appointment and terms.

Bill read first time, and referred to Committee on Judiciary.

By Senator Tyrrell: Senate Bill No. 432—An Act to pay the claim of C. S. MacMullan.

Bill read first time, and referred to Committee on Finance.

By Senator Flaherty: Senate Bill No. 433—An Act to provide for semi-monthly pay days in certain public employments; and to regulate the manner of payment of wages or compensation of employees in such employments.

Bill read first time and referred to Committee on Labor and Capital.

By Senator Crowley: Senate Bill No. 434—An Act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals; and providing for the inspection of meat and meat food products offered for sale within the State of California; and making an appropriation for the purposes of this Act.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 435—An Act to define the duties of railroad, steamboat, transportation and stock yard companies under proclamation of the Governor, scheduling territory on account of splenic or Texas fever among cattle.

Bill read first time, and referred to Committee on Agriculture.

By Senator Flint: Senate Bill No. 436—An Act empowering county boards of supervisors to appropriate and use county funds for the support and maintenance of extension work in agriculture in cooperation with the United States Department of Agriculture and the University of California.

Bill read first time, and referred to Committee on Agriculture.

By Senator Finn: Senate Bill No. 437—An Act to regulate private detective agencies and detectives; prescribing certain qualifications of all persons operating as private detectives; providing for the licensing and bonding of such agencies and detectives, under the supervision of the Secretary of State, and defining their liabilities for misconduct to persons injured thereby.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 438—An Act to prohibit any employer from discriminating against any of his employees on account of engaging in politics or running for public office, and providing a penalty for the violation thereof.

Bill read first time and referred to Committee on Labor and Capital.

By Senator Benedict: Senate Bill No. 439—An Act to add two new sections to the Political Code of the State of California to be numbered section seventeen hundred fifty *a*, and sixteen hundred seventeen *d*, relating to the establishment of intermediate school courses by high school boards, and authorizing boards of school trustees and boards of education in common school districts to permit pupils of certain grades to attend such intermediate school courses.

Bill read first time, and referred to Committee on Education.

ADJOURNMENT.

At three o'clock and thirty minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Thursday, January 21, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—38.

Quorum present.

PRAYER.

By invitation of the President, prayer was then offered by the Rev. Father O. A. Welsh of San Francisco.

LEAVE OF ABSENCE.

Senator Hans was, on motion of Senator Tyrrell, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 20, 1915, the further reading was dispensed with, on motion of Senator Rush.

REPORTS OF STANDING COMMITTEES.

The following reports of committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 21, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 13—An Act to amend the Code of Civil Procedure of California by adding thereto a new section, to be numbered and known as section one thousand eight hundred seventy-one, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses. And report that the same has been correctly engrossed.

FLAHERTY, Chairman.

Senate Bill No. 13 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SACRAMENTO, January 20, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 11—Relative to approving a new city charter for the City of Long Beach, in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said City of Long Beach at a special municipal election held therein on the 15th day of October, 1914—Have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

TYRRELL, Chairman.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION—OUT OF ORDER.

Senator Cogswell asked and was granted unanimous consent to take up for consideration Senate Concurrent Resolution No. 11 at this time.

SENATE CONCURRENT RESOLUTION NO. 11.

Approving a new charter for the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 15th day of October, 1914.

WHEREAS, The city clerk of the city of Long Beach did, on the 5th day of January, 1915, duly certify to the submission to the electors of said city of Long Beach a proposed charter, together with two alternative propositions and to the ratification of said proposed charter, together with alternative proposition No. One, and did further certify to a copy of said proposed charter and alternative proposition No. One authenticated by the seal of said city of Long Beach, which said certificate is in words and figures following, to wit:

STATE OF CALIFORNIA,
County of Los Angeles, } ss.
City of Long Beach.

I, Harry B. Riley, city clerk of the city of Long Beach, do hereby certify as follows, to-wit:

That, The city of Long Beach, in the county of Los Angeles, State of California, contains a population of more than ten thousand inhabitants, and has been ever since the year nineteen hundred and seven, and is now, organized and acting under a freeholders' charter, adopted under and by virtue of section 8, of article XI, of the constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the 5th day of February, 1907, and approved by the legislature of the State of California, on the 20th day of February, 1907 (statutes of 1907, page 1178); and

That, At a special election duly held in said city on the 20th day of April, 1914; under and in accordance with the law and the provisions of section 8 of article XI of the constitution of the State of California, a board of fifteen freeholders, duly qualified, was elected in and by said city by the qualified electors thereof to prepare and propose a new charter for the government of said city; and

That, Said board of freeholders did within one hundred and twenty days after the result of said election was declared, prepare and propose a new charter for the government of said city of Long Beach; and

That, Said charter was on the 19th day of August, 1914, signed in duplicate by the members of said board of freeholders, and was thereupon duly returned and filed, one copy with the city clerk of said city of Long Beach, and the other copy with the county recorder of said county of Los Angeles, and filed in the office of said county recorder; and

That, Said proposed charter, together with two alternative propositions, was thereafter published ten times in "The Long Beach Press," a daily newspaper of general circulation, printed, published and circulated in the city of Long Beach, on the following days of publication, to-wit: August 28th, 29th and 31st, and September 1st, 2d, 3d, 4th, 5th, 7th and 8th, 1914; the first publication thereof having been made within fifteen days after the filing of the copy thereof as aforesaid in the office of the said city clerk; and

That, Within not less than thirty days after the completion of said publication the said charter, together with said alternative propositions, was submitted by the city council of the city of Long Beach to the qualified electors of said city of Long Beach at a special election previously duly called and therein held on the 15th day of October, 1914, for the purpose of ratifying or rejecting said proposed charter and for adopting or rejecting alternative proposition No. 1, or alternative proposition No. 2, published with said charter and presented with said charter for the choice of said voters and to be voted on separately, said alternative propositions being as follows:

"ALTERNATIVE PROPOSITION NO. 1.

ARTICLE XXIV.

INDUSTRIAL DISTRICTS.

SECTION 1. There is hereby established two industrial districts in the city of Long Beach, as follows: Beginning at the intersection of Seaside boulevard and Alpine avenue; thence north and easterly on Alpine avenue to its intersection with Mendocino avenue; thence north on Mendocino avenue to Ocean avenue; thence east on Ocean avenue to the junction of Ocean avenue and Ocean Park avenue; thence westerly, northerly and easterly along Ocean Park avenue to its intersection with Shanock street; thence northerly on Shanock street to its intersection with the Southern Pacific railroad right of way; thence along said railroad right of way to a point opposite the center of Riverside drive, where said Riverside drive intersects said railroad right of way; thence northerly across said railroad right of way and Wilmington boulevard to the junction of Wilmington boulevard and Fairbanks avenue; thence westerly and northerly along said Fairbanks avenue to the Cerritos slough; thence along the said Cerritos slough with its meanderings, to the southwest corner of property of the Soft Water Laundry Company, as said property is shown on map filed with the city clerk of the city of Long Beach for assessment purposes, March, 1911, by the Los Angeles Dock & Terminal Company; thence south 60 deg. 18 min. 40 sec. east, along the southerly boundary of said property of the Soft Water Laundry Company, 52.05 feet, thence north 37 deg. 8 min., east, along the easterly boundary of said property, 246.12 feet; thence north 208.9 feet to a point in the center line of Anaheim street; thence east on Anaheim street to Daisy avenue; thence north on Daisy avenue to the city limits.

That Industrial District No. 2, known as Zaferia Industrial District, shall comprise all that portion of the city of Long Beach described as follows: Beginning at a point in the east line of Temple avenue, as said Temple avenue is shown on the map of the Alamitos Tract, recorded in book 36, page 27, *et seq.*, Miscellaneous Records of Los Angeles county, said point being six hundred sixty (660) feet south of the center line of Anaheim street; thence north thirteen hundred twenty (1320) feet; thence east to the west line of Loma avenue; thence south to the south line of Anaheim street; thence east to the east line of Ximeno avenue; thence south six hundred twenty (620) feet; thence west to the point of beginning.

SEC. 2. That the boundaries of said industrial district hereinbefore in section 1 described shall not be increased or diminished, and no other or further industrial districts shall be created or established by the legislative body.

SEC. 3. That said industrial districts are hereby defined to be that portion of the city of Long Beach within which such buildings may be erected and such avocations and industries may be maintained as are prohibited in the remaining portions of the city of Long Beach.

SEC. 4. That it is hereby declared to be unlawful and a nuisance to erect, construct, repair or maintain any building, or structure, or to maintain any yard, or place for the purpose of conducting, carrying on, or maintaining any of the following avocations, industries or lines of business in the city of Long Beach, except within said industrial districts, to-wit: The manufacture of gas and electricity, the maintaining of a stone crusher, rolling mill, planing mill, lumber yard, coal or wood yard, feed yard, carpet beating establishment, fire works, factory, warehouse, laundry, smelter, ship yard, foundry, grist mill, flour mill, glass factory, woolen mill, powder mill, turn-table or freight yard, car barn or the manufacture of any kind of goods, wares or merchandise not heretofore mentioned wherein machinery is used, to propel which requires the use of steam, gas, gasoline, distillate or electric energy or any other motive or animal power or in the manufacture of which large volumes of smoke, excessive noise and obnoxious odors are produced; *provided* this section shall not apply to the maintenance of garages or to the maintenance of any lines of business which are in existence and being conducted in the city of Long Beach outside of said industrial district at the time of the taking effect of this charter except that no additions, or extensions, or any improvements other than mere repairs of existing parts shall be permitted upon any of the buildings, structures or places where such restricted lines of business are now being conducted or upon any of the machinery or equipment therein.

SEC. 5. That any person, firm or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not exceeding $500 or by imprisonment in the city jail for a period of not exceeding six months, or by both such fine and imprisonment. Each such person, firm or corporation shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this article is committed, continued or permitted by such person, firm or corporation and shall be punishable therefor as provided by this article."

"ALTERNATIVE PROPOSITION NO. 2

ARTICLE XXIV

INDUSTRIAL DISTRICTS

SECTION 1. The legislative body shall have the power to create, by ordinance, industrial districts within the city of Long Beach, define what industries shall be confined to the industrial district, prohibit the erection, construction, maintaining and operation of such industries outside of the industrial district, regulate and control the establishment of industries, and fix a penalty for the violation of said ordinance."

And that, At said last mentioned special election a majority of such qualified voters of said city voting at such special election, voted in favor of a ratification of such charter, as proposed as a whole, and Alternative Proposition No. One was also ratified at the same time and in the same manner, and received a majority of the votes of the qualified electors of said city, voting at such special election and thereupon became article XXIV of said proposed charter, said Alternative Proposition No. Two being rejected and failing to receive a majority of the votes cast by the electors at such special election; and

That, The returns of said election were duly canvassed by the said city council of the city of Long Beach at a meeting held on the 21st day of October, 1914 (which such meeting was duly convened); and

That, Said city council, after canvassing said returns, duly found and declared that a majority of such qualified electors voting at such special election had voted for and ratified said charter, and had also voted for, adopted and ratified said Alternative Proposition No. One; and

That, Said charter, as so constituted by its ratification as a whole, and by the ratification of said Alternative Proposition No. One, is now submitted to the legislature of the State of California for its approval or rejection as a whole, without power of alteration or amendment, in accordance with section 8 of article XI, of the constitution of the State of California; and

That, Said charter, so ratified, is in the words and figures as follows, to-wit:

CHARTER

For the City of Long Beach, California

ARTICLE I.

SECTION 1. The municipal corporation now existing, known as the city of Long Beach, shall continue to be a body corporate and politic under the name of the city of Long Beach, and with the following boundaries, to-wit:

DESCRIPTION OF THE BOUNDARY OF THE CITY OF LONG BEACH.

Beginning at the southwest corner of block 10, East San Pedro, as shown on map recorded in Book 52, pages 13 *et seq.* of Miscellaneous Records of Los Angeles county; thence to the northwest corner of said block 10; thence northeasterly along the northerly boundary lines of blocks 10, 11, 12 and 13, and across all intervening streets to the northwest corner of block 14, all said blocks and streets as shown on said map of East San Pedro; thence northwesterly to the southwest corner of lot 3, Terminal Island, as said lot 3 is shown on file Map No. 133, Records of Los Angeles County; thence northwesterly along the westerly line of said lot 3 to the most northerly corner of lot 2, said Terminal Island; thence in a direct line northeasterly to the intersection of the westerly boundary line of Long Beach township with the southerly line of Wilmington and Anaheim road, as said road is shown on said map of Terminal Island; thence northwesterly along the boundary line of the city of Wilmington as incorporated December 26, 1905, to a point, said point being south 85 deg. west from the intersection of the west prolongation of the north line of State street with the "Compromise line" between Rancho San Pedro and Rancho Los Cerritos as said "Compromise line" is shown in Licensed Surveyor's Map Book 6, pages 15 and 16, said Los Angeles County; thence northeasterly in a direct line to a point in the westerly boundary of the Wilmington Colony Tract, recorded in Book 4, pages 406 and 407, Miscellaneous Records of said county, said point being 1,300 feet south of the north line of lot 7 of said Wilmington Colony Tract; thence east to the east line of lot 11 of said Wilmington Colony Tract; thence north 10 feet; thence east to a point 32 feet west of the west line of American avenue, as said avenue is shown on aforementioned map of American Colony Tract; thence south to a point 100 feet north of the north line of Hill street, as shown on said map of American Colony Tract; thence east to the east line of American avenue, as shown on map of Elm Avenue Tract, recorded in Map Book 4, page 86, Records of Los Angeles County; thence north to a point 80 feet north of the north line of Willow street, as said Willow street is shown on aforementioned map of American Colony Tract; thence east to the east line of Pasadena avenue, as said avenue is shown on Map of Signal Tract, recorded in Map Book 7, page 76, Records of Los Angeles County; thence south 30 feet; thence east to a point one hundred and forty-three (143) feet west of the west line of Atlantic avenue; thence north to the north line of Farm Lot 52, aforementioned American Colony Tract; thence west along said north line of Farm Lot 52, to the east line of American avenue, as shown on aforementioned map of American Colony Tract; thence north to the north line of Spring street; thence east along the north line of Spring street to a point 143 feet west of the west line of Atlantic avenue; thence north to the north line of aforementioned American Colony Tract; thence east to the easterly boundary of Los Angeles County; thence southerly along said boundary to a point 100 feet south of the prolonged north line of American Colony Tract; thence west to a point 100 feet east of the aforementioned Atlantic avenue; thence south to the south line of aforementioned Willow street; thence east to a point 300 feet west of the west line of California avenue, as said avenue is shown on aforementioned map of American Colony Tract; thence south to a point in the southerly line of the Pacific Electric Railway right of way, as shown on map of Gadwell and Lyster Tract, recorded in Map Book 7, page 163, Records of Los Angeles County; thence southeasterly along said southerly line of right of way prolonged to the east line of California avenue, as shown on map of aforementioned American Colony Tract; thence south to a point 100 feet north of the north line of Anaheim street; thence east to the west line of Orange avenue, as said Orange avenue is shown on map of Alamitos Tract, recorded in Book 36, pages 37 and 44, Miscellaneous Records of Los Angeles County; thence south 860 feet; thence east to the east line of Temple avenue; thence north to the south line of State street; thence east to the east line of Loma avenue; thence south to the south line of Anaheim street; thence east to the east line of Ximeno avenue; thence south to the north line of Seventh street; thence east to the southwesterly line of right of way of the Pacific Electric Railway; thence southeasterly along said southwesterly line to the east line of Santa Fe avenue; thence south to the north line of lot 194; thence east along said north line of lot 194 to the west line of Nieto avenue, as said Temple avenue, State street, Loma avenue, Anaheim street, Ximeno avenue, Seventh street, right of way, Santa Fe avenue, lot 194 and Nieto avenue are shown on aforementioned map of The Alamitos Tract; thence south to the northeasterly line of block A, West Naples, as shown on map recorded in map book 7, pages 164 and 165, records of Los Angeles County; thence in a direct line to the most northerly corner of lot 17, said block A; thence southwesterly along the prolonged northwesterly line of said lot 17 to its intersection with the northeasterly line of block B, said West Naples; thence southeasterly along the northeasterly line of said block B to the most northerly corner of lot 18, said block B; thence southwesterly along the prolonged northwesterly lines of said lot 18 to its intersection with the northeasterly line of lots 35 and 36, said block B; thence southeasterly along said northeasterly line of lots 35 and 36 to the most northerly corner of lot 37, said Block B; thence southwesterly along the prolonged northwesterly line of said lot 37 to the northeasterly line of block C, said West Naples; thence southeasterly along the northeasterly line of said block C to its intersection with the northwesterly line of lot 16, said block C; thence southwesterly along the prolonged northwesterly line of said lot 16 to the northeasterly line of lots 44 and 43 of said block C; thence southeasterly along the northeasterly line of said lots 44 and 43 to the most easterly corner of lot 44, said block C; thence southwesterly along the prolonged southeasterly line of lot 44 to its intersection with the northeasterly line of block D, said West Naples; thence southeasterly along the northeasterly line of said block D to the northwesterly line of lot 17, said block D; thence southwesterly along the prolonged northwesterly line of said lot 17 to the northeasterly line of block 48, Alamitos Bay Townsite, recorded in map book 4, pages 75 and 76, records of Los Angeles county; thence southeasterly along the northeasterly line of said block 48 to the northwesterly line of lot 10, said block 48; thence southwesterly along the prolonged northwesterly line of said lot 10 to a point three (3) miles distant from the shore of the Pacific ocean; thence westerly and parallel with the shore of the Pacific ocean and three (3) miles distant therefrom to a point in the prolonged westerly line of aforementioned block 10, East San Pedro; thence in a direct line to point of beginning.

ARTICLE II.

GENERAL POWERS

SECTION 1. The said city shall continue vested with all the property of every kind belonging to it, and shall have the power:

1st. To have perpetual succession.

2nd. To have and use a corporate seal and alter it at pleasure.

3rd. To sue and be sued in all courts and places and in all actions and proceedings whatever.

4th. To purchase, receive, have, take, hold, lease, use and enjoy property of every kind and description, both within and without the limits of said city, and control and dispose of the same for the general benefit.

5th. To receive bequests, devises, and donations of property, both within and without the corporate limits of the said city, in the manner and for the purposes, and upon such trusts and conditions as are now or may hereafter be in accordance with the general law.

6th. To acquire, erect, construct, and maintain public buildings, schools, kindergartens, libraries, hospitals, markets, baths, fountains, prisons, workhouses, piers, wharves, museums, life-saving stations, pavilions, morgues and crematories.

7th. To acquire, improve and maintain public parks, cemeteries and sewer farms, both within and without the city; to regulate the same, and to exclude cemeteries from the limits of the city or any portion thereof, and to discontinue the same.

8th. To provide for supplying the city and its inhabitants with water, gas, electricity or any other public utility, or with other means of heat, illumination or power and to acquire, construct, establish or maintain and to lease or operate, and to regulate the construction or operation of conduits or of railroads, or other means of transportation or transit, and of plants and equipments for the production or transmission of gas, electricity, heat, refrigeration or power, in any of their forms, by pipes, wires, or other means, either in or out of the city.

9th. To provide for the care of the sick and helpless, and to make regulations to prevent the spread of epidemic, contagious and loathsome diseases.

10th. To establish or change the grade, to lay out, open, extend, widen, change, vacate, pave and improve streets, alleys, places, sidewalks, crossings, and other highways and public squares and places, and to make provision for cleaning, sprinkling and oiling the same.

11th. To build, own, alter, improve, repair, keep in repair and control the water front of said city; to build, own, alter, improve, repair and keep in repair wharves, piers, bulkheads, retaining walls and chutes, and to fix the rate of wharfage and transit; to provide for regulation of berths, landing, stationing and removing of steamboats, sailing vessels, rafts and other craft, and to fix the rate of speed at which steamboats and other craft may run along the water front of the city.

12th. To provide against the existence of filth, garbage or other injurious and inconvenient matter within the city, and for the disposal of the same.

13th. To levy and collect taxes upon all property for all municipal purposes; and to levy assessments upon property to pay for the improvement of streets and other public improvements, and to collect the same.

14th. To levy taxes exceeding the limit permitted in this charter; *provided*, that before such levy can be made the proposition to make such levy shall first be submitted to the qualified electors of the city at a special or general municipal election, and that two-thirds of the vote cast on the question of making such levy shall have been cast in favor thereof.

15th. To license and regulate places of amusement and the carrying on of any and all professions, trades, callings, occupations and kinds of business, carried on within the limits of said city, and to fix the amount of license tax thereon to be paid by all persons engaged in carrying on such places of amusement and such professions, trades or callings, occupations and kinds of business in said city, and to provide for the manner of enforcing the payment of such license tax; and to regulate, restrain, suppress and prohibit hawking, peddling and the carrying on of any laundry, livery and sale stable, cattle or horse corral, feed yard, horse clipping establishment, bill boards, lumber yards, planing mills, rolling mills, oil wells, furnaces, chimneys and smoke stacks, tanks or refineries, foundries, brickyards, slaughter houses or butcher shops, and the keeping of bees, cattle, or other domestic animals, poultry or pigeons within the limits, or within any designated portion of said city; and to prohibit and suppress the sale or giving away of intoxicating liquors, and the keeping of any place where alcoholic liquor or other intoxicating drinks are sold or given away, and all faro banks, games of chance, gambling houses, or bawdy houses, and any and all obnoxious, offensive, immoral, indecent or disreputable places or practices within the said city.

16th. To regulate or prohibit the sale, keeping, storing and use of powder, gasoline, fireworks, dynamite, nitro-glycerine and other explosive materials and substances, the places of their manufacture or storage, and their transportation; and to regulate the storage of hay, straw and other inflammable materials, and the use of steam boilers, gas and gasoline engines.

17th. To require every railroad corporation or company to pave and keep in repair that portion of the street between the rails and for a distance of two (2) feet outside the rails, and between the tracks on all streets where more than one track is maintained by such corporation or company.

18th. To fix and determine annually the rates of compensation to be collected by any person, firm, company or corporation in the city for the use of water, gas and electricity, or any public service supplied to the city or the inhabitants thereof; also to fix and regulate annually the tolls and wharfage to be charged for the use of any wharf within the city limits.

19th. To provide by ordinance a fund from which the expenses of all necessary matters of public entertainment and advertising shall be met.

20th. To contract for all necessary printing, and in that behalf either to make contracts for city printing, or to acquire, own and operate municipal printing presses and all the necessary paraphernalia therefor, and to publish and issue a municipal newspaper.

21st. To regulate the speed of railway engines, cars, and trains, passing through or operating within the city, and to require railroad companies either to station flagmen or place sufficient automatic warning signals and signal bells at street crossings; to require street cars to be provided with fenders and other appliances for the protection of the public; to regulate the speed with which persons may ride, drive, or propel bicycles, tricycles, automobiles or other vehicles, or ride or drive any horse or other animal along or upon any of the streets or highways of the city.

22nd. To create offices other than those established by this charter or by the general laws, whenever the public convenience or necessity may require the same, and to prescribe all duties pertaining to the office thus created, and to provide for the election or appointment, and to fix the compensation of the officers to fill the same. (But this shall not be construed to authorize the creation of new offices and the appointment of other officers to perform the duties by this charter assigned to officers provided for herein, other than the necessary deputies and assistants to the officers of said city.)

23rd. To make, adopt and enforce all necessary rules and regulations for the prevention of fire, floods and riots, and to make and enforce all such local, police, sanitary and other regulations as are deemed expedient to maintain the public peace, protect property, promote the public morals and preserve the health of the inhabitants of the city.

24th. To prescribe the manner in which, the times at which, and the places where elections shall be held in said city, and to appoint the officers to conduct such elections, and provide for their compensation.

25th. To make the violation of its ordinances or any provision of this charter a misdemeanor, and to prescribe the penalty for such violation, which penalty shall be by fine or imprisonment, or by both fine and imprisonment; *provided, however*, that such fine shall not exceed five hundred dollars, and such imprisonment shall not exceed six months.

26th. To acquire, by purchase, condemnation, or other lawful means, property, both real and personal, including water and water rights, within or without the corporate limits, necessary or convenient for municipal purposes or for the exercise of the powers granted to said corporation.

27th. To regulate or control the carrying of freight through any part of the city on, along or upon any of the streets, alleys or places.

28th. To exercise all municipal and police powers necessary to the complete and efficient management and control of municipal property, and for the efficient administration of the municipal government, whether such powers are herein expressly enumerated or not, except such powers as are forbidden or controlled by general law.

29th. Plenary control over all uses of its streets and other public places is vested in the city.

30th. To compel the owner, or occupant of buildings or grounds, or the owner of vacant lots to remove dirt, rubbish and weeds from the vacant lots and from lots occupied by buildings and from the sidewalk opposite thereto, and in default to authorize the removal or destruction thereof by some officer or employee of the city, at the expense of such owner or occupant, and to make such expense a lien upon such lots, buildings, or grounds.

31st. To create a department of the city, known as department of public charity; and may, by ordinance, provide a fund, to be known as "the charity fund"; and the legislative body shall, by ordinance, provide the necessary rules and regulations governing said department.

32nd. Provided, that all of said commissioners comprising the legislative body shall be subject to the provisions of all ordinances now in force or that may be hereafter adopted by the legislative body and the general laws of the State of California relative to such powers and duties.

33rd. To provide by ordinance for all matters not otherwise provided for by this charter for the proper protection of the peace, health, and safety of the city and the inhabitants thereof, or to regulate and control any condition arising from floods, strikes, or the elements.

ARTICLE III.

OFFICERS.

SECTION 1. The officers of the city shall be:

Mayor, one of the commissioners, to be elected by the legislative body;

Elective:

Commissioner of public affairs;
Commissioner of public property;
Commissioner of finance and accounting;
Commissioner of public safety;
Commissioner of public works;
Auditor;
Attorney;
Police judge;
Board of education.

Appointive:

Clerk;
Tax and license collector;
Assessor;
City engineer;
Health officer;
Chief of police;
Chief of the fire department;
Librarian.

SEC. 2. Every officer provided for in this charter shall, within fifteen days after receiving his certificate of election or appointment, qualify by giving the bond required by this charter, or by the ordinances of this city and by taking the following oath: "I do solemnly swear (or affirm, as the case may be) that I will support the constitution of the United States and the constitution and laws of the State of California, and the charter of the city of Long Beach, and I will faithfully discharge the duties of the office according to the best of my ability."

SEC. 3. *Salaries of officers.* The officers of this city, in this section named, shall receive, as full compensation for all services rendered by them, the following salaries, payable in equal monthly installments at the end of each calendar month:

Commissioner of public affairs, twenty-five hundred dollars per annum;
Commissioner of public property, twenty-five hundred dollars per annum;
Commissioner of finance and accounting, twenty-five hundred dollars per annum;
Commissioner of public safety, twenty-five hundred dollars per annum;
Commissioner of public works, twenty-five hundred dollars per annum; (one of above commissioners being mayor);
Auditor, eighteen hundred dollars per annum;
Attorney, three thousand dollars per annum;
Police judge, fifteen hundred dollars per annum.

SEC. 4. In all cases not otherwise provided for in this charter, the legislative body shall, by ordinance, fix the salaries and other compensation of officers and employees.

SEC. 5. *Bonds of officers.* All officers and employees of the city, before entering upon the discharge of their official duties, shall give and execute to the city such official bonds as may be required by general law, this charter, or the ordinances of the city.

SEC. 6. *Bonds—How fixed.* When the amount of bond is not fixed by law or by this charter, it shall be fixed by an ordinance of the legislative body.

SEC. 7. *Bonded officers.* The following named officers shall execute official bonds to the city with sureties, in the following sums:

Each of the five commissioners, one of whom shall be the mayor, in the sum of ten thousand dollars;
Auditor, in the sum of ten thousand dollars;
Clerk, in the sum of ten thousand dollars;
Tax and license collector, in the sum of fifty thousand dollars;
Assessor, in the sum of ten thousand dollars;
Treasurer, in the sum of fifty thousand dollars;
City engineer, in the sum of five thousand dollars;
Police judge, in the sum of five thousand dollars.

Such other and additional bonds may be required from time to time, as the legislative body may deem proper.

SEC. 8. *Kinds of bonds and sureties.* No city officer, deputy or employee shall be accepted as surety for any other city officer, deputy or employee on any official bond. Every such bond shall provide, by condition, that the principal will perform all official duties then, or which may thereafter be imposed upon or required of him by law, by ordinance or by this charter, and that at the expiration of his term of office, he will surrender to his successor all property, books, papers, and documents that may come into his possession as such. Such bonds must also be executed by two or more sureties who shall justify in the amount required for such bond; but when the amount of the bond is more than ten thousand dollars the sureties may become severally liable for portions thereof, not less than one thousand dollars. When there are more than two sureties, such sureties may justify in an amount which in the aggregate shall equal the amount of the bond. In giving such official bonds, the principal giving the same may furnish as one of the sureties, or as the sole surety thereon, any of the lawfully authorized surety companies described in sections ten hundred and fifty-six and ten hundred and fifty-seven of the Code of Civil Procedure of the State of California.

SEC. 9. Every surety upon an official bond, other than such lawfully authorized surety companies, must make affidavit which shall be endorsed upon such bonds, that he is a resident of the county of Los Angeles, that he is the owner of real estate therein over and above such as is legally free from execution or forced sale worth double the amount of his undertaking. All persons offered as sureties on official bonds may be examined on oath as to their qualifications by the aforesaid officers whose duty it is to approve such bonds.

ARTICLE IV.

ELECTIONS.

SECTION 1. Elections to be held in the city of Long Beach are of three kinds:

1. General municipal elections.
2. Second municipal elections.
3. Special elections.

SEC. 2. A general municipal election shall be held in said city on the second Tuesday in May, 1915, and on the second Tuesday in May every two years thereafter, for the election of municipal officers.

SEC. 3. Candidates for said offices shall be nominated as follows:

1. The name of a candidate shall be printed upon the ballot when a petition of nomination shall have been filed in his behalf, in the manner and form and under the conditions hereinafter set forth.

2. The petition of nomination shall contain not less than twenty-five, or more than thirty-five individual signatures, which shall read substantially as follows:

PETITION OF NOMINATION.

STATE OF CALIFORNIA, }
County of Los Angeles, } ss.
City of Long Beach. }

I, the undersigned, certify that I do hereby join in a petition for the nomination of----------, whose residence is at No.------ ------------ street, Long Beach, California, for the office of ----------------, to be voted for at the municipal election, to be held in the city of Long Beach, on the ------ day of ------------, 19----, and I further certify that I am a qualified elector and am not at this time a signer of any other petition nominating any other candidate for the above named office; and I further declare that I intend to support for such nomination the candidate named herein.

No. precinct	Signature	Residence	Date
1			
2			
3			
4			
5			
6			
to 35 inclusive.			

VERIFICATION DEPUTY'S AFFIDAVIT.

I, --------------------, solemnly swear (or affirm) that I have been duly appointed as a verification deputy to secure signatures in the city of Long Beach, county of Los Angeles, State of California, to the nomination paper of ---------- for the office of ----------; that all the signatures on this nomination paper, numbered from 1 to ----, inclusive, were made in my presence, and that to the best of my knowledge and belief each of said signatures is the genuine signature of the person whose name it purports to be.

Verification Deputy.

Subscribed and sworn to before me, this ------------ day of ----------, 19---.

Notary Public (or other officer).

This petition of nomination shall, if found insufficient, be returned to ----------, at No. ---- -------------- street, Long Beach, California.

3. It shall be the duty of the city clerk to furnish, upon application, a reasonable number of official forms of petitions of nomination of the above character.

4. Each petition of nomination must contain the name of one candidate, and no more. Each signer to the nominating petition must be a qualified elector, and must not at the time of signing have signed his name to the petition of any other candidate for the same office.

5. Verification deputies under this section, must be qualified electors of the city, and shall be appointed by the city clerk upon application in writing, signed by not less than five qualified electors of the city. The application shall set forth that the signers thereto desire to procure the necessary signatures of electors for the nomination of candidates for municipal offices at an election therein specified, and that the applicants desire the person or persons whose names and addresses are given appointed as verification deputies, who shall upon appointment secure the signatures of the signers of petitions of nomination; their appointments shall continue only until all of the petitions under this section shall have been filed with the city clerk. All verification deputies must, before their appointment, make and file with the city clerk, an oath as to their ages, places of residence, occupation, and that they are qualified electors of the city of Long Beach, California.

6. A petition of nomination may be presented to the city clerk not earlier than forty-five days nor later than thirty days before the election. The clerk shall endorse thereon the date upon which the petition was presented to him.

7. When a petition of nomination is presented to the city clerk for filing, he shall forthwith examine the same, and see whether it conforms to the provisions of this section. If found not to conform thereto, he shall then and there, in writing, designate on said petition the defect or omission or reason why such petition can not be filed, and shall return the petition at once. The petition may then be amended and presented to the clerk, as in the first instance.

8. Any signer to any petition of nomination may withdraw his name from same by filing with the city clerk a verified revocation of his signature before the filing of the petition by the clerk, and not otherwise. He shall then be at liberty to sign a petition for another candidate for the same office.

9. Any person whose name has been presented under this section as a candidate may, not later than twenty-five days before the date of election, cause his name to be withdrawn from nomination by filing with the city clerk a request therefor in writing, and no name so withdrawn shall be printed upon the ballot.

10. If either the original or the amended petition of nomination be found sufficiently signed as hereinbefore provided, the clerk shall file the same twenty-five days before the date of the election. When a petition of nomination shall have been filed by the clerk it shall not be withdrawn or added to and no signature shall be revoked thereafter.

11. The city clerk shall preserve in his office for a period of two years all petitions of nomination and all certificates belonging thereto filed under this section.

12. Immediately after such petitions are filed, the clerk shall enter the names of the candidates in a list with the offices to be filled, and shall, not later than twenty days before the election, certify such list as being the list of candidates nominated as required by the city of Long Beach, and the legislative body shall cause said certified list of names and the offices to be filled, designating whether for a full term or unexpired term, to be published in the proclamation calling the election, at least ten successive days before the election, in daily newspapers of general circulation published in the city of Long Beach. Said proclamation shall conform in all respects to the general state law governing the conduct of municipal elections, now or hereafter in force, except as herein required.

13. The city clerk shall cause the ballots to be printed and bound and numbered as provided for by state law, except as otherwise required in this charter. The ballots shall contain the list of names and the respective offices, as published in the proclamation, and shall be in substantially the following form:

GENERAL MUNICIPAL ELECTION, SECOND MUNICIPAL ELECTION, OR SPECIAL ELECTION.

CITY OF LONG BEACH.

(Insert date thereof.)

Instructions to voters: To vote, stamp a cross (X) opposite the name of the candidate for whom you desire to vote. All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void. If you wrongly mark, or tear, or deface this ballot, return it to the inspector of elections, and obtain another.

14. All ballots shall be precisely of the same size, quality, tint of paper, kind of type, and color of ink, so that without the number it would be impossible to distinguish one ballot from another, and the names of all the candidates printed upon the ballot shall be in type of the same size and style. A column may be provided on the right hand side for charter amendments or other questions to be voted upon at the municipal elections, as provided for under this article. The names of the candidates for each office shall be arranged by lot by the city clerk, and nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate.

15. The name of every candidate who has been duly and regularly nominated, and who has not withdrawn his name as herein provided, shall be printed upon the ballot.

16. The offices to be filled shall be arranged in separate columns in the following order:

A commissioner of public affairs, vote for one.
A commissioner of public property, vote for one.
A commissioner of finance and accounting, vote for one.
A commissioner of public safety, vote for one.
A commissioner of public works, vote for one.
An auditor, vote for one.
An attorney, vote for one.
A police judge, vote for one.

17. Half-inch square shall be provided at the right of the name of each candidate wherein to stamp the cross.

18. Half-inch spaces shall be left below the printed names of candidates for each office equal in number to the number to be voted for, wherein the voter may write the name of any person or persons for whom he may wish to vote.

19. The clerk shall cause to be printed sample ballots identical with the ballot to be used at the election and shall furnish copies of the same on application to registered voters at his office at least five days before the date fixed for such election, and shall mail one such ballot to each voter entitled to vote at such election, so that all of said sample ballots shall have been mailed at least three whole days before said election.

20. The candidate receiving the majority of all the votes cast for all the candidates for that office shall be declared elected.

21. If at any election, where as above provided, there be any office to which no person was elected, then, as to such office, the first election shall be deemed a primary election for the nomination of candidates, and a second municipal election shall be held to fill said office. The two candidates receiving the highest number of votes for the respective offices at such first election shall be the only candidates at such second municipal election; *provided*, that if there be any person who, under the provisions of this subdivision, would have been entitled to have become a candidate for any office except for the fact that some other candidate received an equal number of votes therefor, then all such persons receiving such equal number of votes shall likewise become candidates for such office. The candidate who shall receive the highest number of votes at such second municipal election shall be declared elected to such office.

22. The second municipal election, if necessary to be held, shall be held three weeks after the first election.

23. All the provisions and conditions above set forth as to the conduct of an election, so far as they may be applicable, shall govern the second municipal election, except that notice of the election be published twice in the official newspaper, *and provided*, also that the same precincts and polling places shall, if possible, be used.

24. If a person elected fails to qualify, the office shall be filled as if there were a vacancy in such office, as hereinafter provided.

25. No informalities in conducting municipal elections shall invalidate the same, if the election has been conducted fairly and in substantial conformity to the requirements of this charter.

SEC. 4. The provisions of the state law relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of elections, so far as they may be applicable, shall govern all municipal elections; *provided*, that the legislative body shall meet as a canvassing board and duly canvass the election returns within seven days after any municipal election.

SEC. 5. All officers provided to be elected by this article shall take office on the first Monday in July, next after their election, except the board of education. In the case of a special election to fill a vacancy the person elected shall, after qualifying, as herein provided, enter at once upon the discharge of the duties of the office to which he has been elected, and shall serve for the remainder of the term and until his successor shall have been elected and qualified.

SEC. 6. In the event of a vacancy in the legislative body a special election for the purpose of filling the same shall be ordered and held without delay. In the event of a vacancy in any other elective office the legislative body shall fill such vacancy until the next municipal election.

SEC. 7. The legislative body shall have the power to submit to the electors of said city, at any election, any question required to be so submitted by the constitution, the law, this charter, or by ordinance; *provided*, that in case such question is required by said constitution, law, charter, or ordinance to be submitted at a special or other particular kind of election, it shall be so submitted, and not otherwise.

SEC. 8. *Terms of officers.* At the first election after the adoption of this charter, the commissioner of public affairs, the commissioner of public property, and the commissioner of finance and accounting shall be elected for a term expiring the first Monday in July, 1917, and the commissioner of public safety, and the commissioner of public works, the auditor, the attorney, and the police judge shall be elected by the qualified electors of the city of Long Beach, for a term expiring the first Monday in July, 1919, and until their successors are elected and qualified, and thereafter said elective officers shall be elected for a term of four years; *provided, always*, that the tenure herein fixed shall be subject to right of recall as provided in this charter.

SEC. 9. *Qualifications.* Each commissioner must be at least twenty-five years of age, not in litigation against the city when elected, and must for four years next preceding the date of his election, have been a bona fide resident and qualified elector of the city of Long Beach or territory legally annexed thereto.

SEC. 10. *Duties of commissioners.*

1. *Commissioner of public affairs.* The commissioner of public affairs shall be superintendent of the department of public affairs, which shall include all charitable, correctional and reformatory institutions and agencies belonging to the city; the use of all recreational functions of the city, including all parks, play grounds, civic beautification and libraries; he shall have charge of the inspection and supervision of all public amusements and entertainments; he shall provide for the study of and the research into causes of poverty, delinquency, crime and disease, and other social problems in the community, and shall, by the means of lectures and exhibits, promote the education and understanding of the community in matters which affect the public welfare.

2. *Commissioner of public property.* The commissioner of public property shall be the superintendent of and have charge of the department of public property, which shall include water works, and other public utilities and properties that are not delegated to other departments.

3. *Commissioner of finance and accounting.* The commissioner of finance and accounting shall be superintendent of and have charge of the department of finance and accounting, city clerk and force, treasurer, assessor, taxes, licenses, rents, bond issues, special assessments, printing, city hall and city property, supplies generally.

4. *Commissioner of public safety.* The commissioner of public safety shall be superintendent of and have charge of the department of public safety, which shall include the police department, and city jail, the fire department, and buildings and property pertaining thereto, the health department and city hospitals, the collection and disposal of garbage and rubbish, and the sanitation and sewer regulations.

5. *Commissioner of public works.* The commissioner of public works shall be superintendent of and have charge of the department of public works, which shall include the opening, grading, paving, curbing, or otherwise improving, lighting, cleaning, repairing, and sprinkling the public streets, sewers, conduits, piers, docks and bridge construction, wharves and drainage, the city engineering department, building, lighting and heating departments, plumbing, gas, electrical, [illegible], and boiler inspectors and [illegible] of gas and electric meters; and in addition thereto shall perform such duties as are imposed by law on [illegible] superintendent or common council or board of public works, with reference to the improvement of streets.

SEC. 11. *The power to assign duties to other departments.* The legislative body shall have the power to assign duties not specifically named in this charter to any department to which said duties may properly belong.

SEC. 12. *Monthly reports of commissioners.* The commissioner superintending each of said departments shall fully, and in writing, report monthly to the legislative body the condition of his department, which reports shall be filed and preserved, and the legislative body may, at any time, request from any of the commissioners or officers of the city specific information on any municipal matter, and may require the presence of any officer or employee before the legislative body to answer such questions as may be put to him touching the matters pertaining to his office.

SEC. 13. *Office and business hours of commissioners.* Said commissioners shall have and hold their offices at the city hall or seat of city government; and every officer or employee of the city, provided for by this charter, shall devote his entire time to the duties of his or her office during regular working hours; and all city offices provided for by this charter shall remain open to the public for eight hours for each day of the year, Sundays and holidays excepted.

SEC. 14. *Officers elected by the legislative body.* The legislative body shall, at their first meeting, or as soon as practicable thereafter, elect by a majority vote, the following officers: Treasurer, tax and license collector, clerk, assessor, and a civil service commission, and may create such other offices and appoint such other officers and assistants as shall be provided for by ordinance, necessary to the proper and efficient conduct of the affairs of the city. The legislative body shall, by ordinance, fix and prescribe the salaries and duties of the several officers and employees created and appointed by them.

SEC. 15. *How nominated and elected.* The first officer in rank appointed in each department under this charter shall be nominated by the heads of each of the five departments, and confirmed by a majority vote of the legislative body. The legislative body may from time to time, by a majority vote, create or discontinue offices and municipal employments and prescribe and alter the compensation of any officer or employee of the city, except the elective officers. Each officer or employee of the city shall perform such duties as may be prescribed herein, or as may appertain to his office or employment, and in addition such duties as may be imposed upon him by the legislative body; each appointive officer or employee being subject to the general superintendence of the commissioner of his department. The legislative body may require any employee of the city to perform duties in the same civil service classification in any department.

SEC. 16. *How nominated and elected.* All officers to be appointed by the commissioners shall be selected in the following manner: The commissioner in whose department the duties of the officer are to be performed shall nominate him, and said nomination must be confirmed by the votes of at least three commissioners. Said appointees so elected by the commissioners shall hold office for a period of two years, and subject to removal at any time by a vote of four fifths of all the commissioners, except those under civil service.

SEC. 17. *May not hold office.* No person holding a salaried office under the United States government or the State of California, notaries public excepted, or any state or municipality, or any agent or employee of any public service corporation doing business in the city shall hold any position under this city.

SEC. 18. *No compensation except salary.* No officer or employee of the city shall receive for his services to the city any further compensation than specified in the salary attaching to his position. No person shall be permitted under any circumstances to draw more than one salary from the city for any and all services, and all fees collected shall be accounted for by the proper officer and turned over to the treasurer.

SEC. 19. *Commissioner can not accept newly created office.* No commissioner shall be appointed to any office created by the legislative body until the expiration of one year after his official connection with the city shall have been severed.

ARTICLE V.

EXECUTIVE.

SECTION 1. *Election of mayor.* At the first meeting of the commissioners they shall elect one member thereof as president of the legislative body, who shall be designated as the "Mayor of the city of Long Beach," and the said member so elected shall serve as such mayor for the term for which he was elected, and until his successor is so elected and qualified.

SEC. 2. *Duties of mayor.* The mayor shall preside at all sessions of the legislative body, and shall act as spokesman of the body; he shall have charge of all civic functions, and perform the social duties usually appertaining to the position of mayor.

SEC. 3. *Executive duties of mayor.* He shall, in behalf of the city, sign all contracts and other documents of every kind and nature to which the city is a party, except as is otherwise provided in this charter, and shall perform such other ministerial functions as the legislative body may from time to time direct. In addition to other duties imposed upon him by the state and municipal laws and the legislative body, he shall approve all bonds of officers, except the bonds of the five commissioners, which shall be approved by the city attorney.

SEC. 4. *Quorum.* Three of the commissioners shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time, or may compel the attendance of other members in such manner and under such penalties as the legislative body may prescribe, and shall hold public meetings at least once a week, for the transaction of business, and no legislation shall be enacted except at public meetings.

SEC. 5. *Mayor pro tempore.* The legislative body shall have the power to elect one of their number to act as president during the absence or inability of the mayor to act, who shall exercise all the powers of the mayor.

ARTICLE VI.

JUDICIAL.

SECTION 1. There is hereby created and established in and for the city of Long Beach a police court, which is hereby vested with the judicial powers of the city.

SEC. 2. The police court shall be presided over by the police judge, who shall be elected by the qualified electors of the city, and shall serve for a term of four years and until his successor is elected and qualified.

SEC. 3. The police judge shall be a bona fide resident and qualified elector of the city of Long Beach for the four years next preceding the date of his election.

SEC. 4. The said police judge shall have jurisdiction of the following offenses committed within the corporate limits of the city:

1. Petit larceny.

2. Assault or battery not charged to have been committed upon a public officer in the discharge of his duties or to have been committed with such intent as to render the offense a felony.

3. Breaches of peace, riots, affrays, committing a willful injury to property, and all misdemeanors punishable by a fine not exceeding five hundred dollars or imprisonment not exceeding six months, or both such fine and imprisonment.

The said police court shall have exclusive jurisdiction:

1. Of all proceedings for the violation of any ordinance of the city, both civil and criminal.

2. Of any action for the collection of taxes or assessments levied for any city purpose, when the amount of the tax or assessment sought to be collected of the person assessed is less than three hundred dollars; but no lien upon the property

taxed or assessed for the non-payment of the taxes or assessment can be foreclosed in such action.

3. Of any action for the collection of any money payable to the city or from the city to any person when the amount sought to be collected, exclusive of the interests and costs, is less than three hundred dollars.

4. For the breach of any official bond given by any city officer, or for the breach of any contract and any action for damages in which the city is a party, and upon all forfeited recognizances given to or for the benefit or in behalf of the city, upon all bonds given upon any appeal taken from the judgment of the court in any of the cases above named, where the amount claimed, exclusive of costs, is less than three hundred dollars.

5. For the recovery of personal property belonging to the city, when the value of the property, exclusive of damages for the taking or detention, is less than three hundred dollars.

SEC. 5. In the exercise of his jurisdiction the police judge may punish persons guilty of contempt of court and may issue warrants of arrest, subpoenas, venires, executions and all other processes necessary and proper, and may administer oaths.

SEC. 6. In all cases in which the police judge is interested or in which he is related to a party to the action or proceeding, either by consanguinity or affinity within the third degree, and in case of his absence, sickness, or inability to act, any justice of the peace of Los Angeles county may, at the written request of the police judge, act in his stead.

SEC. 7. The police judge shall keep a record of the proceedings of the police court in all matters and cases before said court, and shall pay weekly into the city treasury all fines and other moneys received by him belonging to the city. He shall, on or before the tenth day of each and every month, file with the auditor, an exact and detailed account in writing, under oath, of all fines imposed and collected, and of all fines imposed and not collected, and of all other moneys collected by him for or on behalf of the city.

SEC. 8. The city shall furnish suitable quarters for said police court, and the necessary supplies therefor.

SEC. 9. All fees received or collected by said court shall be the property of the city.

SEC. 10. The rules of practice and modes of procedure in the police court shall be the same as are or may be prescribed by general law for justice courts, in like cases, and appeals may be taken to the superior court of the county from all judgments of said police court in like manner, and with like effect as in cases of appeals from justice courts.

ARTICLE VII.

LEGAL.

SECTION 1. The legal department of the city of Long Beach shall consist of the city attorney, one assistant city attorney, a stenographer, and such deputies, clerks and other employees as may from time to time be authorized by the legislative body of said city.

SEC. 2. The city attorney shall be a bona fide resident and a qualified elector of the city of Long Beach for at least two years next preceding the day of his election. He shall be elected by the qualified electors of the city and shall hold office for four years and until his successor has been elected and qualified. The city attorney must be qualified to practice in all the courts of the state, and must have been so qualified for at least five years next preceding his election.

SEC. 3. The city attorney shall prosecute, on behalf of the people, all criminal cases arising from violation of the ordinances of the city; shall attend to all suits, matters and proceedings in which the city may legally be interested; and shall defend all suits for damages instituted against officers and employees and former officers and employees for acts performed by them in the furtherance of their duty while in the employ of said city; provided, that the legislative body shall have control of all litigation of the city, and may employ other attorneys to assist the city attorney therein.

SEC. 4. The city attorney shall be in attendance at every regular meeting of the legislative body, and shall give his advice or opinion in writing, whenever so required to do by the legislative body or any of the commissioners or officers of the city.

SEC. 5. The city attorney shall approve the form of all bonds given to the city, and all contracts before the same are entered into on behalf of the city, and shall endorse his approval thereon in writing. He shall, whenever required by the legislative body, or any member thereof, draft any or all the proposed ordinances for the city or amendments thereto, and shall do and perform all such things touching his office as the legislative body may require of him.

SEC. 6. The city attorney shall keep on file in his office copies of all written communications and opinions given by him to any commissioner, officer or department; copies of all papers and briefs used by him in cases wherein he appears, and books of record and registry of all actions or proceedings in his charge in which the city or any officer thereof is a party or interested, and on vacating his office shall surrender all such books, files and documents pertaining to the city's business to his successor.

SEC. 7. The city attorney shall appoint an assistant city attorney, and a stenographer, and such other deputies, clerks and other employees as the legislative body shall prescribe; *provided*, that the assistant city attorney must, at the time of his appointment, have been a resident of the city of Long Beach and a qualified elector thereof for at least two years next preceding his appointment, and must have been for said period of two years next preceding his appointment qualified to practice in all the courts of the state.

SEC. 8. The assistant city attorney, the stenographer, and such other deputies, clerks and employees shall receive such compensation for their services as may be prescribed and authorized by ordinance by the legislative body.

ARTICLE VIII.

AUDITOR.

SECTION 1. The auditor shall appoint a chief deputy, and such other deputies and clerks as the legislative body may by ordinance provide.

SEC. 2. It shall be the duty of the city auditor to audit all demands made upon the city and to issue warrants upon the treasurer for the payment of all demands as provided herein.

SEC. 3. He shall be constantly acquainted with the exact condition of the treasury, and shall apportion among the several funds all money not by law or ordinance specifically apportioned or appropriated, and forthwith notify the treasurer of such apportionment or appropriation.

SEC. 4. He shall keep a record of all business transacted in his office, and said record shall be open for inspection during office hours.

SEC. 5. He shall make a report to the legislative body, on or before the tenth day of every month, of all moneys paid to the city treasurer and funds to which said moneys have been apportioned and the amount of the warrants ordered paid from each fund during the preceding month.

SEC. 6. All money due and payable to the city shall be paid to the treasurer on order of the auditor, designating the fund in which said money shall be deposited.

SEC. 7. Money shall be drawn from the treasury only upon warrants issued by the auditor as herein authorized. Every demand against the city, from whatever source, and every demand against the public library fund must first be endorsed by the head of the department in which such demand originated, and shall be signed by the commissioner of finance and accounting, on order of the legislative body, before being presented to the auditor.

SEC. 8. If the auditor, upon examination, believes that any demand is not a proper claim against the city, he shall immediately return said demand to the legislative body, with his objections endorsed thereon. Said demand shall again be considered by the legislative body, and if it shall again be approved by them and endorsed as required by this charter, the said objections of the auditor shall be thereby overruled. Any demand upon which the objections of the auditor has been overruled by the legislative body shall be again returned to the auditor, who shall issue a warrant upon the treasurer for the same, in like manner as if it had been approved by him. If the demand is allowed, in whole or in part, he shall number the demand and endorse upon it the word "allowed" and the date of such allowance and sign his name thereto, and shall issue a warrant upon the treasurer for the amount allowed, number the warrant the same as the demand, and file the demand in his office. No demand shall be approved, allowed or ordered paid unless it specify each item and the date thereof.

SEC. 9. It shall be the duty of the auditor, within the time provided by ordinance, to compute the tax rate for the various sections of the city and submit the same to the legislative body.

SEC. 10. The auditor shall demand of every officer a report to him, on or before the fifth day of every month, of all moneys belonging to or for the use of the city, collected by said officer during the preceding month, and shall cause the same to be immediately deposited in the city treasury, as required by this charter.

SEC. 11. He shall perform such other duties as may be required of him by ordinance or by this charter.

ARTICLE IX.

CIVIL SERVICE.

SECTION 1. The legislative body, at their first meeting, or within ten days thereafter, shall appoint three electors of the city as civil service commissioners, who shall have been bona fide residents and qualified electors of the city of Long Beach for at least four years next preceding such appointment; one of said commissioners to serve for two years, one for four years and one for six years, or until their successors have been appointed and have qualified. Said civil service commissioners shall not hold any other public office.

SEC. 2. *Removal, equipment, officers.* The legislative body may remove any of said civil service commissioners during their term of office for cause, four commissioners of the legislative body voting in favor of such removal and shall fill any vacancy that may occur in said civil service commission for the unexpired term. The legislative body shall provide suitable accommodations and equipment to enable the civil service commission to properly attend to its business. Said civil service commission shall elect a president, a vice president, and clerk. Said clerk shall keep a record of all its meetings and of the work of said board, and shall perform such other services as the civil service commission may require.

SEC. 3. *Salaries.* The salaries of the civil service commission and said clerk, or other employees shall be determined by the legislative body, and a sufficient sum shall be appropriated each year to carry out the civil service provisions of this charter.

SEC. 4. *Classification.* Said civil service commission shall classify all the offices and places of employment, except as hereinafter provided. The offices and places so classified by the civil service commission shall constitute the classified civil service of said city, and no appointment to any such offices or places shall be made except under and according to the rules hereinafter mentioned.

SEC. 5. *Rules.* Said civil service commission shall make rules, subject to the confirmation of the legislative body, to carry out the purposes of this article and for the examinations and appointments in accordance with its provisions, and the civil service commission may, from time to time, make changes, subject to the confirmation of the legislative body, in such rules.

SEC. 6. *Publication of rules.* All rules made as hereinbefore provided, and all changes therein shall be printed for distribution by said civil service commission. The said civil service commission shall give notice by one publication in the official newspaper of the city, the place or places where said rules may be obtained, and in such publication shall be specified the date, not less than thirty days subsequent to the date of such publication, when said rules shall go into operation.

SEC. 7. *Examinations.* All applicants for offices, places or employments in said classified civil service, shall be subject to examination, which shall be public, competitive and free to all citizens of the United States, with specified limitations as to residence, age, sex, health, habits and moral character. Such examinations shall be practical in their character, and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the position to which they seek to be appointed. No question in any examination shall relate to political or religious opinions or affiliations. The civil service commission shall control all examinations, and may, whenever an examination is to take place, obtain the assistance of a suitable person or number of persons to aid in the preparing for and conducting such examinations.

SEC. 8. *Notice.* Notice of time, place and general scope of every examination shall be given by the civil service commission by publication once a week for two weeks preceding such examination in the official newspaper, and such notice shall also be posted by said commission in a conspicuous place at the city hall, and in its office two weeks before such examination.

SEC. 9. *Registration.* From the examinations made by the civil service commission it shall prepare a register for each grade or class of positions in the classified civil service, of the persons whose general average standing upon examination for such grade or class is not less than the minimum fixed by the rules of said civil service commission, and who are otherwise eligible, and such persons shall take rank upon the register as candidates in the order of their relative excellence as determined by their examinations, without reference to priority of the date of examination.

SEC. 10. *Promotions.* The civil service commission shall by its rules provide for the promotion in such classified civil service on the basis of ascertained merit and seniority in service and examination, and shall provide in all cases where it is practicable, that vacancies shall be filled by promotion. All examinations for promotion shall be competitive among such members of the next lower rank as desire to submit themselves to such examination, and it shall be the duty of the civil service commission to submit to the appointing power the names of not more than three applicants for each promotion having the highest rating. The method of examination and the rules governing the same, and the method of certifying, shall be the same as provided for applicants for original appointment.

SEC. 11. *Exceptions to promotion.* Any civil service employee who is injured in the service of the city while actually engaged in the discharge of the duties of his position may, in the discretion of the civil service commissioners, be assigned to a position other than that for which he has been examined, and with or without examination. Said civil service commission, upon assigning such person so injured to such new position, shall place his name at the head of the eligible list, and he shall thereafter be first certified for such position. The civil service commissioners, shall not place such person so injured as aforesaid at the head of any eligible list without carefully examining the facts of each case, and making its finding that such person is not incompetent, by reason of physical or other disability, to fill the same. Nothing in this provision shall be construed as compelling said civil service commission to take the action herein provided for unless the person injured is, in the judgment of said civil service commission of good moral character and worthy of receiving the benefits hereof.

SEC. 12. *Requisitions.* The head of the department in which a position, classified under this article, is to be filled, shall notify said civil service commission of that fact, and said civil service commission shall certify to such officer the name and address of one or more candidates not to exceed five standing highest on the register for the class or grade to which said position belongs. In making such certification, sex shall be disregarded, except when some statute, the rules of said civil service commission, or the appointing power specify sex. Said appointing officer or department shall notify said civil service commission of each position to be filled separately, and shall fill such place from the names certified to him or it by said commission thereof. The candidate thus appointed shall be employed on probation for a period of six months. Each candidate, unless he shall be sooner appointed, or otherwise lawfully cease to be a candidate, shall be certified for appointment in the grade or class for which he is eligible not less than three times, and no candidate shall lose his place on the register by certification or rejection, except that said civil service commission may strike off names of candidates from the register after they have remained thereon more than two years. At or before the expiration of the period of probation, the head of the department or office in which the candidate is employed, may discharge him upon assigning in writing the reasons therefor to said civil service commission. If he is not thus discharged during the period of probation, his appointment shall be deemed complete. To prevent the stoppage of public business, or to meet extraordinary exigencies, the head of any department or any officer or board may, under such regulations as the civil service commission may by its rules prescribe, make temporary appointments in the classified civil service, to remain in force not exceeding sixty days, and only until regular appointment, under the provisions of this article, can be made.

SEC. 13. *Departments under civil service.* The following departments of the city are placed under civil service:

Police department;
Fire department;
Health department;
City clerk department, except the city clerk and chief deputy.

SEC. 14. *Reports.* Immediate notice in writing shall be given by the appointing powers, to said civil service commission of all appointments, permanent or temporary, made in such classified civil service, and of all transfers, promotions, resignations, or vacancies from any cause in such service, and of the date thereof, and a record of the same shall be kept by said civil service commission. When any office or place of employment is created or abolished or the compensation attached thereto altered, the officer or board making such change shall immediately report in writing to said civil service commission.

SEC. 15. *Investigations.* The civil service commission shall investigate the enforcement of this article and its rules, and the conduct and action of the appointees in the classified civil service in this city.

SEC. 16. *Annual and special reports.* Said civil service commission shall make a full report to the legislative body, on or before the fifth day of July in each year for the preceding fiscal year. The legislative body may require a special report from said civil service commission at any time.

SEC. 17. *Officers inhibited.* No officer or other person shall wilfully or corruptly, by himself or in cooperation with one or more other persons, defeat, deceive, or obstruct any person in respect to his or her right of examination, or corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder, or aid in so doing, or wilfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, or to be examined, of being employed, appointed or promoted.

SEC. 18. *Applicants inhibited.* No applicant for appointment in said classified civil service, either directly or indirectly, shall pay or promise to pay any money or other valuable thing to any person whatever for or on account of his appointment, or proposed appointment, and no other officer or employee shall pay or promise to pay, either directly or indirectly, any money or other valuable thing whatever for or on account of his promotion.

SEC. 19. *Auditing and accounting officers enjoined.* The auditor shall not, nor shall any auditing or accounting officer of the city, approve any demand for the salary or wages of any person subject to the provisions of this article, for services as an officer or employee of such city, before the appointment of such person to the classified civil service has been certified, nor after the civil service commission shall have certified to the auditor a finding made or approved by it under the provisions of this article, that such person be discharged from the classified civil service.

SEC. 20. *Tenure of officers and employees in present employments.* All officers and employees who, at the time of taking effect of this article, would be included in the classified civil service, and who shall have been continuously in the service of the city for a period of six months prior to the adoption of this article, shall be deemed to have the necessary qualifications required by the provisions hereof, and shall retain their respective positions until removed for cause, as provided herein. All officers and employees who, at the time of taking effect of this article, would be included in the classified civil service but who have been in the service of the city for a period of less than six months, shall, during the period of six months from and after the taking effect of this article, be deemed to be serving under probation, and be subject to the same regulations as other candidates serving under probation, as hereinbefore provided in this article.

SEC. 21. *Penalties for violation.* The legislative body shall have power to pass ordinances imposing suitable penalties for the punishment of persons violating any of the provisions of this article.

SEC. 22. *Qualifications.* No person shall be admitted to examination who would be ineligible to appointment. The applications shall be made under oath in such form and manner as the civil service commission may prescribe. Examination papers shall be rated on a scale of one hundred, and the subjects therein shall be given such relative weight as the civil service commission may prescribe. Each competitor shall be duly notified of his rating.

SEC. 23. *Removal.* Any officer or employee of the city under civil service may be removed for cause, in the following manner. If a complaint, in writing, is filed with the civil service commission, the said commission, upon the request of the accused, shall grant to such person a public hearing. If the civil service commission finds that the evidence presented at such public hearing is sufficient the accused shall be forthwith removed from his office. If the said commission finds the evidence presented at such public hearing is insufficient, it shall cause his retention in office or employment. The civil service commission shall have power to suspend, without pay, pending a public hearing, any officer or employee against whom charges have been preferred; *provided,* that if the accused is not dismissed from office or employment he shall receive pay for the time of his suspension.

ARTICLE X.

LEGISLATIVE.

SECTION 1. The legislative powers of the city shall be vested in its five commissioners.

SEC. 2. Ordinances and resolutions are the formal acts of the legislative body reduced to writing and passed under legal restrictions governing action thereon. Orders embrace all other acts which, being less formal in character, require only to be passed by the legislative body and spread upon the minutes. No ordinance shall be placed upon its final passage upon the same day that it has been introduced and read in full for the first time, and neither ordinance nor resolution shall be of full force and effect unless it shall have received the affirmative vote of three members of the legislative body.

SEC. 3. The enacting clause of all ordinances shall be: "The Legislative Body of the City of Long Beach ordains as follows":

SEC. 4. All ordinances, resolutions, and all official notices authorized by the legislative body under this charter shall be published at least once in the official newspaper of the city, or, at the option of the legislative body, may be posted in three conspicuous places in the city.

SEC. 5. The legislative body shall have power:

1. To fix the time and place of its meetings, to compel the attendance before it of witnesses and the production of papers in any matter under investigation, to judge of the qualification and election of its own members, and to punish any member or other city officer by fine of not exceeding fifty dollars, for disorderly or contemptuous behavior in its presence.

2. To make and pass all ordinances, resolutions and orders not repugnant to the constitution of the United States, or of the State of California, or to the provisions of this charter, necessary for the municipal government and the management of the affairs of the city, for the execution of the powers vested in the city, and for carrying into effect the provisions of this charter.

3. To provide for the lighting of the streets and public buildings and places of the city, and to regulate such lighting.

4. To regulate the use and sale of gas, electric and other light in the city, to fix and determine the price thereof, as well as the rental price of all electric and gas meters, within the city, and to provide for the inspection of such meters.

5. To regulate telephone service and the use of telephones and to fix and determine the charges for telephones, telephone service and connections within the city.

6. To cause the removal and placing underground of all telephone, telegraph, electric light, or other wires within the city or within any designated portion thereof, and to regulate and prohibit the placing of poles and the suspending of wires along or across any of the streets, alleys, and public places of the city.

7. To establish, license and regulate markets and market houses.

8. To provide for and regulate the inspection by the health officer of meats, poultry, fish, game, bread, butter, cheese, lard, eggs, vegetables, flour, meal, milk and other food products offered for sale in this city, and to provide for the taking and summarily destroying of any such products as are unsound, spoiled, adulterated, or unwholesome, and to regulate and prevent the bringing into the city or having or keeping within the city of such unsound, adulterated or unwholesome products.

9. To provide for the inspection of and to regulate the sale of bread within the city, and to prescribe the weight of the loaf and to provide for the seizure and forfeiture of bread offered for sale which does not comply with such regulations.

10. To provide for and regulate the manner of weighing hay, straw, and coal, and any other commodity and the selling of the same, and the measuring and selling of fire wood within the limits of the city.

11. To provide for the inspection and sealing of all weights and measures used in the city, and to enforce the keeping and use by dealers of proper weights and measures duly tested and sealed.

12. To regulate the construction of and the material used in all buildings, chimneys, stacks and other structures; to prevent the erection and maintenance of insecure or unsafe buildings, walls, chimneys, stacks or other structures, and to provide for their summary abatement or destruction; to prescribe the depth of cellars and basements, the materials used in and the method of construction of foundation and foundation walls, the manner of construction and location of drains and sewers, the materials used in and the thickness and construction of party walls, partitions and outside walls, the thickness and construction of chimneys, the construction and character of bathrooms, water closets, privies and vaults, the manner and materials used in wiring buildings or other structures for the use of electricity for lighting, power or other purposes, and the manner and materials used for piping buildings or other structures for the purpose of supplying the same with water and gas; to prohibit the construction of buildings and structures which do not conform to such regulations.

13. To require the owners and lessees of buildings and other structures to place upon or in them fire escapes and appliances for protection against and the extinguishment of fire.

14. To prevent the construction and to cause the removal of dangerous chimneys, fire places, hearths, stoves, stove pipes, ovens, boilers, apparatus and machinery used in any building in the city; to regulate the carrying on of manufactories liable to cause fire; to prevent the depositing of ashes or the accumulation of shavings, rubbish or any combustible material, in unsafe places, and to make other provisions to guard against fire.

15. To prescribe the fire limits and determine the character and height of buildings that may be erected therein, and the nature of the material to be used in the construction, alteration or repair of such buildings, or in the repair or alteration of existing buildings within said fire limits.

16. To regulate the entrance to and exit from all theatres, lecture rooms, public halls, school houses, churches, and public buildings of every kind, and to prevent the placing of seats, chairs, benches or other obstructions in the halls, aisles or other open places therein.

17. To regulate or prohibit the operation of blasts and blasting and the construction and operation of derricks, windlasses or other structures, apparatus and operations hazardous to life and property, and to regulate the operation and provide for the inspection of freight and passenger elevators, boilers, engines, dynamos and other apparatus generating steam, electricity or other power.

18. To define nuisances, and to prevent, remove and abate the same, and to provide that said nuisances may be removed or abated at the expense of the party or parties creating, causing, committing or maintaining such nuisances, and to prohibit offensive or unwholesome businesses or establishments within the city.

19. To regulate lodging, tenement and apartment houses, and to prevent the overcrowding of the same, and to require the same to be put and kept in proper sanitary condition.

20. To provide for the inspection and regulation of all dairies within the city limits, and to provide for the inspection and regulation of all dairies outside the city limits that offer for sale or sell any of their products within the city.

21. To provide for the naming of the streets and the numbering of houses, and to regulate or prohibit the exhibition of banners, flags, placards, or signs across the streets, sidewalks, or other public places of the city.

22. To prohibit the making up of railroad trains upon any of the streets, street crossings or street intersections of the city; to establish stands for hacks, public carriages, express wagons and other public vehicles for hire, and regulate the charges for the use of such hacks, public carriages, express wagons and other public vehicles, and require schedules for such charges to be posted in or upon such public vehicles.

23. To regulate street railways, their tracks and cars; to compel the owners of two or more of such roads using the same street, for any distance not exceeding five blocks, to use the same tracks and to equitably divide the cost of construction and the cost of maintenance thereof between them.

24. To prohibit the injury of or interference with the ornamental trees and shrubbery in the streets and public places of the city, and to prescribe the punishment for such injury and interference.

25. To grant the right to erect or lay telegraph or telephone wires, or lay conduits for transmitting electrical energy for lighting or power purposes along or upon the public streets or highways of the city; *provided, however*, that all such rights and franchises shall be granted subject to the restrictions and limitations in this charter contained relating to the granting of franchises.

26. To make arrangements for the care, feeding and clothing of all persons in prison by municipal authority or sentenced to imprisonment by the police court, and to provide that all such persons shall work upon the streets, or do other public work.

27. To restrain or punish vagrants, mendicants, street beggars and lewd persons, and prevent diseased, maimed, injured or unfortunate persons from displaying their infirmities for the purpose of receiving alms, and to prevent and punish drunkenness and all obnoxious, offensive, immoral, indecent and disorderly conduct and practices in the city.

28. To make all regulations which may be necessary and expedient for the preservation of health and the suppression of diseases; to make regulations to prevent the introduction of contagious, infectious or other diseases into the city; to make quarantine laws and regulations and to enforce the same within the city; to regulate, control and prevent the entry into the city of persons, baggage, merchandise, or other property infected with contagious diseases.

29. To provide for the sale of personal property belonging to the city which is not needed by or which is not suited for the use of the city.

30. To prohibit and punish cruelty to animals and fowls, and to require the places where they are kept to be maintained in a healthful condition.

31. To set apart and dedicate as a boulevard or boulevards any street or streets or portions of a street or streets in the city.

32. To adopt and enforce, by ordinance, all such measures and to establish all such regulations, in case no express provision is in this charter made, as the legislative body may from time to time deem expedient and necessary for the promotion and protection of the health, comfort, safety, life, welfare and property of the inhabitants of the city, the preservation of peace and good order, the promotion of public morals, and the suppression of vice in the city.

33. To pass ordinances upon any other subject of municipal control or to carry into force or effect any other powers of the municipality.

34. To adopt by ordinance at any time any provision made by the general law of the State of California for the levy and collection or either of them, of city taxes by and through the officers of the county.

35. Whenever the legislative body shall determine that the public interest requires the construction, acquisition, completion or repair of any improvement or utility, the cost of which, in addition to the other expenditures of the city, will exceed the income and revenue provided for in any one year, they may, by ordinance, submit a proposition to incur a bonded indebtedness for such purposes and proceed thereon as provided in section 18, of article XI of the constitution of this state and the general law or laws thereof; *provided*, that such indebtedness shall not bear more than five per cent interest per annum and that no bonds issued therefor shall be sold for less than par, nor to any other than to the highest bidder, after advertising for sealed proposals therefor; *and provided*, that several propositions for the issue of bonds may be submitted at one special or general municipal election.

36. The legislative body shall keep a record of all its proceedings, showing the aye and nay vote in all matters acted upon by said body, and said records shall be open to the public at the office of the city clerk during regular business hours.

ARTICLE XI.

POLICE.

SECTION 1. The police department of the city of Long Beach shall be under the commissioner of public safety.

SEC. 2. *Appointments.* The appointment of officers and members of the police department shall be made by the commissioner of public safety, under such civil service regulations as may be in effect.

SEC. 3. *Officers.* The police department shall consist of the chief of police and as many subordinate officers and regular patrolmen as the legislative body, by ordinance, may from time to time determine.

SEC. 4. *Qualifications.* No policeman shall be eligible for appointment who is not a bona fide resident and a qualified elector of the city of Long Beach for at least two years prior to his appointment.

SEC. 5. *Chief of Police—Qualifications, salary, duties, powers and bond.* The chief of police shall be appointed by the commissioner of public safety subject to civil service regulations; he shall be the chief police officer of the city; he shall be a bona fide resident and qualified elector of the city of Long Beach for at least four years preceding the date of his appointment, and shall be at least twenty-five years of age. He shall receive for his services such compensation as may be fixed by ordinance by the legislative body.

1st. It shall be his duty to arrest without warrant all violators of the public peace and all who obstruct or interfere with him in the execution of the duties of his office or who shall be guilty of any disorderly conduct or disturbance whatever in his presence or upon complaint of any citizen. To prevent a breach of the peace, or to preserve quiet and good order, he shall have authority to close any theatre, pool hall, or any other place or building of public resort, and in the prosecution and suppression of crime and the arrest of offenders he shall have, possess and exercise like powers, authority and jurisdiction as the sheriff of the county, under the laws of the state.

2nd. He shall perform such other duties and possess such other powers, rights and authority as the commissioner of public safety may designate, or that the legislative body may by ordinance require or confer.

3rd. He shall have the right to suspend any police officer of the police department for ten days, without pay, for any insubordination or conduct unbecoming an officer, and upon the request of the officer so suspended shall report the same in writing to the commissioner of public safety.

SEC. 6. The commissioner of public safety shall have power:

1. To suspend or remove for cause any person from the police force, subject to civil service regulations, and shall reduce said force whenever so directed by the legislative body; prescribe rules and regulations for the government of the force, and fix and enforce penalties for their violation.

2. To prescribe the qualifications, duties, badges of office, and uniforms of the officers, members, and employees of said department.

3. To appoint special policemen, who shall be under the supervision and control of the chief of police, and to remove same at pleasure: *provided, however*, that the compensation of said policemen shall not be a charge against the city unless appointed by authority of the legislative body.

SEC. 7. The commissioner of public safety shall have the custody and control of all the property and equipment belonging to or hereafter acquired by the police department.

SEC. 8. The commissioner of public safety shall prescribe the necessary rules and regulations to carry into execution all powers vested in him by this charter or by any ordinance of the legislative body, passed pursuant thereto, or by the constitution and laws of this state.

ARTICLE XII.

FIRE DEPARTMENT.

SECTION 1. The fire department of the city of Long Beach shall be under the control of the commissioner of public safety.

SEC. 2. The appointment of officers and members of the fire department shall be made by the commissioner of public safety, subject to such civil service regulations as may be in effect.

SEC. 3. The fire department shall consist of a fire chief and such other officers and employees as the legislative body may by ordinance determine.

SEC. 4. *Qualifications.* No fireman shall be eligible for appointment who is not a bona fide resident and a qualified elector of the city of Long Beach for at least two years prior to his appointment.

SEC. 5. *Chief of the fire department.* The chief of the fire department shall be appointed by the commissioner of public safety, under such civil service regulations as may be in effect; he shall be a bona fide resident and qualified elector of the city of Long Beach for at least four years preceding the date of his appointment, and shall be at least twenty-five years of age. He shall receive for his services such compensation as may be fixed by ordinance by the legislative body.

1st. He shall perform such duties and possess such powers, rights and authority as the commissioner of public safety may designate, or that the legislative body may by ordinance require or confer.

2nd. He shall have the right to suspend any officer or employee of the department for ten days, without pay, for any insubordination or conduct unbecoming an officer, and upon the request of the officer so suspended shall report the same in writing to the commissioner of public safety.

SEC. 6. The commissioner of public safety shall have power:

1st. To prescribe the qualifications, duties, badges of office and uniforms of officers, members and employees of said department.

2nd. To make rules and regulations to carry into execution all powers vested in said commissioner of public safety by this charter, or by any ordinance of the legislative body passed pursuant thereto, or by the constitution or the laws of this state.

SEC. 7. The commissioner of public safety shall have the custody and control of the houses, engines, hose carts, trucks, ladders, horses, stables, and all other property and equipment now belonging to or hereafter used by or belonging to the fire department.

SEC. 8. The commissioner of public safety shall report to the legislative body the necessity for additional apparatus, material and supplies, and for alterations and repairs required, but the action of the commissioner of public safety with respect to the necessity of these matters, shall be advisory only to the legislative body, and no increase in the same shall be made until authorized by the legislative body.

SEC. 9. The commissioner of public safety shall have power to make repairs upon engines and other property under his control when the cost thereof does not exceed the sum of three hundred dollars.

ARTICLE XIII.

HEALTH AND SANITATION.

SECTION 1. There shall be a department of public health and sanitation under the administration and control of the commissioner of public safety.

1. The commissioner of public safety and said health department shall have supervision of all matters pertaining to the sanitary conditions of the city and the health of its inhabitants; and full power is hereby given said commissioner of public safety and said department to supervise, control and regulate, among other things:

1. Defective drainage and sewage disposal.
2. Nuisances of every description.

3. The care, preparation, transportation and sale of all articles of food or drink, or anything used for human consumption; and to fix and prescribe: Quarantine and other regulations framed to prevent the spread of infectious, communicable or contagious diseases dangerous to the public health, including the establishment and maintenance of an isolation hospital, and the removal thereto of any person in the city affected with an infectious, communicable or contagious disease which it shall be impossible to be quarantined and isolate in the dwelling of such person so as to safeguard the public health and protecting the places where a case of disease suspected to be infectious, communicable, contagious or dangerous to the public health is reported to the health department, to visit the premises where such case is reported as being and examine the condition of such patient; to administer, control and regulate the relief of the indigent sick and wounded in the city, including the establishment and maintenance of a free dispensary and emergency hospitals.

4. To regulate or prohibit the location and place of killing and dressing any animal, fowl, bird or fish, not already regulated or prohibited by general law. And to compel the owners or occupants of property to keep the same free from anything obnoxious, filthy or dangerous to the public health.

SEC. 2. The principal officer and executive of said department shall be the health officer, who shall be nominated by the commissioner of public safety and appointed subject to such civil service regulations as may be in effect. Said health officer shall be a graduate of a reputable medical college licensed to practice in the State of California, and shall have practiced medicine and been a bona fide resident and qualified elector of the city for at least four years next preceding the date of his appointment, and shall hold office at the will of the legislative body, under the civil service regulations of the city. He shall have authority, under the commissioner of public safety, over all employees and officers of the health department.

SEC. 3. The subordinate officers of the department shall be: a sanitary inspector, a city bacteriologist, who shall be a graduate of a recognized university and of at least five years' experience in analytical chemistry; a milk and dairy inspector, who shall be veterinary surgeon, qualified by law to practice in this state, and of at least five years' experience practice; and such inspectors and assistants as the legislative body may deem necessary. The legislative body may, by ordinance, provide for such other subordinate officers and assistants as may be necessary, but the health officer may himself perform the duties of one or more subordinate offices, and may assign to one individual the duties of two or more such offices.

SEC. 4. The health officer, with the approval of the commissioner of public safety, shall prescribe rules, regulations and requirements not in conflict with this charter, the ordinances of the city or the general law, for the conduct of the business of the department, the preservation of public health, and the maintenance of proper sanitary conditions within the city, including such forms and regulations for the government of physicians, undertakers, and the administrators of cemeteries as shall be designed to preserve reliable vital and mortality statistics within and pertaining to said city.

SEC. 5. The commissioner of public safety, the health officer or any authorized inspector of the department shall inspect, when called upon by any person, and when in his or their judgment it seems necessary, any and all things offered for sale, or to be given away or given in exchange, for use as food or drink, or for human consumption, and shall have the right to enter at any time for the purpose of making such examination or inspection any place or building, where anything for use as food or drink, or for human consumption is stored, manufactured, kept for sale or to be given away or given in exchange; and no person shall be permitted to sell or dispose of anything pronounced by said commissioner of public safety or by said health officer or any authorized inspector of the department to be unfit for food or drink or for human consumption, but all such articles must be seized and destroyed by said commissioner of public safety, health officer or authorized inspector.

SEC. 6. The health officer shall enforce all ordinances and laws relating to health, and shall perform all duties and have all the powers provided by general law relative to the public health to be exercised in municipalities by health officers; *provided*, that regulations affecting the public health additional to those established by general law and for the violation of which penalties are imposed may be enacted by the legislative body and enforced as provided herein.

SEC. 7. When the commissioner of public safety, the health officer, or any authorized inspector of the department shall have inspected any place or building used for the storage, manufacture, sale or giving away or exchanging of anything used for food or drink or human consumption, and shall have found such place or building to be so filthy or unsanitary or the methods or practices therein used so filthy or unsanitary as to endanger the public health, said commissioner of public safety, health officer or inspector shall post at the entrance of said building or place notice of such inspection and finding, and shall maintain such notice until the conditions or practices dangerous to the public health shall have been remedied or abated, and shall close such place or building and prevent its use for the storage, manufacture, sale, giving away or exchange of anything for use for food, drink, or human consumption, until said place or building shall be put in such condition and so used as no longer to endanger the public health.

SEC. 8. The health officer shall visit periodically all public buildings and school houses in the city, and examine the manner in which they are lighted, ventilated and heated, and their sanitary condition, and report his findings thereupon in writing to the commissioner of public safety at least quarterly.

SEC. 9. The health officer shall certify to the superintendent of schools the names and addresses of all persons within the city sick of such infectious, communicable or contagious diseases as may be listed by the health department so to be certified.

SEC. 10. The health officer shall see to it that the laws of the state and ordinances of the city relative to public health and sanitation and all rules, regulations, orders and requirements of the health department are promptly enforced. The commissioner of public safety, the health officer and any other regularly appointed employee of the health department shall have the right and power to arrest any person or persons who may violate any of the rules, regulations, orders or requirements of the health department, or any ordinance or general law relating to the maintenance of the public health and sanitation of the city.

SEC. 11. It shall be the duty of the commissioner of public safety and of the health officer to abate, or cause to be abated, any and all nuisances within the city limits that are offensive to the senses, or that are, or threaten to become, if suffered to continue, detrimental to the public health. All pools of stagnant water, and all collections of filth, garbage, manure or other substances that are, or may become breeding places or food for mosquitoes, flies, rats, or other disease-carrying insects or animals, are hereby declared to be nuisances within the meaning of this section. Whenever any such nuisance exists within the city limits, the commissioner of public safety, or health officer shall, upon acquiring knowledge thereof, order the owner or occupant of the premises whereon such nuisance exists, to abate or remove the same within such time as shall be specified in the order. If the owner or occupant of such premises fails, neglects or refuses to obey such order, or if the premises be unoccupied and the owner, or his agent, can not be found upon reasonable inquiry, the commissioner of public safety, or health officer shall proceed summarily to abate or remove such nuisance and shall defray the expenses thereof out of any moneys in the city treasury available for such purpose. All expenditures so incurred shall be charged against the owner, and shall be a lien upon the lot and premises whereupon such nuisance existed. It shall be the duty of the commissioner of public safety or health officer to forward forthwith to the city attorney a written statement of all such expenditures incurred by him in carrying out the provisions of this section, and it shall be the duty of the city attorney to proceed without delay to foreclose such lien, or otherwise compel the owner of such premises to repay the amount thereof to the city, together with all costs and charges of collection.

SEC. 12. The health officer shall enforce all rules and regulations which may be adopted for the carrying out and enforcement of a good sanitary condition in the city; for the protection of the public health; for determining the nature and character of nuisances and for their abatement; securing the proper registration of births, deaths and other statistical information. He shall from time to time submit to the legislative body a draft of such ordinances, rules and regulations as it may deem necessary to promote the objects mentioned in this section.

SEC. 13. The health officer shall have the power of a police officer, and shall make an extended annual report to the commissioner of public safety of the affairs pertaining to his office, including mortuary and other statistics with such observations and recommendations in relation to the sanitary condition of the city as he may deem proper.

SEC. 14. The health officer shall issue all permits for burials, exhumations and cremations within the city limits or within the cemeteries owned or controlled by the city, and shall exercise over cemeteries without the city such control and supervision as is by general law provided. No interment, cremation or exhumation shall be made in any cemetery within the city, or in any cemetery within the city's jurisdiction, unless the health officer or responsible subordinate is satisfied of the correctness and reliability of the certificate of death presented for his inspection. The health officer or his responsible subordinate shall keep such records, make such reports and perform such duties in relation to cemeteries and the disposal of the dead as may be required of him by general law, by this charter, by ordinance or by the rules, regulations and requirements of the health department.

SEC. 15. The health officer shall make to the commissioner of public health an annual report, and may at any time be required to make special reports, concerning the health and sanitation of the city, with his observations and recommendations thereupon, together with mortuary and other statistics concerning the department.

SEC. 16. Every person in the city shall promptly report to the health department every patient whom he shall have sick of an infectious, communicable or contagious disease, dangerous to the public health or a disease which the health department shall have issued official notice is to be reported; and every householder, upon reasonable notice from the department, that an occupant of his or her house is suffering from any infectious, communicable or contagious disease dangerous to the public health, shall forthwith adopt such preventative means and regulations as the department shall prescribe.

SEC. 17. Every person who shall fail to report such case of sickness, as required herein, and every householder, or head of family who shall knowingly conceal such case of sickness, and every person who shall so go or conduct himself or allow a minor child to so go or conduct himself upon a street or other public ground while suffering from such disease, which the health department has issued official notice is to be reported as infectious, communicable or contagious or dangerous to the public health, as to expose other persons to the danger of contracting the same disease, and every person who shall fail to comply with the rules, regulations and requirements of the health department shall be subject to such fines and penalties as the legislative body by ordinance may prescribe.

SEC. 18. The commissioner of public safety and the health officer shall have authority to administer oaths and compel the giving of sworn testimony in matters connected with the health department.

SEC. 19. The health officer and other officers of the health department shall receive such compensation for their services as the legislative body may by ordinance determine.

ARTICLE XIV.

EDUCATION.

SECTION 1. The school department of the city shall comprise all the public schools within the city of Long Beach or within the territory that is now, or may hereafter be annexed thereto for school purposes, and shall be known as the Long Beach city school district, which shall succeed to all the property, rights and privileges of the former Long Beach city school district, and shall consist of kindergarten, primary, grammar and high schools, as now established, and may, at the discretion of the board of education, include intermediate, technical, vacation, industrial or night schools and detention home.

SEC. 2. The government of the schools will be vested in a board of education consisting of five members, who shall have been residents of the territory included in the district for two years next preceding the day of their election. They shall be elected by the voters of the district at large on the first Friday in April following the date on which this charter goes into effect; *provided, however*, that said members so elected at the first election of the members of the board of education held after this charter becomes effective shall so classify themselves by lot that the term of office of two of them shall be for two years and of three of them for four years, and thereafter, alternately, on the first Friday in April of each odd numbered year, there shall be elected respectively, two and three members of said board of education, whose term of office shall be four years; *provided, further*, that the members of the board of education holding office at the time this charter becomes effective shall continue to perform the duties of such office until their successors have been elected and have qualified under the provisions of this charter. The officers of the election for all school elections shall receive the sum of four dollars each as compensation for their services.

SEC. 3. All elections for members of the board of education or for issuing bonds of the school district or on propositions to be submitted to the people of the school district shall be conducted in the same manner as general elections are conducted in this state.

SEC. 4. The board of education shall enter upon the discharge of their duties on the first Monday in May after their election, and shall meet upon said day and annually thereafter and organize by electing one of their number president and one as vice-president, whose terms of office shall be one year.

1. Vacancies in the board of education shall be filled by the remaining members of the board until the next election for members of the board, and if there are no remaining members, by special election.

2. The board of education shall hold a regular meeting at least once a month. Special meetings may be called by the secretary at the direction of the president, or by the written request of three members; but no business shall be transacted at such meeting that has not been distinctly stated in the call.

3. A majority of the members of the board of education shall constitute a quorum, but a vote of three members shall be required for transacting any business except to adjourn when a quorum is not present.

4. The sessions of the board shall be public, and its minutes open to inspection. The board may determine its rules of procedure. The ayes and noes shall be taken and recorded when demanded by any member, and they shall be taken and recorded in all questions involving elections and appointments or the expenditure of money. All warrants shall be signed by the president, or the vice-president when acting for him, and by the secretary of the board.

SEC. 5. The powers and duties of the board of education shall be as provided in the general law, except as hereinafter provided.

SEC. 6. The board of education shall elect a secretary, who shall not be a member of the board, and shall fix his salary. His duties shall be prescribed by the board. His term of office shall be at the pleasure of the board, and he shall be empowered to administer oaths.

SEC. 7. The board of education shall elect a superintendent and shall fix his salary; such superintendent shall serve for a term of four years from and after the day of his election. Although not a member of the board, he shall have the rights and privileges of a member of the board, except the right to vote.

1. The superintendent shall be the executive officer of the board of education, and shall enforce all rules and regulations adopted by the board, and perform such other duties as the board shall designate.

2. He shall, at the regular meeting in the month of June of each year, submit to the board a detailed statement of the amount, as nearly as may be ascertained, which may be necessary for the schools for the following year.

3. He shall annually, and oftener when desired, make a full report of the condition of matters under his jurisdiction, and shall make such recommendations as he shall deem best, and such annual report shall be published by the board for the information of the public, and for exchange with other cities.

SEC. 8. The board shall provide suitable rooms for itself and for the superintendent, and such rooms shall be open to the public during such regular office hours as shall be established by a vote of the board.

ARTICLE XV.

LIBRARY.

SECTION 1. The public library of the city shall be under the control of the commissioner of public affairs, subject to such ordinances as may from time to time be adopted by the legislative body.

SEC. 2. If payment into the city treasury of any money or property derived by donation or bequest would be inconsistent with the conditions or terms of the donation or bequest, the legislative body shall, by ordinance, provide for the safety and preservation of the same and the application thereof to the use of the library, in accordance with the conditions or terms of such donation or bequest.

ARTICLE XVI.

CITY MANAGER.

SECTION 1. If a petition, requesting that a city manager be employed, and signed by electors of this city, equal in number to fifty-one per cent of the votes cast at the last general municipal election is filed with the city clerk and verified, as required under article XXII of this charter, the legislative body shall, by ordinance, provide for the employment of a city manager, who shall have charge, superintendence and control over all the departments of the city, provided by this charter placed under the control of five commissioners, the said commissioners to continue to act only as a legislative body and to receive a salary not to exceed five hundred dollars per annum for each of the said commissioners.

SEC. 2. If a petition, requesting that a city manager be employed, and signed by electors equal in number to twenty-five per cent of the vote cast at the last general municipal election, is filed with the city clerk and verified, as required in article XXII of this charter, the legislative body shall, at the next general municipal election, submit the question of the employment of said city manager, as provided in section one of this article, to the qualified electors of the city, and if the proposition receives a majority of all votes cast at said election on said proposition the legislative body shall enact the same legislation as provided for in section one of this article.

SEC. 3. If a city manager is employed, as provided for in sections one or two of this article, his salary shall be fixed by the legislative body.

ARTICLE XVII.

REVENUE AND TAXATION.

SECTION 1. *The fiscal year.* The fiscal year of the city shall commence upon the first day of July of each year, or at such other time as may be fixed by ordinance.

SEC. 2. *Tax system.* The legislative body shall by ordinance provide a system for the assessment, levy and collection of all city taxes not inconsistent with the provisions of this charter.

The legislative body shall have power to avail itself by ordinance of any law of the State of California now or hereafter in force, and to comply with the requirement thereof whereby assessments may be made by the assesser of the county in which the city of Long Beach is situated and taxes collected by the tax collector of said county for and on behalf of the city of Long Beach. Other provisions of this charter concerning the assessment, levy and collection of taxes shall be subject to the provisions of any such ordinance while the same shall be in force.

SEC. 3. *Department estimates of annual requirements.* On or before the first Monday in July in each year, or on such date in each year as shall be fixed by the legislative body, the heads of departments, offices, boards and commissions shall send to the commissioner of finance and accounting a careful estimate, in writing, of the amounts, specifying in detail the objects thereof, required for the business and proper conduct of their respective departments, offices, boards and commissions, during the next ensuing fiscal year.

SEC. 4. *Commissioner of finance and accounting's estimate of city's annual requirements and revenue.* On or before the first Monday in August in each year, or on such date in each year as shall be fixed by the legislative body, the commissioner of finance and accounting shall submit to the legislative body an estimate of the probable expenditures of the city government for the next ensuing fiscal year, stating the amount required to meet the interest and sinking funds for the outstanding funded indebtedness of the city, and the needs of all the departments of the municipal government in detail and showing specifically the amount necessary to provide for each fund and department; also an estimate of the amount of income from fines, licenses and other sources of revenue, exclusive of taxes upon property, and the probable amount required to be levied and raised by taxation.

SEC. 5. *Annual budget.* The legislative body shall annually, between the first and second Mondays in August, make a budget of the estimated amounts required to pay the expenses of conducting the business of the city government for the fiscal year. The budget shall be prepared in such detail as to the aggregate sum and the items thereof allowed to each department, office, board or commission, and for the general fund as the legislative body deems advisable.

SEC. 6. *Board of equalization.* The legislative body shall meet at their usual place of holding meetings on the first Monday in August of each year, at ten o'clock in the forenoon of said day, and sit as a board of equalization, and shall continue in session from day to day for a period of two weeks. They shall hear complaints and have power to increase or diminish any assessment, provided that notice shall be given to the party whose assessment is to be increased, and such party shall have the right to be heard before the board in his behalf.

SEC. 7. *Annual tax levy.* The legislative body must finally adopt, not later than the first Tuesday in September, an ordinance, levying upon the assessed valuation of the property of the city, subject to the provisions of this charter, a rate of taxation upon each one hundred dollars of valuation sufficient to raise the amount estimated to be required in the annual budget, less the amount estimated to be received from fines, licenses and other sources of revenue. They shall then deliver the assessment roll to the auditor who shall compute and carry out the amount of the tax so levied upon each parcel of property contained in said asessment roll. The corrected list for each tax shall be the assessment roll of said tax for said year, and it shall be certified by the auditor as being the assessment roll of said tax.

SEC. 8. *Limit of tax levy.* The tax levy authorized by the legislative body to meet the municipal expenses for each fiscal year shall not exceed, except as herein provided, the rate of one dollar on each one hundred dollars of the assessed value of all real and personal property within the city.

SEC. 9. The legislative body shall, at the time of fixing the tax levy, by ordinance, establish the various funds, as provided for by the department estimates allowed by them, and also for a general fund. All moneys received by the city shall be apportioned by the auditor to the various funds so established, and no transfer of any money shall be made from one fund to another until the end of the fiscal year, at which time, after all demands have been paid out of the various funds, the auditor shall transfer any residue remaining from any of said funds to the general fund; and the legislative body may authorize a transfer from the general fund to any fund in which there is an overdraft created by an actual emergency in the department.

SEC. 10. *Bond tax—Library tax.* The legislative body shall have power to levy and collect taxes, in addition to the taxes herein authorized to be levied and collected, sufficient to pay the interest and provide the sinking fund to provide for any bonded indebtedness of the city and to provide for the establishment and support of free public libraries and reading rooms.

SEC. 11. *Tax liens.* All taxes assessed, together with any percentage imposed for delinquency and the cost of collection, shall constitute liens on the property assessed; every tax upon the personal property shall be a lien upon the real property of the owner thereof. The liens provided for in this section shall attach as of the first Monday in March in each year, and may be enforced by actions in any court of competent jurisdiction under the state law to foreclose such liens, or by a sale of the property affected and the execution and delivery of all necessary certificates and deeds therefor, under such procedure and regulations as may be prescribed by ordinance; *provided*, that when real estate is offered for sale for city taxes due thereon, the same shall be struck off and sold to the city, in like case and in like manner and with like effect and with like right of redemption, as it may be struck off and sold to the state when offered for sale for state and county taxes; and the legislative body shall have power to provide for the procedure to be followed in such sales to the city and redemption thereafter.

SEC. 12. The first installment of all taxes levied under this charter shall be due and payable on the second Monday in October in each year; and the first installment shall become delinquent on the last Monday in November of each year. The second installment of all taxes levied under this charter shall be due and payable on the first Monday in January of each year, and shall become delinquent on the last Monday in April of each year, except taxes on personal property unsecured by real estate, which shall be due and payable at the time said assessment is made.

SEC. 13. *Disposition of moneys collected.* Every officer collecting or receiving any moneys belonging to or for the use of the city shall settle for the same with the auditor on or before the last day of each month or at more frequent intervals as may be directed by the legislative body, and immediately pay said money or moneys into the city treasury, on the order of the auditor, for the benefit of the funds to which such moneys severally belong.

SEC. 14. The legislative body shall prescribe uniform form of accounts, which shall be observed by all officers and departments of the city which receive or disburse moneys.

SEC. 15. *General fund.* The legislative body shall place annually in the general fund two per cent of the estimated expenses of the city, but no money shall be drawn from the general fund except as provided for in section nine of this article.

ARTICLE XVIII.

RELIEF AND PENSION FUND.

SECTION 1. The legislative body shall have the power to create, by ordinance, a fund to be known as the "relief and pension fund," and provide for the payment into said fund a percentage of each month's pay from all the members of the police and fire departments and from all the members of such other departments as may by said ordinance be declared to be entitled to relief out of said fund, and also authorize the commissioner of public safety to include in his annual budget an amount not exceeding one per cent of the general tax levy to be paid into said fund.

SEC. 2. If the legislative body creates such fund, it shall in the ordinance creating the same designate who are to receive benefits out of said fund and upon what conditions and to what extent; *provided,* that no member of any department, or the widow or children of such member shall be entitled to a pension unless such member shall have been an active member of the department for at least twenty years.

ARTICLE XIX.

FRANCHISES.

SECTION 1. Plenary control over all uses of the streets and public places is vested in the city. Franchises may be granted to persons, firms or corporations upon such terms, conditions, restrictions or limitations as may be prescribed by the legislative body, by ordinance, but no franchise shall be granted without reserving to the city adequate compensation for the privilege conferred, nor shall any franchise be granted for a longer period than thirty-five years, unless there be reserved to the city the right to take over at any time the works, plants, and property constructed under the grant at their physical valuation and without compensation for franchise or good will, but no franchise shall be granted for a longer period or term than fifty years on any street or public place in the city, but no franchise nor lease shall be granted on, over, across or along the beach front south of the north line of Seaside boulevard and the prolongations thereof, or on other water front of the city of Long Beach, except by a vote of a majority of the electors of the city of Long Beach voting on such proposition at a general municipal election or special election called for said purpose. The legislative body may, by ordinance, adopted by a four-fifths vote of all its members, provide a method of procedure for granting franchises under the provision herein, and from time to time, in like manner, change the method so provided. Until such provision is made, the ordinances of this city, regulating the granting of franchises in force at the time of the taking effect of this charter, in so far as the same are consistent with the provisions of this charter, shall apply.

CONTRACTS.

SECTION 1. The City of Long Beach shall not be, and is not bound by any contract, except as otherwise provided herein, unless the same is made in writing, by order of the legislative body and signed by the mayor, or by some other person in behalf of the city, authorized so to do; *provided,* that the approval of the form of the contract by the city attorney shall be endorsed thereon before the same shall be signed on behalf of the city; but the legislative body, by ordinance duly adopted, may authorize any of the five commissioners, or any commission, board or agent of the city to bind the city without a contract in writing for the payment of supplies, labor, or other valuable consideration furnished to the city, in an amount not exceeding three hundred dollars.

SEC. 2. All contracts for goods, merchandise, stores, supplies, materials, substances or printing, except as otherwise provided in this charter, for the city or for any of the departments or public institutions thereof, must be made by the legislative body with the lowest responsible bidder, whose bid is in regular form, not less than ten days after one publication of a notice calling for bids, in the official newspaper of the city; said notice shall contain a brief description of the supplies or materials required, and amount of the bonds required by the successful bidder, and state the hour and day on which said bids will be opened; except that the legislative body may, by a resolution, adopted by the affirmative vote of four of the commissioners authorize any city commissioner to enter into a contract on behalf of the city, in writing or otherwise, without advertising for bids for labor, material or supplies for actual emergency work.

SEC. 3. All bids must be sealed bids, accompanied by a certified check or bank draft, payable to the city auditor, and drawn on a solvent bank of Los Angeles county, or a satisfactory bond, for an amount equal to ten per centum of the bid.

SEC. 4. On the day, and at the hour named in the notice calling for bids, the legislative body shall open and declare all bids received, and at that time, or at such time as the legislative body may determine, shall accept the lowest regular responsible bid, or reject all bids, and return all deposits accompanying said bids, and may, at their option, readvertise those proceedings, or readvertise for bids in a like manner.

SEC. 5. The legislative body shall require bonds with sufficient sureties for the faithful performance of every contract entered into by them on behalf of the city and such other bonds as may be required by law. All such bonds shall have the approval of the city attorney endorsed thereon. Before the contract is signed by the mayor or other person authorized so to do, and when such contract is so signed, the ten per centum accompanying the bid shall be returned to the bidder. If the bidder to whom the contract is awarded shall, for ten days after such award, fail or neglect to enter into the contract and file the required bond, the city auditor shall draw the money due on the certified check or bank draft accompanying the bid, or declare the bond accompanying the bid forfeited and collect the money due thereon, and pay the same into the city treasury, and under no circumstances shall the check, or the proceeds thereof, be returned to the defaulting bidder.

SEC. 6. When a contractor fails to enter into a contract awarded to him or to perform the same, new bids may be invited and a new contract awarded as provided herein, in the first instance; or the legislative body may let said contract to the next lowest responsible bidder.

SEC. 7. All contracts for official advertising shall be let annually, and go into effect at the beginning of each fiscal year, in a like manner to the lowest responsible bidder publishing or circulating a daily newspaper of general circulation in the city of Long Beach; *provided*, that the said newspaper shall have been in existence at the time of the award of said contract for one year, and shall have been a daily newspaper for at least three months.

SEC. 8. No contract for power, gas, electric light, removing garbage, sweeping, sprinkling or lighting the streets, public buildings, places or offices shall be made for a longer period than two years; nor shall any contracts to pay for power, gas, electric lights, printing or advertising or telephones be let at a higher rate than the minimum price charged to any other advertiser or consumer for like service.

SEC. 9. The city shall not be bound by or liable for any contract entered into by any officer of the city on behalf of the city for an amount greater than is provided by the budget for such purpose.

SEC. 10. The auditor shall not issue a warrant to pay any demand upon the city for the payment of any contract in violation of this section.

ARTICLE XXI.

STREETS.

SECTION 1. Except as provided herein, the general law of the State of California relative to the improvement of, and work upon streets, lanes, alleys, courts, places and sidewalks, including the construction of sewers, establishing of and changing grades of streets, and providing for the laying out, opening, widening, straightening, or closing up, in whole or in part, of any street, square, lane, alley, court or place within the municipality, and to condemn and acquire any and all land and property necessary and convenient for that purpose; and for providing a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within the municipality, and to provide for the payment of such bonds, and provide for the planting, maintenance and care of shade trees upon streets, lanes, alleys, courts and places within the municipality, and of hedges upon the lines thereof, and for the eradication of weeds within the city limits, now in force, or which may hereafter be adopted by the legislature of this state, is hereby made a part of this charter, and shall govern the legislative body in such matters.

ARTICLE XXII.

INITIATIVE, REFERENDUM AND RECALL.

SECTION 1. The holder of any elective office may be removed at any time by the qualified electors of the city of Long Beach. The procedure to effect the removal of any such officer shall be as follows: A petition signed by qualified electors, equal in number to twenty-five per cent of the entire vote cast at the last preceding general municipal election for the commissioner receiving the highest number of votes, demanding the removal of such officer shall be filed with the city clerk, which petition shall contain a general statement of the ground or grounds for which the removal is sought. The signatures to the petition need not be all appended to one paper, but each signer shall add to his signature his place of residence, giving street and number, and one of the signers of each such paper shall make oath before an officer authorized to administer oaths that the statements therein made are true, and that each signature to the paper appended was made in his presence, and that to the best of his knowledge and belief each of said signatures is the genuine signature of the person whose name it purports to be. Within ten days from the date of filing such petition the city clerk shall examine said petition, and from the great register, ascertain whether or not said petition is signed by the requisite number of qualified electors, and he shall attach to said petition his certificate, showing the result of said examination, stating the number of qualified electors found upon said petition, and the number of persons not qualified to vote, and in checking said petition, the clerk shall designate the names of the persons found thereon not qualified to vote, with the letters "D V." in red ink opposite such name or names. If by the clerk's certificate the petition is shown to be insufficient, it may be amended within ten days from the date of the return of said certificate to the petitioners. The clerk shall within ten days after such amendment is filed with him make a like examination and check off the names thereon, and if his certificate shall show the same to be insufficient, it shall be returned to the person filing the same without prejudice, however, to the filing of a new petition to the same effect. If the petition is shown to be sufficient by the certificate of the clerk, he shall submit the same to the legislative body without delay, and the legislative body shall immediately order and fix a date for holding an election to determine whether or not the officer against whom the petition is filed, shall be removed. Said election shall be held not less than thirty days nor more than forty days from the date of the clerk's certificate of the sufficiency of the petition filed. The legislative body shall make, or cause to be made, publication in the official newspaper of the city for three consecutive days, at least twenty days preceding the date fixed for holding such election, a notice of such election, and shall state therein when such election will be held and the purpose of the same. The legislative body shall cause all arrangements for holding said election to be made and the same shall be held, conducted, returned and the result thereof declared in all respects as are other elections, and in the manner hereinafter provided, except the city clerk shall cause to be printed and used the following ballot:

"OFFICIAL REMOVAL BALLOT.

For the removal of________________________________
From the office of________________________________
For removal________________________________
Against removal________________________________
Attest: ________________________________
City clerk of the city of Long Beach, California."

In voting said ballot, the voter shall indicate his vote in favor of removal by stamping a cross opposite the words "For removal," and shall indicate his vote against removal by stamping a cross (X) opposite the words "Against removal."

If the majority of the votes cast at such election shall be in favor of removal, the legislative body shall immediately declare the result of said election, and declare said office vacant, and shall immediately fill such vacancy by appointment, such appointee to hold office until the next general municipal election, when his successor shall be elected. An officer thus removed shall not be eligible to succeed himself. If the majority is against removal, the incumbent shall continue in office.

INITIATIVE ORDINANCES.

SEC. 2. The citizens of the City of Long Beach may propose and submit to the legislative body ordinances in the following manner: By petition signed by electors, equal in number to twenty-five per cent of the entire vote cast at the last preceding municipal election for the commissioner receiving the highest number of votes. The petition shall set forth the proposed ordinance or ordinances and contain a request that the same be enacted into law by the legislative body. The signatures to such petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving street and number. One of the signers of each paper shall make oath before some officer authorized to administer oaths, that each signature to the paper appended was made in his presence and that to the best of his knowledge and belief it is the genuine signature of the person whose name it purports to be thereunto subscribed. Within ten days from the date of filing of such petition the city clerk shall examine the same and from the list of registered voters of the city hereinafter mentioned, ascertain whether or not said petition is signed by the requisite number of qualified electors and he shall attach to said petition his certificate showing the result of such examination, stating the number of qualified voters found upon said petition and the number of persons not qualified to vote, and in checking said petition the city clerk shall designate the names of persons found thereon not qualified to vote, with the letters "D. V." in red ink opposite such names or names. If by the clerk's certificate, the petition is shown to be insufficient, it may be amended within ten days from the date of the return of said certificate to the petitioners. The clerk shall within ten days after such amendment is filed with him, make a like examination, and check off the names thereon, and if his certificate shall show the same to be insufficient, it shall be returned to the person filing the same, without prejudice, however, to the filing of a new petition to the same effect. If the petition is shown to be sufficient by the certificate of the clerk, he shall submit the same to the legislative body without delay, and the legislative body shall either (a) pass the ordinance set out in said petition without alteration within ten days after the date of the clerk's certificate of sufficiency thereon, or (b) submit the same to a vote of the qualified voters of the city at a special election to be called for that purpose within forty days from the date of said certificate, unless a general municipal election is to be held within ninety days thereafter, and then at such general municipal election, such ordinance shall be submitted without alteration of any kind. The ballot used in voting upon an ordinance shall contain these words: "For the Ordinance" (stating the nature of the proposed ordinance), and "Against the Ordinance" (stating the nature of the proposed ordinance). If a majority of the qualified voters voting in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city, and any ordinance so adopted shall not be repealed or amended, except upon a vote of the people. Any number of ordinances may be voted upon at the same election, in accordance with the provisions of this article. The legislative body may submit a proposition for the repeal of any such ordinance or for amendments thereto, to be voted upon at any general municipal election; and should such proposition so submitted receive a majority of the votes cast thereon at such election, such ordinance shall thereby be repealed or amended accordingly.

SEC. 2. *Ordinances or propositions submitted to vote. Publication of.* Whenever any ordinance or proposition is required by this charter to be submitted to the voters of the city at any election, the city clerk shall cause the ordinance or proposition to be published in the official newspaper of the city, said publication to be not more than twenty nor less than ten days before the submission of such ordinance or proposition to the vote of the people.

SEC. 3. *Ordinances—When effective—Exceptions—Grant of franchise—Petitions—Referendum election—Procedure—Suspension of ordinance.* No ordinance passed by the legislative body shall go into effect before the expiration of thirty days from the time of its final passage, except when otherwise required by the general laws of the state, or by the provisions of this charter, and except an ordinance for the immediate preservation of the public peace, health and safety, which contains a statement of its urgency and is passed by four-fifths of the vote of the legislative body; and no grant of any franchise shall be held or construed to be an emergency measure, and all franchises and ordinances granting the same shall be subject to the referendum vote hereinafter provided; and if, during said thirty days, a petition, signed by qualified electors, equal in number to twenty-five per cent of the entire vote cast at the last preceding general municipal election for the commissioner receiving the highest number of votes, protesting against the passage of such ordinance shall be presented to the legislative body the same shall thereupon be suspended from going into effect, and it shall be the duty of the legislative body to reconsider such ordinance, and if the same is not entirely repealed the legislative body shall submit the ordinance or ordinances to a vote of the people as provided in article XXII, either at the next general municipal election or at a special election to be called for the purpose, and such ordinance shall not then go into effect or become operative unless a majority of the qualified voters voting upon said ordinance or ordinances, shall vote in favor thereof. Said petition shall be in all respects in accordance with the provisions of article XXII of this charter, except it shall not be subject to amendment, and shall be examined and certified by the city clerk as therein provided. If an ordinance is passed by the legislative body within ninety days next before a general election, then a petition signed by fifteen per cent of the qualified electors voting at the last preceding general municipal election for the commissioner receiving the highest number of votes, or more, shall be sufficient to suspend the going into effect of said ordinance, and it shall either be repealed by the legislative body or submitted to the vote of the people at such next general municipal election.

ARTICLE XXIII

ALCOHOLIC LIQUORS

SECTION 1. Every person who, as owner, principal, agent, employee or otherwise opens, establishes, keeps, maintains or carries on a place where alcoholic liquor or other intoxicating drinks are sold, kept for sale, offered for sale, distributed, divided, delivered or given away, in the city of Long Beach is guilty of a misdemeanor.

SEC. 2. Every person who, as owner, principal, agent, employee or otherwise, sells, keeps for sale, offers for sale, distributes, divides or gives away alcoholic liquor or other intoxicating drinks in the city of Long Beach is guilty of a misdemeanor.

SEC. 3. Every person who, directly or indirectly, alone or associated or combined with others, as principal, agent, employee or otherwise, opens, establishes, keeps, maintains or carries on, or who, in any manner aids, abets or assists in opening, establishing, keeping, maintaining or carrying on, any club or clubroom, or any place used in connection with any such club or clubroom, where alcoholic liquor or other intoxicating drinks are received or kept for use, gift, sale or barter, or for distribution or division, among the members, guests or visitors of any such club or clubroom, or among any other persons, in the city of Long Beach, is guilty of a misdemeanor.

SEC. 4. Every person who, as owner, principal, agent, employee or otherwise, has in his or her possession any alcoholic liquor or other intoxicating drinks, with intent to use the same in violation of any of the provisions of this article, in the city of Long Beach is guilty of a misdemeanor, and all such alcoholic liquor or other intoxicating drinks and the bottles, barrels and other vessels containing the same are hereby declared nuisances, and in abatement thereof the police shall seize all such liquor, bottles, barrels and other vessels, and upon conviction of such person for unlawfully having the same in his possession, destroy such liquor, bottles, vessels or other property.

SEC. 5. Every person who, as owner, principal, agent, employee or otherwise, lets or leases any building, room, tenement or place to be used in violation of any of the provisions of this article in the city of Long Beach, or who, being the owner thereof, or having the control thereof, permits any building, room, tenement, or place to be used in violation of any of the provisions of this article, in the city of Long Beach, is guilty of a misdemeanor, and upon the second conviction thereof, the building shall be locked for one year, unless he shall furnish sufficient bond to insure its not being used for that purpose again.

SEC. 6. Every person who, as owner, principal, agent, employee or otherwise, serves alcoholic liquor or other intoxicating drinks in any public dining-room, of any hotel, apartment house, rooming-house, lodging-house, café, restaurant or cafeteria, in the city of Long Beach, is guilty of a misdemeanor.

SEC. 7. Every person who drinks alcoholic liquor or any other intoxicating drinks in any public dining room, café, restaurant or cafeteria or in any public building, park, pier, street, alley, court, lane or place, in the city of Long Beach, is guilty of a misdemeanor.

SEC. 8. Every pharmacist, registered under the laws of the State of California, and owning or being connected with an established drug business in the city of Long Beach, may sell alcohol for mechanical or scientific uses; *provided, however*, that every pharmacist who sells, gives away or delivers alcohol for such uses, without making, or causing to be made, in a well bound book kept exclusively for that purpose, an entry showing the amount of such sale, gift or delivery, the name and address of the person obtaining the same, the statement of such person of the use of such sale, gift or delivery, the name and address of the person obtaining the same, the statement of such person of the use for which such alcohol is required, the quantity thereof dispensed, the name of the dispenser and the signature of the person obtaining the same affixed to such entry, or who fails to keep said entry book always, during business hours, open to inspection by the police and by any person delegated thereto by the legislative body, or who fails to preserve every such entry, for at least five years after the making of the same, in the city of Long Beach, is guilty of a misdemeanor.

SEC. 9. Every person who, as principal, agent, employee or otherwise, solicits or takes orders for the sale or delivery of alcoholic liquor or other intoxicating drinks in the city of Long Beach is guilty of a misdemeanor.

SEC. 10. Every act in violation of any of the provisions of this article, shall, separately and for each day of its continuance, be deemed a separate offense; and every clerk, servant, agent or other person, committing any act in violation of any of the provisions of this article shall, separately and for each day of its continuance, be deemed a separate offense; and every clerk, servant, agent, or other person, committing any act in violation of any of the provisions of this article, shall be deemed guilty as principal.

SEC. 11. Every person who, in any manner, encourages, aids, abets or assists in the violation of any of the provisions of this article in the city of Long Beach, is guilty of a misdemeanor.

SEC. 12. It shall be the duty of the police department to place all persons suspected of violating any of the provisions of this article under police surveillance, and to use all legal means in detecting and convicting persons violating any of the provisions of this article, including the exercise of the right of search given by the laws of the State of California; and chapter III of part II of title XII of the Penal Code of the State of California, so far as the same may be applicable, is hereby made to apply and be in force in the city of Long Beach.

SEC. 13. The provisions of this article shall not be deemed to apply to, and shall not prevent or make unlawful, the keeping, furnishing or giving away of alcoholic liquor or other intoxicating drinks in a private residence in a reasonable amount as a means of entertainment or act of hospitality and without compensation; and a room, or suite of rooms, in a hotel, apartment house, rooming house or lodging-house occupied by any person as a regular place of residence, shall, for the purpose of this article be deemed to be a private residence of such person.

SEC. 14. Every person who violates any of the provisions of this article is guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the city jail of the city of Long Beach for not more than six months, or by both such fine and imprisonment.

SEC. 15. The legislative body of the city of Long Beach may, by ordinance, provide additional penalties, not inconsistent with law, for the violation of the provisions of this article, provide such further means of enforcement as will make this article effective, and provide further regulations and restrictions relating to alcoholic liquor and other intoxicating drinks not inconsistent with this article.

ARTICLE XXIV.

[illegible]

(For Whichever Alternative Proposition that may be Adopted by the People.)

ARTICLE XXV.

MISCELLANEOUS.

SECTION 1. In all cases where lands in the city shall hereafter be subdivided and laid out into blocks or lots, and streets, alleys or public places are laid out, opened, dedicated or granted to the public, the map or plat thereof shall be submitted to the legislative body and the city engineer for their approval, and if such legislative body and city engineer approve the plat, such approval shall be endorsed upon such map or plat, the approval of the legislative body being evidence of the acceptance of the street thereon; and no street, alley or public place heretofore opened and in such map or plat dedicated as such shall be accepted by the legislative body as a public street, alley or place or be subject to any public improvement, without such approval or endorsement.

SEC. 2. No member of the legislative body or other officer or employee of the city shall be interested, directly or indirectly, in any contract to which the city is a party or which is made by any officer of the city on behalf of the city. Any and every such contract in which any such member of the legislative body, officer or employee is interested shall be void. Any violation of this section by any such member of the legislative body, officer or employee shall be a misdemeanor and be punishable as such, and upon conviction the office of such member of the legislative body, officer or employee shall be declared vacant by the legislative body. And such vacancy shall be filled as herein provided for the filling of other vacancies.

SEC. 3. In any action, suit or proceeding in any court concerning an assessment of property or levy of taxes authorized by this charter, or the collection of such taxes, or in the proceedings consequent thereon, such assessment, levy, consequent proceeding, and all proceedings connected therewith, shall be presumed to be regularly had and duly done or taken until the contrary is shown; and when any proceeding, matter or thing is by this charter committed or left to the discretion of the legislative body, such discretion or judgment, when exercised or declared, is final, and can not be reviewed or called in question elsewhere.

SEC. 4. All ordinances and resolutions of the city and all regulations or rules prescribed by, or for, the government of its departments, officers or employees, which are in force at the time of the taking effect of this charter, and which are not inconsistent with this charter, shall continue in force until altered, amended or repealed.

SEC. 5. All rights, actions, proceedings, prosecutions, and contracts of the city or any of its departments or officers in progress, begun or in existence at the time of the taking effect of this charter, and not inconsistent therewith, are hereby preserved, and shall continue to be valid and the same shall be enforced, continued or completed in all respects as though vested or begun hereunder.

SEC. 6. In all matters pertaining to municipal affairs, concerning which special provision is not made in this charter, the general laws of the state in force at the time are hereby declared to be, and shall be, a part of this charter so far as same are or may be applicable to the class of cities to which this municipality may belong.

SEC. 7. Whenever the word "city" occurs in this charter, it means the "City of Long Beach, California," and whenever the words "civil engineer" is used in this charter, it means "city engineer," and whenever any department, board or officer, is mentioned in this charter it means such department, board or officer, as the case may be, of the city of Long Beach.

SEC. 8. The officers of the city in office at the time of the approval of this charter by the legislature shall continue to hold office and discharge their duties until the first Monday after the first day of July, 1915, and until their successors are elected and qualified.

SEC. 9. The city council of the city of Long Beach, in office at the time this charter is approved by the legislature shall provide for the holding of the first election of officers under this charter, shall canvass the vote and declare the result.

SEC. 10. No person shall be appointed to, or removed from any office under this charter because of his political or religious opinions. In making appointments the appointing power shall consider only the good of the public service and the fitness of the appointee for and his ability to discharge the duties of the office to which he is appointed.

SEC. 11. No commissioner owning stock in a public utility corporation shall vote upon any ordinance or proposition affecting said corporation.

SEC. 12. In addition to the qualifications of officers provided for by this charter, the tax and license collector, the treasurer and the assessor shall have been bona fide residents and qualified electors of the city of Long Beach for at least four years at the time of their appointment. All other officers and employees authorized by this charter shall have been bona fide residents of the city for at least two years at the time of their appointment, laborers employed by the day excepted. The auditor shall not issue a warrant for the payment of any demand made upon the city by any officer or employee appointed or employed in violation of this section.

SEC. 13. *Penalty for collusion.* If at any time it shall be found that the person, firm or corporation to whom a contract has been awarded has, in presenting any bid or bids, colluded with any other party, or parties, then the contract so awarded shall be null and void, and the contractor and his bondsmen shall be liable to the city for all loss or damage which the city may suffer thereby, and the legislative body may advertise for a new contract for said work.

CERTIFICATE.

Whereas, the city of Long Beach, a city containing a population of more than three thousand five hundred inhabitants, did, on the twentieth day of April, A. D. nineteen hundred and fourteen, at a special election, and under and in accordance with the provisions of section 8, article 11 of the constitution of the State of California, elect the undersigned board of fifteen freeholders to prepare and propose a charter for the said city;

Be it known, that in pursuance of said provision of the constitution, and within a period of one hundred and twenty days after such election, the said board of freeholders has prepared and does propose the foregoing articles, signed in duplicate, as and for the charter of said city of Long Beach;

In addition to the foregoing charter, the board of freeholders, pursuant to said provision of the constitution, also present, with said charter, for the choice of the voters, and to be voted upon separately, without prejudice to the other provisions and sections of said charter, two alternative propositions, hereinafter stated and designated as "Alternative Proposition No. 1," and "Alternative Proposition No. 2" one only of which shall become a part of such charter:

ALTERNATIVE PROPOSITION NO. 1.

ARTICLE XXIV.

INDUSTRIAL DISTRICTS.

SECTION 1. There is hereby established two industrial districts in the city of Long Beach, as follows: Beginning at the intersection of Seaside boulevard and Alpine avenue; thence north and easterly on Alpine avenue to its intersection with Mendocino avenue; thence north on Mendocino avenue to Ocean avenue; thence east on Ocean avenue to the junction of Ocean avenue and Ocean Park avenue; thence westerly, northerly and easterly along Ocean Park avenue to its intersection with Shaneck street; thence northerly on Shaneck street to its intersection with the Southern Pacific Railroad right of way; thence along said railroad right of way to a point opposite the center of Riverside drive, where said Riverside drive intersects said railroad right of way; thence northerly across said railroad right of way and Wilmington boulevard to the junction of Wilmington boulevard and Fairbanks avenue; thence westerly and northerly along said Fairbanks avenue to the Cerritos slough; thence along the said Cerritos slough with its meanderings, to the southwest corner of property of the Soft Water Laundry Company, as said property is shown on map filed with the city clerk of the city of Long Beach for assessment purposes, March, 1911, by the Los Angeles Dock and Terminal Company; thence south 60 deg. 18 min. 40 sec. east, along the southerly boundary of said property of the Soft Water Laundry Company, 52.05 feet; thence north 37 deg. 8 min. east, along the easterly boundary of said property, 246.12 feet; thence north 208.9 feet to a point in the center line of Anaheim street; thence east on Anaheim street to Daisy avenue; thence north on Daisy avenue to the city limits.

That Industrial District No. 2, known as Zaferia Industrial District shall comprise all that portion of the city of Long Beach described as follows: Beginning at a point in the east line of Temple avenue, as said Temple avenue is shown on the map of the Alamitos Tract, recorded in Book 36, page 27, *et seq.*, miscellaneous records of Los Angeles county, said point being six hundred sixty (660) feet south of the center line of Anaheim street; thence north thirteen hundred twenty (1320) feet; thence east to the west line of Loma avenue; thence south to the south line of Anaheim street; thence east to the east line of Ximeno avenue; thence south six hundred twenty (620) feet; thence west to the point of beginning.

SEC. 2. That the boundaries of said industrial district hereinbefore in section 1 described shall not be increased or diminished, and no other or further industrial districts shall be created or established by the legislative body.

SEC. 3. That said industrial districts are hereby defined to be that portion of the city of Long Beach within which such buildings may be erected and such avocations and industries may be maintained as are prohibited in the remaining portions of the city of Long Beach.

SEC. 4. That it is hereby declared to be unlawful and a nuisance to erect, construct, repair or maintain any building, or structure, or to maintain any yard, or place for the purpose of conducting, carrying on, or maintaining any of the following avocations, industries or lines of business in the city of Long Beach, except within said industrial districts, to-wit: The manufacture of gas and electricity, the maintaining of a stone crusher, rolling mill, planing mill, lumber yard, coal or wood yard, feed yard, carpet beating establishment, fireworks, factory, warehouse, laundry, smelter, ship yard, foundry, grist mill, flour mill, glass factory, woolen mill, powder mill, fumigating or [illegible] yards, oil works or any manufactory of any kind of goods, wares or merchandise [illegible] machinery [illegible] is used to propel which requires the use of steam and gasoline, distillate or electric engines or any other motive or mechanical power or in the manufacture of which large volumes of smoke, obnoxious odors and vibrations [illegible] are produced; provided, this section shall not apply to the continuance [illegible] of the maintenance of any lines of business which are in existence and being conducted in the city of Long Beach, outside of said industrial district at the time of the taking effect of this charter except that no extension or enlargement of [illegible] other than necessary repairs of existing plants shall be permitted [illegible] of the buildings, structures or [illegible] in which [illegible] are now being conducted or operated by the operators or occupants thereof.

SEC. 5. That any person, firm or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not exceeding [illegible] or by imprisonment in the city jail for a period of not exceeding six months, or by both such fine and imprisonment; each such person, firm or corporation shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this article is committed, continued or permitted by such person, firm or corporation and shall be punishable therefor as provided by this article.

ALTERNATIVE PROPOSITION NO. 2

ARTICLE XXIV

INDUSTRIAL DISTRICTS

SECTION 1. The legislative body shall have the power to create, by ordinance, industrial districts within the city of Long Beach, define what industries shall be confined to the industrial district; prohibit the erection, construction, maintaining and operation of such industries outside of the industrial district, regulate and control the establishment of industries, and fix a penalty for the violation of said ordinance.

Said alternative propositions shall be submitted for the choice of the voters at the same time at which the charter shall be submitted, and upon the ballot shall be printed:

"For Alternative Proposition No. 1, providing that industrial districts shall be bounded and established by this charter."

"For Alternative Proposition No. 2, providing that industrial districts shall be established and bounded by the legislative body of the city of Long Beach."

Voters shall be entitled to vote either for or against the charter, and also for one of the two alternative propositions, and the respective alternative proposition receiving the greatest number of votes shall be thereby adopted and become article XXIV of the charter;

Said charter, including this certificate, shall be published for ten days in the Long Beach Press, a daily newspaper printed and published and circulated in the city of Long Beach, and after said publication it shall be submitted to the qualified electors of said city, at a special election to be held therefor, at such time as the city council of said city may designate; and if a majority of the qualified electors of said city, voting at said election, shall ratify the same it shall be submitted to the legislature of the State of California for its approval or rejection;

If the legislature approve this charter, it shall thereupon become the charter and organic law of the city of Long Beach, except as herein provided;

The said city council of said city shall provide for the holding of the first election of officers under this charter, in accordance with the provisions of the charter and the general election laws of the state, and shall canvass the votes and declare the result;

In witness whereof, we have hereunto set our hands in the city of Long Beach, county of Los Angeles, State of California, this 19th day of August, A. D. one thousand nine hundred and fourteen.

BOARD OF FIFTEEN FREEHOLDERS.
FRANK S. CRAIG,
President.
G. A. MOHRENSTECHER,
Secretary.
E. E. BUFFUM,
D. M. CATE,
L. D. DAWLEY,
A. C. GRUBE,
STEPHEN G. LONG,
H. H. McCUTCHAN,
A. McDERMONT,
C. T. McGREW,
W. H. NEWMAN,
G. W. SCOTT,
B. F. TUCKER,
EDWARD H. WALLACE,
THOS. W. WILLIAMS.

In witness whereof, I have hereunto set my hand and affixed the corporate seal of the city of Long Beach this fifth day of January, 1915.

[SEAL.]

HARRY B. RILEY,
City Clerk of the City of Long Beach.

AND, WHEREAS, The said proposed charter and alternative proposition No. One, so ratified as hereinabove set forth, have been duly presented and submitted to the legislature of the State of California for approval or rejection, without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California;

Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring therein), that the said proposed charter, together with alternative proposition No. One, for the city of Long Beach, hereinabove set forth, as presented and as submitted to and adopted and ratified by the qualified electors of said city, be and the same is hereby approved as a whole as the charter of the city of Long Beach.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 11 adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Senate Concurrent Resolution No. 11 ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named person be and she is hereby appointed to the respective position hereinafter set forth, as provided by law, the compensation set opposite her name payable weekly, and the Controller is hereby directed to draw his warrant for the said respective amount, and the Treasurer is directed to pay the same:

Louisa R. Young, Stenographer	$5 00 per day

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Campbell: Senate Bill No. 440—An Act to amend section eight hundred ninety of the Code of Civil Procedure relating to judgment of dismissal entered without prejudice.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending sections one, two, three, four, five, six, seven, eight, nine, ten, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, nineteen and twenty-three of article IV thereof, relating to the legislative department.

Resolution read, and referred to Committee on Judiciary.

By Senator Luce: Senate Bill No. 441—An Act in relation to the Act of Congress known as the Carey Act and all Acts amendatory thereof and supplemental thereto, and governing the State Conservation Commission in the control of the selection, management and disposal of all lands granted the State under the provisions thereof.

Bill read first time, and referred to Committee on Irrigation.

By Senator Flaherty: Senate Bill No. 442—An Act to amend an Act entitled "An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, statutes of California of 1913, page 1429.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Benson: Senate Bill No. 443—An Act to amend an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," (approved June 2, 1913) by amending sections two, three, four, five, eight, nine, ten, eleven, twelve, thirteen, fourteen, seventeen and eighteen and adding a new section thereto to be numbered twelve and one-half relating to the practice of chiropody.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 444—An Act to appropriate money to pay the expenses of street improvements fronting the property of the San José State Normal School in the city of San José.

Bill read first time, and referred to Committee on Education.

By Senator Tyrrell: Senate Bill No. 445—An Act to amend section one thousand four hundred sixty-five *a* of the Code of Civil Procedure of the State of California, relative to notices of petitions to set aside exempt property for use of family.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Concurrent Resolution No. 12—Relative to the adjournment of the legislature for the constitutional recess and to the reassembling of the legislature after said recess and fixing the date for said adjournment and said reassembling.

Resolution read, and referred to Committee on Rules.

By Senator King: Senate Bill No. 446—An Act to add a new section to the Political Code of the State of California to be numbered four thousand one hundred ninety *a*, relating to the law library fund and repealing section four thousand two hundred twenty-one *a*.

Bill read first time, and referred to Committee on County Government.

By Senator Chandler: Senate Bill No. 447—An Act to amend sections fifteen hundred eighteen and fifteen hundred nineteen of the

Political Code, to add thereto a new section to be numbered fifteen hundred eighteen *a*, all relating to the state board of education and prescribing its powers and duties; and to repeal section fourteen hundred ninety-two of the Political Code.

Bill read first time, and referred to Committee on Education.

Also, Senate Bill No. 448—An Act to amend section fourteen hundred eighty-nine of the Political Code, relating to the powers and duties of normal school boards.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 449—An Act to amend section fourteen hundred ninety-four of the Political Code, relating to qualifications for admission to normal schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 450—An Act assenting to the provisions and requirements of the Act of the Congress of the United States entitled "An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several states receiving the benefits of the Act of Congress approved July 2, 1862, and of Acts supplementary thereto, and the United States Department of Agriculture," approved by the President of the United States May 8, 1914, and authorizing and empowering the regents of the University of California to receive the grants of money appropriated under said Act, and to organize and conduct agricultural extension work in accordance with the terms and conditions expressed in said Act, and making an appropriation for the purposes thereof.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 451—An Act to appropriate money to pay the claim of the Petaluma & Santa Rosa Railway Co. upon judgment rendered against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Anderson: Senate Bill No. 452—An Act to amend section seventeen hundred sixty-eight and seventeen hundred seventy of the Political Code of the State of California, relating to the nomination, appointment and organization of county boards of education.

Bill read first time, and referred to Committee on Education.

By Senator Rush: Senate Bill No. 453—An Act making an appropriation for the building and construction of an armory for the National Guard at Napa City, Napa County, California.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Birdsall: Senate Bill No. 454—An Act to amend sections forty two hundred sixty-three and forty-two hundred sixty-three *a* of the Political Code relating to the salaries of officers and fees of jurors in counties of the thirty-fourth class.

Bill read first time, and referred to Committee on County Government.

Also (by request): Senate Bill No. 455—An Act creating a state art commission prescribing the qualifications and duties of its members and prohibiting the purchase, gift or acceptance of any work of art by the State until the State Art Commission has approved the design for the same, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Purkitt (by request): Senate Bill No. 456—An Act to increase the number of judges of the Superior Court of the State of

California, in and for the county of Mendocino, to provide for the appointment of an additional judge and for his compensation.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr: Senate Bill No. 457—An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "railroad commission fund" and appropriating moneys therein to carry out the provisions of this Act, and repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 458—An Act amending section 598 of the Civil Code, relating to mortgages, sales and conveyances of real property, by religious, social and benevolent corporations.

Bill read first time, and referred to Committee on Judiciary.

By Senators Benedict and Carr: Senate Bill No. 459—An Act to provide for the formation, organization, government and dissolution of flood control districts, in the State of California, the boundaries of which districts shall be coterminous with the boundaries of the counties in which formed, to be known as county flood control districts, for the purpose of protecting the land therein from damage from storm waters and from the waters of unnavigable streams, water courses, canyons or washes, and for the purpose of saving and conserving storm, flood or snow water for beneficial and useful purposes; for the construction of the necessary works of protection and conservation and distribution of such storm or flood waters by said flood control districts; for bonding and assessing such flood control districts, for the cost of constructing and maintaining such improvements, and for levying taxes and assessments to pay the costs of repairing and maintaining such improvements when constructed and for the dissolution of any such districts.

Bill read first time, and referred to Committee on County Government.

By Senator Benedict: Senate Bill No. 460—An Act providing for the protection of public and private forest lands by regulation and prevention of fires; creating the office of state forester, and fixing his powers and duties; prescribing penalties for violations of the provisions hereof; repealing an Act entitled "An Act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State board of forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this Act, and making an appropriation therefor," approved March eighteenth, one thousand nine hundred five, and all Acts or parts of Acts inconsistent herewith.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 461—An Act to validate the formation of certain districts formed under the provisions of an Act entitled "An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof," approved June 13, 1913, and to validate the issuance and sale of certain bonds thereof.

Bill read first time, and referred to Committee on Irrigation

Also: Senate Bill No. 462—An Act to amend section sixteen hundred seventeen of the Political Code, relating to the powers and duties of trustees of common school districts and of boards of education in city school districts.

Bill read first time, and referred to Committee on Education

By Senator Strobridge: Senate Bill No. 463—An Act to appropriate money to pay the deficiency in the appropriation for printing and distributing constitutional amendments for the 65th and 66th fiscal years.

Bill read first time, and referred to Committee on Finance.

By Senator Breed: Senate Bill No. 464—An Act to appropriate money for repairs and improvements at the Industrial Home for the Adult Blind.

Bill read first time, and referred to Committee on Finance

Also: Senate Bill No. 465—An Act to appropriate money for furniture for the new dormitory building at the Industrial Home for the Adult Blind.

Bill read first time, and referred to Committee on Finance

Also: Senate Bill No. 466—An Act to appropriate money for repairs and improvements at the California School for the Deaf and the Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 467—An Act to appropriate money to install new electric wiring in the institution of the California School for the Deaf and the Blind.

Bill read first time, and referred to Committee on Finance

Also: Senate Bill No. 468—An Act to appropriate money to provide the manual arts building of the California School for the Deaf and the Blind with fire escape equipment.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 469—An Act to appropriate money to develop and equip artesian wells and to connect the same with the water system of the California School for the Deaf and the Blind at the California School for the Deaf and the Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 470—An Act to amend an Act entitled "An Act to provide for the payment of retirement salaries to the public school teachers of this state; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section fifteen thereof.

Bill read first time, and referred to Committtee on Education

Also: Senate Bill No. 471—An Act to provide for the separation of the deaf and the blind departments in the California School for the Deaf and the Blind.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 472—An Act to provide readers for blind students in the University of California, and to assist deaf students attending the National College for the Deaf at Washington, D. C.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 473—An Act relating to the sale of coal.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 474—An Act to amend section two hundred ninety of the Civil Code of the State of California, relating to articles of incorporation and what they must set forth.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 475—An Act to amend section five hundred ninety-nine of the Civil Code of the State of California, relating to what may be provided for in the by-laws, ordinances, constitutions or articles of incorporation of corporations now organized or that may hereafter be organized for purposes other than profit.

Bill read first time, and referred to Committee on Corporations.

By Senator Jones: Senate Bill No. 476—An Act to establish a horticultural experiment station, to provide for the maintenance and management thereof, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

By Senator Luce: Senate Bill No. 477—An Act to amend section one thousand one hundred and eleven of the Penal Code of the State of California, relating to corroboration of accomplices and definition thereof.

Bill read first time, and referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Concurrent Resolution No. 4—Approving eleven certain amendments to the charter of the city of Petaluma.

On motion of Senator Slater, Senate Concurrent Resolution No. 4 passed on file.

Senate Concurrent Resolution No. 7—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama Pacific International Exposition and the California-Panama Exposition.

On motion of Senator Flint, Senate Concurrent Resolution No. 7 passed on file.

SECOND READING OF BILLS.

Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

MOTION TO RECOMMIT.

Senator Butler, Chairman of the Committee on Public Health and Quarantine, moved that Senate Bill No. 10 be re-committed to Committee on Public Health and Quarantine.

Motion duly seconded by Senator Mott.

WITHDRAWAL OF MOTION.

After discussion, Senator Butler, with consent of second, withdrew his motion to recommit Senate Bill No. 10 and gave notice that he would renew this motion after the constitutional recess.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 72—An Act to add a new section to the Civil Code to be numbered two thousand nine hundred forty and one half, relative to presumption payment of mortgages ten years after maturity of the obligations secured thereby.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out of lines 4 and 5 of the printed bill the following: "has been instituted for," and insert in lieu thereof "shall have been instituted within."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out of line 9 of the printed bill the period and insert in lieu thereof the following: "; *provided*, that as to mortgages now of record and that are affected by this Act, an action may be brought to foreclose the same at any time within one year after the taking effect of this Act."

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 273—An Act to amend section one thousand two hundred seven of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, nineteen hundred and fifteen.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 255—An Act repealing an Act entitled "An Act to authorize the State of California to release and convey to the United States such portions of the sixteenth and thirty-sixth sections of land contained in the Cleveland National Forest, formerly San Jacinto forest reserve (and referred to in that certain Act entitled 'An Act to authorize the settlement of an existing controversy between the United States of America and the State of California, and making an appropriation to carry out the provisions of said Act,' approved March 21, 1907,) as may remain after the settlement referred to in said Act, has been consummated, for the purpose of reimbursing the United States for lands surrendered to it by the State and which said lands so surrendered were thereafter sold and patented by said State," approved March 20, 1909.

Bill read second time, ordered engrossed and on file for third reading.

APPROVAL OF JOURNALS.

The Journals of Monday, January 4, 1915; Tuesday, January 5, 1915; Wednesday, January 6, 1915; Thursday, January 7, 1915; Friday, January 8, 1915; Monday, January 11, 1915; Tuesday, January 12, 1915; Wednesday, January 13, 1915, Thursday, January 14, 1915, and Friday, January 15, 1915; were on motion of Senator Thompson approved as corrected.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Breed:

Resolved, That Miss R. Robbins be transferred from the position of Assistant Enrolling and Engrossing Clerk at $5.00 per day to the position of Enrolling and Engrossing Clerk at $6.00 per day.

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lee, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Noes—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

By consent of the Senate the following bill was introduced out of the regular order:

By Senator Beban: Senate Bill No. 478—An Act to amend section one thousand six hundred thirteen of the Penal Code of the State of California, relating to labor of prisoners.

Bill read first time, and referred to Committee on Prisons and Reformatories.

ADJOURNMENT.

At ten o'clock and fifty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Friday, January 22, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lee, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—39.

Quorum present.

PRAYER.

By invitation of the President, prayer was then offered by the Rev. Father O. A. Welsh of San Francisco.

LEAVE OF ABSENCE.

Senator Hans was, on motion of Senator Tyrrell, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 21, 1915, the further reading was dispensed with on motion of Senator Rush.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON IRRIGATION.

SACRAMENTO, January 21, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to whom was referred Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21, and 26 of said Act—Have had the same under consideration, and respectfully recommend that it do pass.

MADDUX, Chairman.

Senate Bill No. 105 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SACRAMENTO, January 21, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 95—An Act to amend section two thousand nine hundred eighty-two of the Political Code, relating to the Secretary and Assistant to the Secretary of the State Board of Health—Have had the same under consideration, and respectfully report the same back and recommend that it do pass and rerefer to Committee on Finance.

BUTLER, Chairman.

Senate Bill No. 95 ordered rereferred to Committee on Finance.

ON FEDERAL RELATIONS.

SACRAMENTO, January 21, 1915.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 2—Relative to national forests situated within the State of California and requesting the war department of the United States to station and maintain Federal troops in such national forests during certain months—Have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

RUSH, Chairman.

Senate Joint Resolution No. 2 ordered on file.

ON HOSPITALS AND ASYLUMS.

SACRAMENTO, January 21, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to whom was referred Senate Bill No. 190—An Act to appropriate money for the purchase of additions to the dairy herd at the Stockton State Hospital;

Also: Senate Bill No. 192—An Act to appropriate money for the construction and furnishing of a convalescent building for females at the Stockton State Hospital;

Also: Senate Bill No. 193—An Act to appropriate money for the construction and furnishing of an isolation hospital at the Stockton State Hospital;

Also: Senate Bill No. 194—An Act to appropriate money for the purchase and expense of installation of a boiler at the Stockton State Hospital;

Also: Senate Bill No. 241—An Act to appropriate money for the construction and equipping of a new hospital building for the Veterans' Home of California;

Also: Senate Bill No. 242—An Act to appropriate money for repairs and improvements to the buildings at the Veterans' Home of California;

Also: Senate Bill 243—An Act to appropriate money for construction and equipment of bath rooms in the barracks at the Veterans' Home;

Also: Senate Bill No. 246—An Act to appropriate money for the construction and furnishing of a cottage for men patients at the Napa State Hospital;

Also: Senate Bill No. 244—An Act to appropriate money for plumbing and repairs to plumbing at the Veterans' Home of California;

Also: Senate Bill No. 245—An Act to appropriate money for wiring for electricity at the Veterans' Home of California;

Also: Senate Bill No. 247—An Act to appropriate money for the construction and furnishing of a cottage for female patients at the Napa State Hospital;

Also: Senate Bill No. 248—An Act to appropriate money for the construction and equipment of a building or buildings and [illegible] for [illegible] of what is known as the [illegible] attached to the Napa State Hospital;

Also: Senate Bill No. 249—An Act to appropriate money for remodeling Smith Pax Cottage at the Napa State Hospital;

Also: Senate Bill No. 250—An Act to appropriate money for the purchase of additional land at the Napa State Hospital;

Also: Senate Bill No. 253—An Act appropriating money to complete, equip and furnish the [illegible] State Hospital;

Also: Senate Bill 262—An Act to appropriate money for the construction and furnishing of two patient cottages at the Southern California State Hospital;

Also: Senate Bill No. 263—An Act to appropriate money for the development of water including the installation of pumping station and mains at the Southern California State Hospital;

Also: Senate Bill No. 264—An Act to appropriate money for the construction of fences and the purchase of wire and other material for enclosures at the Southern California State Hospital;

Also: Senate Bill No. 271—An Act to appropriate money for the construction of dairy buildings and equipment at the Agnews State Hospital;

Also: Senate Bill No. 294—An Act to appropriate money for the purchase and installation of three electric elevators at the Mendocino State Hospital;

Also: Senate Bill No. 295—An Act to appropriate money for the replacement of the main pipe line and [illegible] at the Mendocino State Hospital;

Also: Senate Bill No. 296—An Act to appropriate money for plumbing repairs at the Mendocino State Hospital;

Also: Senate Bill No. 270—An Act to appropriate money for the purchase of a dairy herd for the Agnews State Hospital;

Also: Senate Bill No. 269—An Act to appropriate money for the construction and furnishing of a cottage for male patients at the Agnews State Hospital—

Have had the same under consideration, and respectfully report the same back and recommend that they do pass and be rereferred to Committee on Finance.

CROWLEY, Chairman.

Senate Bills Nos. 190, 192, 193, 194, 241, 242, 243, 246, 244, 245, 247, 248, 249, 250, 253, 262, 263, 264, 270, 271, 294, 295, 296 and 269 ordered rereferred to Committee on Finance.

RESOLUTIONS.

The following resolutions were offered:

By Senator Thompson: Relative to the distribution of legislative bills, constitutional amendments, resolutions, journals, histories and files, by the bill filing room.

WHEREAS, There is no authorized system, approved by the Legislature, for the distribution of bills, constitutional amendments, resolutions, journals, histories and files, and

WHEREAS, The bill filing room, now under the jurisdiction of the Superintendent of State Printing, is called upon to supply a much greater number of bills, etc., than the stipulated amount ordered printed; therefore, be it

Resolved by the Senate of the State of California, That the following plan of distribution be followed: To Senators' and secretaries' files, accredited newspapers, committees, State officers, office files and exchange department of State Library, approximately nine hundred copies. For Senate public files, ten for each member, total four hundred. For general distribution and mailing, Senate members ten each, total four hundred; authors of bills, fifty each; and, be it further

Resolved, That the Superintendent of State Printing fill foregoing upon signed orders from members or Secretary of Senate; and, be it

Resolved, That when additional bills are requested by the public generally, that such requests be filled by the Superintendent of State Printing at his discretion, or be presented or referred to the members, or to the mailing committee of the Senate; and, be it further

Resolved, That members desiring additional bills will secure an order from the Secretary of Senate for such number as desired, and said bills will be reprinted before or during the legislative recess, and delivered to said members.

At the request of Senator Thompson, resolution ordered printed in the Journal and made a special order for Monday, January 25, 1915, under the regular order of business.

By Senator Breed:

Resolved, That the following named person be stricken from the list of attaches, and his name be stricken from the pay roll of the Senate:

Chas. Noonan, page------------------------------------$2 50 per day

Resolution read and on motion of Senator Breed adopted.

By Senator Breed:

Resolved, That C. W. Wilson be transferred from the position of Gatekeeper at $3.00 per day to the position of Cloak Room Clerk at $4.00 per day.

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—36.

NOES—None.

By Senator Breed:

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth, as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant for the said respective amount and the Treasurer is directed to pay the same:

Wm. Hennessey, committee clerk---------------------------$4.00 per day

Resolution read.

Senator Breed moved that the resolution be adopted.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irvin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—35.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Gerdes: Senate Bill No. 479—An Act to amend section three of an Act entitled "An Act to establish a State training school for girls; to provide for the maintenance and management of the same; and to make an appropriation therefor," approved June 14, 1913.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Dancan: Senate Bill No. 480—An Act defining commission merchants and consignors; providing for filing of bond and certificates showing names of persons doing business or advertising as commission merchants, requiring records of all consignments received or sold be kept and furnished, and providing penalties for the violation of the requirements herein contained.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 481—Act to repeal section fifty-five *a*, of the Penal Code relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

Bill read first time, and referred to Committee on Judiciary.

By Senator Crowley: Senate Bill No. 482—An Act to amend section one of an Act entitled "An Act to create the office of the State dental surgeon, prescribing his duties, fix his manner of appointment, salary and term of office, and to make an appropriation for the expenses of his office," approved April 16, 1906.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 483—An Act to provide for the enforcement of labor laws of the State of California by the Commissioner of the Bureau of Labor Statistics.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Kehoe: Senate Bill No. 484—An Act to amend section six hundred twenty-eight of the Penal Code relating to the protection and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 485—An Act to amend section six hundred twenty-eight *l* of the Penal Code relating to protection of clams.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 486—An Act to amend sections nine hundred fifty-three *a* and nine hundred fifty-three *b* of the Code of Civil Procedure of the State of California relating to a new and alternative method for the preparation of records to be used on appeal from judgments, orders or decrees from the Superior Court to the Supreme Court or District Courts of Appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 487—An Act to amend section nine hundred forty-one *b* of the Code of Civil Procedure of the State of California relating to a new or alternative method by which appeals may be taken from judgments, orders or decrees of the Superior Court of the State of California to the Supreme Court or District Courts of Appeal thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 488—An Act to amend section six hundred fifty of the Code of Civil Procedure of the State of California relating to exceptions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 489—An Act to amend sections six hundred fifty-eight, six hundred fifty-nine and six hundred sixty, and to repeal sections six hundred sixty-one and six hundred sixty-two of the Code of Civil Procedure of the State of California, all relating to new trials.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 490—An Act to amend section six hundred sixty-three *a* of the Code of Civil Procedure of the State of California relating to the setting aside of a judgment of the Superior Court and the rendition of a new judgment without a new trial.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 491—An Act to amend section one thousand fifty-four of the Code of Civil Procedure relating to the extension of time in which an act is to be done.

Bill read first time, and referred to Committee on Judiciary.

By Senator Birdsall: Senate Bill No. 492—An Act to add a new section, to be numbered seven *a*, to an Act entitled "An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the author to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act," approved May 31, 1913, relating to the fees to be collected for the registration of motor vehicles.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 493—An Act providing for the reimbursement of counties sustaining net loss of revenue on account of withdrawal from county taxation of property hereafter becoming operative property under the provisions of section fourteen of article XIII of the constitution.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 494—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted.

Bill read first time, and referred to Committee on Elections.

By Senator Ballard: Senate Bill No. 495—An Act to amend section five of an Act entitled "An Act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to state conventions and for nominating electors of President and Vice-President of the United States, and providing for the election of party county central committees, and to repeal the Act approved April 7, 1911, known as the direct primary law, and also to repeal the Act approved December 24, 1911, amending sections one, three, five, seven, ten, twelve, thirteen, twenty-two, twenty-three and twenty-four of the said direct primary law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this Act," approved June 6, 1913.

Bill read first time, and referred on Committee on Elections.

By Senator Breed: Senate Bill No. 496—An Act to appropriate money for repairs and improvements at the California School for the Deaf and the Blind.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 497—An Act to amend the Political Code by changing the headings of the title to chapter II of title V of part III of said Political Code; also by changing the headings of the title to article I of chapter II of title V of part III of said Political Code, and to repeal section two thousand two hundred thirty-six of said Political Code, and to amend sections two thousand two hundred thirty-eight, two thousand two hundred thirty-nine and two thousand two hundred forty of said Political Code, and to repeal sections two thousand two hundred forty-one and two thousand two hundred forty-two of said Political Code, and to amend section two thousand two hundred forty-three of said Political Code, and to amend said Political Code by changing the headings of the title to article II of chapter II of title V of part III of said Political Code, and to amend sections two thousand two hundred fifty-four and two thousand two hundred fifty-five of said Political Code, and to repeal section two thousand two hundred fifty-six of said Political Code, and to amend said Political Code by changing the headings of article III of chapter II of title V of part III of said Political Code, and to amend sections two thousand two hundred sixty-seven and two thousand two hundred sixty-eight of said Political Code, and to repeal section two thousand two hundred sixty-nine of said Political Code, and to amend said Political Code by changing the headings of article IV of chapter II of title V of part III of said Political Code, and to amend section two thousand two hundred eighty of said Political Code, and to repeal section two thousand two hundred eighty-one of said Political Code, all relating to the California School for the Deaf and the Blind.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 498—An Act to add two new sections to the Political Code of the State of California, to be numbered two thousand six hundred ninety-seven and two thousand six hundred ninety-eight, relating to the abandonment of highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Benedict: Senate Bill No. 499—An Act to provide for the formation, organization and government of protection districts in the various counties of this State, for the improvement and rectification of the channels of unnavigable streams and water courses, canyons, washes or swales, for the purpose of saving and conserving any storm water, flood water or snow water for beneficial and useful purposes, for the prevention of the overflow thereof, by widening, deepening and straightening and otherwise improving the said channels, and by constructing new channels, for the condemnation of property therefor, and for the construction of the necessary works for the protection against, and conservation of said storm flood or snow waters by said district, and for the issuance of bonds representing the costs and expenses thereof, and for levying assessments to pay the interest and principal of such bonds, and for levying an assessment to extend, repair or maintain such work.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 500—An Act to amend sections one, eight, nine, ten, eleven, fourteen and seventeen of an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat disease, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, said amendments relating to the board of examiners, and to the requirements of applicants for examination, and to the requirements of schools, and to the revocation of licenses and to the regulation of practice.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 501—An Act to amend section six hundred thirty-four of the Political Code, relating to registration of policies of life insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 502—An Act to amend section thirty-five of an Act entitled "An Act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act," approved May 31, 1913.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Lyon: Senate Bill No. 503—An Act to amend section one thousand nine hundred sixty-three of the Political Code of the State of California, relating to the National Guard.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 504—An Act to amend section three hundred twenty-one of the Penal Code, relating to punishment for selling lottery tickets.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 505—An Act to amend section nine of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, as amended, relating to deputies of labor commissioner.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Campbell: Senate Bill No. 506—An Act to amend section twenty-four hundred fifty-three of the Civil Code, relating to the notice necessary for termination of liability of a general partner for the acts of his copartners.

Bill read first time and referred to Committee on Judiciary.

Also: Senate Bill No. 507—An Act to amend section fourteen hundred ninety-one of the Code of Civil Procedure, relating to the time to be given by notice to creditors.

Bill read first time and referred to Committee on Judiciary.

By Senator Brown: Senate Constitutional Amendment No. 17—Senate Constitutional Amendment No. 17, a resolution to propose to the people of the State of California an amendment to the constitution of the State by amending section thirty-one of article IV thereof, relating to the loan by the State of its credit to public or private corporations.

Constitutional amendment referred to Committee on Agriculture.

Also: Senate Bill No. 508—An Act creating a special trust fund in aid of agriculture within the State of California, to be known as the State Rural Credit Fund, and providing for its administration.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 509—An Act authorizing the Secretary of Agriculture to purchase, improve, subdivide, and sell agricultural lands in California, and providing the conditions under which such lands shall be purchased, improved, subdivided, and sold; authorizing the issuance and sale of land settlement bonds and the creation of a land settlement fund for the purchase of agricultural lands in California; together with any water rights and rights of way necessary or desirable therefor, and all expenses and costs of surveying, improving, subdividing, and selling such lands, including costs of assessments and taxes, and the payment of interest on outstanding land settlement bonds in case there is insufficient money for that purpose in the land settlement sinking fund, and all costs of engineering, superintendence, and administration, including the cost of operating any works built; providing for the administration of said land settlement fund; providing for the creation of a sinking fund for the payment of said bonds; authorizing the Secretary of Agriculture to make necessary rules and regulations for the disposal of lands purchased under the provisions of this Act; authorizing the Secretary of Agriculture to investigate land settlement conditions and to submit recommendations for legislation in regard thereto; authorizing the Secretary of Agriculture to condemn water rights and rights of way for necessary roads, canals, ditches, dams, and reservoirs; and making an appropriation to enable the Secretary of Agriculture to carry out the provisions of this Act.

Bill read first time, and referred to Committee on Agriculture.

By Senator Benson: Senate Bill No. 510—An Act to amend sections two, twelve, thirteen, fifteen, sixteen, seventeen, nineteen, twenty, twenty-two, twenty-four, twenty-five, twenty-six, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-six, thirty-seven, forty-six, forty-seven, fifty-seven, seventy-one, seventy-two, seventy-five, seventy-six, seventy-seven and eighty-one of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'state compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913, and to add thereto a new section to be numbered 75*a*.

Bill read first time, and referred to Committee on Judiciary.

By Senator Strobridge: Senate Bill No. 511—An Act to provide for the registration of all births and deaths, the establishment of registration districts in cities, incorporated towns, townships, under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of a State and a local registrar of vital statistics; and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and fixing penalties for violation of this Act; creating the office of State and local registrars of vital statistics and providing for the salary and fees of same.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Behan: Senate Bill No. 512—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered six hundred eighty *a*, relating to compulsion of employees.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Scott: Senate Bill No. 513—An Act appropriating money to pay the claim of Peter F. Macdonald against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 514—An Act appropriating money to pay the claim of William LaHaye against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 515—An Act to provide compensation for state employees on certain legal holidays.

Bill read first time, and referred to Committee on Finance.

By Senator Irwin: Senate Bill No. 516—An Act to repeal section seventy-nine of the Civil Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Senator Crowley: Senate Bill No. 517—An Act granting municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and electric power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Butler: Senate Bill No. 518—An Act to amend section two hundred seventy of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Senator Flaherty: Senate Bill No. 519—An Act to provide for one day of rest in seven for public employees.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 520—An Act to provide for one day of rest in seven.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Luce: Senate Bill No. 521—An Act to amend sections two thousand six hundred five and two thousand six hundred seven of the Political Code of the State of California, relating to State Board of Harbor Commissioners for the bay of San Diego.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 522—An Act to amend section one thousand six of the Civil Code of the State of California relating to "occupancy."

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 523—An Act to amend section fourteen of an Act entitled "An Act creating a board of pilot commissioners for the harbor of San Diego, defining their duties and fixing their compensation."

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Shearer: Senate Bill No. 524—An Act to amend section four thousand two hundred fifty-eight of the Political Code relating to salaries and fees of officers of counties of the twenty-ninth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 525—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, contingent upon the appropriation by the United States of America of the like, or greater sum for the same purpose.

Bill read first time, and referred to Committee on Agriculture.

Also (by request): Senate Bill No. 526—An Act to amend section one thousand two hundred and twenty-eight of the Penal Code, relative to capital punishment.

Bill read first time, and referred to Committee on Judiciary.

By Senator Tyrrell: Senate Bill No. 527—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered section one thousand five hundred and six, providing for appeals in proceedings in habeas corpus.

Bill read first time, and referred to Committee on Judiciary.

By Senator Thompson: Senate Bill No. 528—An Act to amend section three thousand eight hundred and ninety-seven of the Political Code relating to the sale of property for delinquent taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 529—An Act to amend section one thousand eight hundred eighteen of the Political Code, relating to the levy of county or city and county school tax.

Bill read first time, and referred to Committee on Education.

By Senator Kehoe: Senate Bill No. 530—An Act to amend section six hundred thirty-four of the Penal Code of the State of California relating to the protection of salmon.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Anderson: Senate Bill No. 531—An Act to amend section one thousand seven hundred fifty of the Political Code relating to adoption of course of study and textbooks by high school boards.

Bill read first time, and referred to Committee on Education.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Concurrent Resolution No. 4—Approving eleven certain amendments to the charter of the city of Petaluma.

Senate Concurrent Resolution No. 4 passed on file in the absence of the author.

Senate Concurrent Resolution No. 7—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition.

In the absence of the author Senate Concurrent Resolution No. 7 was passed on file.

INTRODUCTION OF BILL—(OUT OF ORDER).

By consent of the Senate, the following bill was introduced out of the regular order:

By Senator Owens (by request): Senate Bill No. 532—An Act authorizing the use of convict labor on State highways; regulating the handling of such labor; authorizing extra good time allowance; and providing penalties for interference.

Bill read first time, and referred to Committee on Roads and Highways.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 22, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate bills:

Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same;

Also: Senate Bill No. 255—An Act to repeal an Act entitled "An Act to authorize the State of California to release and convey to the United States such portions of the sixteenth and thirty-sixth sections of land contained in the Cleveland National Forest, formerly San Jacinto Forest Reserve (and referred to in that certain Act entitled 'An Act to authorize the settlement of an existing controversy between the United States of America and the State of California, and making an appropriation to carry out the provisions of said Act,' approved March 21, 1907) as may remain after the settlement referred to in said Act has been consummated, for the purpose of reimbursing the United States for lands surrendered to it by the state and which said lands so surrendered were thereafter sold and patented by said state," approved March 20, 1909;

Also: Senate Bill No. 273—An Act to amend section one thousand two hundred seven of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, nineteen hundred and fifteen;

Also: Senate Concurrent Resolution No. 5—Relative to approving a certain amendment to the charter of the city of Santa Monica, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Santa Monica at a special municipal election held therein on the first day of December, 1914;

Also: Senate Joint Resolution No. 4—Relative to placing veterans of the United States army who fought in Indian wars from 1865 to 1891 on the pension roll;

Also: Senate Concurrent Resolution No. 11—Approving a new charter for the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach, at a special municipal election held therein on the 15th day of October, 1914.

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

Senate Bills Nos. 10, 255 and 273 ordered on file for third reading.

Senate Concurrent Resolution No. 5, Senate Joint Resolution No. 4, and Senate Concurrent Resolution No. 11 ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Wolfe the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 2—Relative to the Hamill Bill, said bill relating to the pensioning of civil service employees of the United States government;

Also: Assembly Joint Resolution No. 8—Relative to the establishment of a life saving station or life saving apparatus at or near Duxbury Reef, Marin County, California;

Also: Assembly Concurrent Resolution No. 9—Approving amendments to the charter of the city of San Jose, a municipal corporation in the county of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a general election held therein on the 18th day of May, 1914.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Joint Resolution No. 2 referred to Committee on Federal Relations.

Assembly Joint Resolution No. 8 referred to Committee on Commerce and Navigation.

Assembly Concurrent Resolution No. 9 referred to Committee on Municipal Corporations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SACRAMENTO, January 22, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Concurrent Resolution No. 9, approving amendments to the charter of the city of San Jose, a municipal corporation in the county of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a general election held therein on the 18th day of May, 1914. Have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

TYRRELL, Chairman.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Benson asked for and was granted unanimous consent to take up for consideration at this time Assembly Concurrent Resolution No. 9.

ASSEMBLY CONCURRENT RESOLUTION No. 9.

Approving amendments to the charter of the city of San Jose, a municipal corporation in the county of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a general election held therein on the 18th day of May, 1914.

WHEREAS, Proceedings have been had and taken for the proposal, submission, adoption and ratification of certain amendments hereinafter set forth to the charter of the city of San Jose, as set out in the certificate of the mayor and city clerk of the city of San Jose, to wit:

CITY OF SAN JOSE,
State of California,
County of Santa Clara. } ss.

We, the undersigned, F. R. Husted, mayor of the city of San Jose, State of California, and Roy E. Walter, city clerk of said city, do hereby certify and declare as follows:

That the city of San Jose, in the county of Santa Clara, State of California, contains a population of more than three thousand five hundred inhabitants, and has been ever since the year 1897, and is now, organized and existing under a freeholders charter adopted under and by virtue of section 8 of article XI of the constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election duly called and held for that purpose on the 23rd day of February, 1897, and approved by the legislature of the State of California on the 5th day of March, 1897 (Statutes of 1897, p. 592).

That in pursuance of sufficient petitions requiring the same, filed in the office of the city clerk of said city on the 17th day of March, 1914, and by and in pursuance of ordinances Nos. 1362 and 1364, both adopted by the common council of the city of San Jose on the 6th day of April, 1914, and approved by the mayor of said city on the 13th day of April, 1914, the city council of the said city of San Jose did by said ordinances and by ordinance No. 1370, adopted by said city council on the 22nd day of April, 1914, and approved by the mayor of said city on the 22nd day of April, 1914, and pursuant to section 8 of article XI of the constitution of the State of California, duly submit to the qualified electors of said city of San Jose certain amendments to said charter of said city to be voted on by said qualified electors at a general municipal election to be held in said city on the 18th day of May, 1914, which said amendments were and are in words and figures following, to wit:

Amend article II by adding immediately after chapter I of said article II a new chapter to be known as chapter I*a*, to read as follows:

ELECTIONS.

CANDIDATES—HOW NOMINATED—PRIMARY ELECTION—BALLOT—CANVASS OF VOTE—RESULT PUBLISHED—MUNICIPAL ELECTION.

SECTION 1. Candidates to be voted for at all general municipal elections under the provisions of this charter shall be nominated at a primary election, and no names shall be placed upon the general ballot other than those selected in the manner hereinafter prescribed. The primary election for such nomination shall be held on the second Monday preceding the general municipal election. The judges of election appointed for the general municipal election shall be the judges of the primary election, and it shall be held at the same places, so far as possible, and the polls shall be opened and closed at the same hours, with the same clerks, as are required for said general municipal election. Any person desiring to become a candidate for an elective office shall, at least thirty days prior to said primary election, file with the city clerk a statement of such candidacy, in substantially the following form:

State of California, County of Santa Clara.—ss.

I, (----------------), being first duly sworn, say that I reside at---------------- street, city of San Jose, county of Santa Clara, State of California; that I am a qualified voter therein; that I am a candidate for nomination to the office of ----------------, to be voted upon at the primary election to be held on the first Monday of May, 19 , and I hereby request that my name be printed upon the official primary ballot for nomination by such primary election for such office.

(Signed) ----------------------------

and shall at the same time file therewith the petition of at least 250 qualified voters in said city requesting such candidacy.

FORM OF NOMINATION PETITION.

SEC. 2. The petition of nomination shall consist of not less than 250 individual certificates, which shall read substantially as follows:

Petition of Nomination.
Individual Certificate.

STATE OF CALIFORNIA,
County of Santa Clara,
City of San Jose. } ss.

No.--------

I, the undersigned, certify that I do hereby join in a petition for the nomination of----------------, whose residence is at No.----------------street, San Jose, for the office of ----------------to be voted for at the municipal election to be held in the city of San Jose, on the--------day of May, 19--- , and I further certify that I am a qualified elector and am not at this time a signer of any other petition nominating any other candidate for the above named office, that my residence is at No.----------------street, San Jose, and that my occupation is----------------.

(Signed) ----------------------------

STATE OF CALIFORNIA,
County of Santa Clara, } ss.
City of San Jose }

_______, being duly sworn deposes and says that he is the person who signed the foregoing certificate and that the statements therein are true and correct.

(Signed) _______________

Subscribed and sworn to before me this________day of____________, 19____.

____
Verification Deputy.

The petition of nomination of which this certificate forms a part shall, if found insufficient, be returned to______________at No.______________street, San Jose, Cal.

FORMS TO BE SUPPLIED BY THE CITY CLERK.

SEC. 3. It shall be the duty of the city clerk to furnish upon application a reasonable number of official forms of individual certificates of the above character.

REQUIREMENTS OF CERTIFICATES.

SEC. 4. Each certificate must be a separate paper. All certificates must be of a uniform size as determined by the city clerk. Each certificate must contain the name of one signer thereto and no more. Each certificate must contain the name of one candidate and no more. Each signer must be a qualified elector and must not at the time of signing a certificate have signed his name to any other certificate for any other candidate for the same office. In case an elector has signed two or more conflicting certificates all such certificates shall be rejected. Each signer must verify his certificate and make oath that the same is true before a verification deputy, as provided for in this section. Each certificate shall further contain the name and address of the person to whom the petition is to be returned in case said petition is found insufficient, or upon the withdrawal or death of any candidate.

VERIFICATION DEPUTIES.

SEC. 5. Verification deputies, under this section, must be qualified electors of the city and shall be appointed by the city clerk upon application in writing signed by not less than five qualified electors of the city. The application shall set forth that the signers thereto desire to procure the necessary signatures of electors for the nomination of candidates for municipal office at an election therein specified, and that the applicants desire the person or persons whose names and addresses are given appointed as verification deputies, who shall upon appointment be authorized and empowered to take the oath of verification of the signers of petitions of nomination. Such verification deputies need not use a seal, and shall not have power to take oaths for any other purposes whatsoever, and their appointments shall continue only until all petitions of nomination, under this section, shall have been filed with the city clerk. No verification deputy shall be paid, in whole or in part, directly or indirectly, out of the city treasury. All verification deputies must, before their appointment, make and file with the city clerk an oath as to their places of residence, occupation and whether or not they are qualified electors of the city of San Jose, California.

DATE OF PRESENTING PETITION.

SEC. 6. A petition of nomination must be presented to the city clerk not earlier than forty five days nor later than thirty days before the primary election, except as otherwise provided in this charter. The city clerk shall endorse thereon the date upon which the petition was presented to him.

EXAMINATION OF PETITIONS BY CITY CLERK.

SEC. 7. When a petition of nomination is presented for filing to the city clerk, he shall forthwith examine the same, and ascertain whether it conforms to the provisions of this charter. If found not to conform thereto, he shall then and there in writing designate on said petition the defect or omission or reason why such petition can not be filed, and shall return the petition to the person named as the person to whom the same may be returned in accordance with this section. The petition may then be amended and again presented to the clerk as in the first instance. The clerk shall forthwith proceed to examine the petition as hereinbefore provided.

WITHDRAWAL OF SIGNATURE.

SEC. 8. Any signer to a petition of nomination and certificate may withdraw his name from the same by filing with the city clerk a verified revocation of his signature before the filing of the petition by the clerk, and not otherwise. He shall then be at liberty to sign a petition for another candidate for the same office.

WITHDRAWAL OF CANDIDATE.

SEC. 9. Any person whose name has been presented under the provisions of this charter as a candidate may, not later than twenty-five days before the day of election, cause his name to be withdrawn from nomination by filing with the city clerk a request therefor in writing, and no name so withdrawn shall be printed upon the ballot. If upon such withdrawal the number of candidates remaining does not exceed the number to be elected, then other nominations may be made by filing petitions therefor not later than twenty days prior to such election, in the same manner as hereinbefore provided.

FILING OF PETITIONS.

SEC. 10. If either the original or the amended petition of nomination be found sufficiently signed as hereinbefore provided, the city clerk shall file the same not less than eighteen days before the date of the election. When a petition of nomination shall have been filed by the city clerk it shall not be withdrawn nor added to and no signature shall be revoked thereafter.

PRESERVATION OF PETITIONS.

SEC. 11. The city clerk shall preserve in his office for a period of two years all petitions of nomination and all certificates belonging thereto filed under this section.

Immediately upon the expiration of the time for filing the certificates and petitions for candidacies, the city clerk shall mail, not later than five (5) days prior to the date of election, a sample ballot to each qualified voter in the city of San Jose; and the city clerk shall thereupon cause the primary ballots to be printed, authenticated with a facsimile of his signature.

BALLOTS.

SEC. 12. The ballots shall be printed upon plain, substantial white paper, and shall have no party designation or mark whatever, and shall be in substantially the following form:

OFFICIAL PRIMARY BALLOT.

Candidates for nomination for mayor and other elective officers of the city of San Jose, at the primary election, held May--------, 19----.

(Place a cross (×) in the square following the name of the person you favor as a candidate for such office.)

FOR MAYOR (vote for one)

(Here print alphabetically, names of all candidates for mayor, with a square following each name.)

FOR COUNCILMAN -------- WARD (vote for one)

(Here print alphabetically, names of all candidates for councilman, ------ward, with a square following each name.)

FOR COUNCILMAN -------- WARD (vote for one)

(Here print alphabetically, names of all candidates for councilman, ------ward, with a square following each name.)

FOR COUNCILMAN -------- WARD (vote for one)

(Here print alphabetically, names of all candidates for councilman, ------ward, with a square following each name.)

FOR COUNCILMAN -------- WARD (vote for one)

(Here print alphabetically, names of all candidates for councilman, ------ward, with a square following each name.)

FOR COUNCILMAN AT LARGE (vote for one)

(Here print alphabetically, names of all candidates for councilman at large, with a square following each name.)

FOR CITY CLERK (vote for one)

(Here print alphabetically, names of all candidates for city clerk, with a square following each name.)

FOR CITY TREASURER (vote for one)

(Here print alphabetically, names of all candidates for city treasurer, with a square following each name.)

FOR POLICE JUDGE (vote for one)

(Here print alphabetically, names of all candidates for police judge, with a square following each name.)

Official Ballot Attest,

______________________City Clerk.

FIRST ELECTION.

SEC. 13. Having caused said ballots to be printed, the said city clerk shall cause to be delivered at each polling place a number of said ballots equal to ten per cent more than the number of registered voters in such polling precinct, who are entitled to vote at said election. Judges of election shall, immediately upon the closing of the polls, count the ballots and ascertain the number of votes cast in such precinct for each of the candidates, and shall forthwith make return thereof to the city clerk, upon proper blanks to be furnished by the said clerk. On the second day following the filing with the city clerk of complete returns of said election, the mayor and common council shall canvass said returns and declare the result thereof. The two candidates receiving the highest number of votes for any office shall be the candidates, and the only candidates for such office whose names shall be placed upon the ballot at the next succeeding general municipal election.

In case there is but one person to be elected to an office, the candidate receiving a majority of the votes cast for all the candidates for that office, shall be declared elected.

SECOND ELECTION.

SEC. 14. If at any election held as above provided there be any office to which the required number of persons was not elected, then as to such office the said first election shall be considered to have been a primary election for the nomination of candidates, and a second election shall be held to fill said office. The candidates not elected at such first election, equal in number to twice the number to be elected to any given office, who receive the highest number of votes for the respective offices at such first election, shall be the only candidates at such second election, provided that if two or more persons shall each receive an equal number of votes at said first election and said number of votes so received by each of said persons shall be greater than the number of votes received by any other person who is a candidate for nomination for the same office, or if any two or more persons receive an equal number of votes at said first election and said number of votes is exceeded by the number of votes received by only one candidate for said office then in either event the persons so receiving an equal number of votes shall likewise become candidates for such office.

The candidates equal in number to the number of persons to be elected, who shall receive the highest number of votes at such second election, shall be declared elected to such office.

RULES GOVERNING SECOND ELECTION.

SEC. 15. All the provisions and conditions above set forth as to the conduct of an election so far as they may be applicable, shall govern the second election, and provided also that the same precincts and polling places shall, if possible, be used.

RECALL.

Any or all of the elective officers, provided for in this charter, may be removed from office by the electors. The procedure to effect such removal shall be as follows:

A petition demanding that the question of removing such officer or officers be submitted to the electors shall be filed with the city clerk.

Such petition shall be signed by qualified electors equal in number to at least twenty (20) per centum of the total number of votes cast for the office of mayor at the last general municipal election.

The signatures to such petitions need not all be appended to any one paper.

PETITIONS.

SEC. 16. Petition papers shall be procured only from the city clerk, who shall keep a sufficient number of such blank petitions on file for distribution as herein provided. Prior to the issuance of such petition papers an affidavit shall be made by one or more qualified electors and filed with the city clerk, stating the name and office of the officer or officers sought to be removed. The city clerk, upon issuing any such petition papers to an elector, shall enter in a record, to be kept in his office, the name of the elector to whom issued, the date of such issuance, and the number of papers issued, and shall certify on such papers the name of the elector to whom issued, and the date issued. No petition papers so issued shall be accepted as part of the petition unless it bears such certificate of the city clerk and unless it be filed as provided herein.

SIGNATURES.

SEC. 17. Each signer of a recall petition shall sign his name in ink or indelible pencil and shall place thereon after his name his place of residence by street and number. To each such petition paper there shall be attached an affidavit of the circulator thereof, stating the number of signers to such part of the petition and that each signature appended to the paper was made in his presence and is the genuine signature of the person whose name it purports to be, and that such circulator has not received and will not receive, either directly or indirectly, any compensation for circulating said petition, or for procuring signatures thereto.

FILING OF PETITIONS.

Sec. 18. All papers comprising a recall petition shall be assembled and filed with the city clerk as one instrument within thirty (30) days after the filing with the city clerk of the affidavit stating the name and office of the officer sought to be removed.

EXAMINATION OF PETITIONS.

Sec. 19. Within ten days from the date of filing such petition the city clerk shall examine the register and therefrom ascertain whether or not said petition is signed by the requisite number of qualified voters; and, if necessary, the council shall allow him extra help for that purpose, and he shall attach to said petition, his certificate showing the result of said examination. If by the clerk's certificate the petition is shown to be insufficient, it may be amended within ten days from the date of said certificate. The clerk shall, within five days after such amendment, make like examination of the amendment to the petition, and attach his certificate thereto as in the case of the original petition, and if his certificate shall show the said amended petition to be insufficient, it shall be returned to the person filing the same, without prejudice to the filing of a new petition to the same effect. If the petition, either as originally filed, or after amendment, shall be found to be sufficient, the city clerk shall submit the same to the common council at the next regular meeting of said council after the date of his certificate of such sufficiency, and he shall forthwith serve upon the officer or officers sought to be recalled a notice of the submission of such petition, which said notice may be served upon said officer personally or by leaving a written notice of such submission at the last known address of said officer or officers.

CALLING OF ELECTION.

Sec. 20. If said officer or officers does not resign within five days after the submission of said petition to said common council, said council shall order and fix a date for holding a recall election, which said election shall be held not less than twenty days or more than forty days from the submission of said petition to said council; which said election shall be held at the same time as any general or special municipal election to be held within such period; but, if no such general or special election is to be held within such period the common council shall call a special recall election, to be held within the time aforesaid.

BALLOTS.

Sec. 21. The ballots at such recall election shall conform to the following requirements:

With respect to each person whose removal is sought the question shall be submitted, "Shall (name of person) be removed from the office of (name of office) by recall?"

Immediately following each such question there shall be printed on the ballots the two propositions, in the order set forth:

For the recall of (name of person).
Against the recall of (name of person).

Immediately to the right of each proposition shall be placed a square in which the electors, by making a cross mark (×), may vote for either of such propositions.

Sec. 22. Should a majority of the votes cast at a recall election be against the recall of the officer named on the ballot, such officer shall continue in office for the remainder of his term, subject to recall as before. If a majority of the votes cast on the question of recall of a particular officer at a recall election be for the recall of such officer, he shall, regardless of any technical defects in the recall petition, be deemed removed from office.

LIMITATION OF TIME.

Sec. 23. No recall petition shall be filed against any elective officer within six (6) months after he takes his office, and in the event of the failure to recall any elective officer at any such election; no other election may be held for the recall of such officer until six (6) months after the previous recall election.

APPOINTMENT OF SUCCESSOR.

Sec. 24. In the event of the recall of the mayor his successor shall be elected by a majority vote of the common council. In the event of the recall of any officer, other than the mayor, the successor of the officer or officers so recalled shall be appointed by the mayor and no confirmation by the common council of such appointment shall be required. In the event of the recall of the mayor and less than a majority of the members of the common council successors to the officers so recalled shall be elected by a majority vote of the common council, provided that no member of the common council whom the electors shall have voted to recall shall be allowed to vote for a successor to himself or to any other officer voted to be recalled.

If by reason of the operation of this section or for any other reason there are not sufficient officers remaining qualified to vote for successors to the officers recalled then a special election for the purpose of electing successors to said officers shall be called by the member or members of the common council whom the electors have not voted to recall, or, in the event there is no such member of the common council said election shall be called by the city clerk and in such event the city clerk is hereby invested for the purposes of said election, with all of the powers by this charter invested in the common council in respect to the conduct of elections. Such special election shall be conducted in the manner hereinbefore provided for the general municipal election. No officer who has been recalled shall hold office, either appointive or elective, during the remainder of the term for which he was elected.

THE INITIATIVE

Powers reserved to the people.

SEC. 25. In addition to the powers vested by this charter in the common council, the people reserve to themselves the power to adopt or reject ordinances at the polls independent of the council.

PETITION SHALL CONTAIN PROPOSED ORDINANCES.

SEC. 26. To initiate proceedings for the exercise of said reserved powers, a petition signed by duly qualified electors of the city equal in number to twenty-five per cent of the entire vote cast for all candidates for mayor at the last preceding general municipal election at which a mayor was elected, shall be filed with the city clerk. Said petition shall be addressed to the mayor and common council, shall contain the proposed ordinance set out in full and shall request that the proposed ordinance be submitted forthwith to vote of the people at a special election, or at a general election at the option of those proposing the ordinance.

THE PETITION MAY BE IN TEN SECTIONS.

SEC. 27. To facilitate the procuring of signers, the petition may consist of not exceeding ten separate sections. Any qualified elector may circulate a section for signatures, and each signer shall add to his signature his place of residence, giving the street and number. Each section shall have attached thereto the affidavit of the person who circulated the same for signatures, that all the signatures were made in his presence, and that to the best of his knowledge and belief each signature is the genuine signature of the person whose name it purports to be. The several sections shall each contain a copy of the proposed ordinance, and, at the time of being signed, shall in all respects be counterparts of each other. When filed they shall be attached together and constitute the petition.

VERIFICATION OF THE PETITION.

SEC. 28. Within ten days after such petition is filed, the city clerk shall satisfy himself whether or not the petition contains the requisite number of signers and whether or not the signers are qualified electors of the city and reside at the places set opposite their names respectively. At the conclusion of such examination, the city clerk shall attach to said petition his certificate showing the result of his examination. The common council shall allow the city clerk such extra help in making the examination as may be necessary.

PETITION MAY BE AMENDED.

SEC. 29. If by the certificate it appears that the petition is not signed by the requisite number of duly qualified signers, or is defective in any other particular, it may be amended within ten days from the date of the certificate, by the filing of not exceeding five additional sections duly verified and counterparts, except as to the names of the signers, of the sections on file, containing the requisite number of signatures. The city clerk shall, within five days after such additional sections are filed, make examination of the signatures thereon and attach his certificate to the petition showing whether or not the petition is still insufficient. If after filing the additional sections, the certificate of the city clerk shows the petition still insufficient, no further proceedings shall be had on the petition on file; but a new petition may, however, be filed to effect the same purpose.

COUNCIL SHALL PASS THE ORDINANCE OR CALL AN ELECTION.

SEC. 30. If the certificate of the city clerk shows the petition sufficient, the council, if a special election is demanded in the petition, within twenty days from the date of the city clerk's certificate showing the sufficiency of the petition, shall either pass such ordinance without alteration, or forthwith call a special election, to be held within forty days after the passage of the ordinance calling the same, and submit said proposed ordinance without alteration to vote of the people.

FIFTEEN PER CENT PETITION.

SEC. 31. If the petition request that the proposed ordinance be submitted to a vote of the people at the next general municipal election, and be signed by qualified electors equal in number to fifteen per centum of the entire vote cast for all candidates for mayor at the last general municipal election at which a mayor was elected, and said ordinance be not passed by the council, as demanded in the petition, then, such ordinance, without alteration, shall be submitted by the common council to a vote of the people at the next general municipal election, provided such election shall occur at any time after twenty days from the date of the city clerk's certificate showing the sufficiency of the petition.

PRINTED ARGUMENTS FOR AND AGAINST THE ORDINANCE.

SEC. 32. At any time twenty days prior to the election at which the proposed ordinance is submitted to vote of the people, the proposers of the ordinance and the mayor and common council may respectively present to the city clerk printed arguments favoring or opposing the passage of the proposed ordinance by vote of the people. There shall be only one printed argument on behalf of the proponents of the ordinance, and one on behalf of the mayor and common council, and said arguments shall be contained in not exceeding two hundred words on each printed paper. The form and size of paper shall be suitable for mailing, and shall be prescribed by the city clerk. The number of copies of such printed arguments for each party shall be five per centum in excess of the total number of qualified electors in the city. One copy of each of said arguments shall be mailed by the city clerk with each sample ballot, and with each sample ballot shall also be mailed a printed copy of the proposed ordinance and petition, except the names of the signers to said petition and the certificate of the city clerk shall not be included. The cost of printing the necessary copies of the petition and proposed ordinance shall be borne by the city.

FORM OF THE BALLOT.

SEC. 33. The ballot used when voting on the proposed ordinance shall set forth the title of the ordinance in full, state its general nature, and shall contain the words "For the Ordinance." Opposite such proposition to be voted on, and to the right thereof, the words "Yes" and "No" shall be printed on separate lines with voting squares in which the voter may stamp his cross. If a majority of those voting on such proposed ordinance shall vote in favor thereof, such ordinance shall be deemed adopted, and shall take effect five days after the declaration of the official canvass of the returns of such election.

SEVERAL ORDINANCES MAY BE SUBMITTED TO VOTE OF THE PEOPLE AT THE SAME ELECTION.

SEC. 34. Any number of proposed ordinances may be submitted to vote of the people at the same election. The enacting clause of an ordinance adopted by vote of the people shall be, "The people of the city of San Jose do ordain as follows ".

REPEAL OR AMENDMENT OF ORDINANCE.

SEC. 35 The common council, at any general municipal election, may, without petition, submit to vote of the people a proposition to amend or repeal any ordinance adopted by vote of the people, or for the enactment of a new ordinance, and in case a majority of the votes cast thereon at such general municipal election be in favor of the proposition submitted, the ordinance shall thereupon be amended or repealed accordingly, and the new ordinance adopted. An ordinance proposed by petition and passed by vote of the people can be repealed or amended only by vote of the people.

CONFLICTING ORDINANCES ADOPTED.

SEC. 36. If two or more ordinances adopted at the same election shall contain conflicting provisions, the one adopted by the highest number of votes shall be construed as paramount to the other so far as the particular conflict is concerned.

LAWS GOVERNING INITIATIVE ELECTIONS.

SEC. 37. The procedure for holding special elections to submit proposed ordinances to vote of the people shall, so far as applicable, be the same as for special election for the recall.

INITIATIVE ELECTIONS TO BE SIX MONTHS APART.

SEC. 38. There shall not be held more than one special election in a period of six months for the purpose of submitting any ordinance to vote of the people.

THE REFERENDUM.

SEC. 39. No ordinance passed by the common council shall go into effect before thirty days from the time of its final passage, except where otherwise required by the general laws of the state, or by the provisions of this charter, respecting street improvement or street opening, or respecting matters pertaining to the purchase or sale of lands, or pertaining to elections, or respecting the levying and collection of taxes, or pertaining to bond issues and except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency, and is passed by a four-fifth vote of the common council; *provided*, that no grant of any franchise shall be construed to be an urgency measure, but all franchises shall be subject to the referendum vote herein provided. If during said thirty days, a petition signed by qualified electors of the city equal in number to at least fifteen per centum of the entire vote cast for all candidates for mayor at the last preceding general municipal election at which a mayor was elected, protesting against the passage of such ordinance, be presented to the common council, the same shall thereupon be suspended from going into operation, and it shall be the duty of the common council to reconsider such ordinance, and if the same be not entirely repealed, the common council shall submit the ordinance to the vote of the electors of the city either at the next general municipal election, or at a special election to be called for that purpose, and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same, shall vote in favor thereof. The form of the petition and the mode of verification, and certification and filing shall be substantially, with such modifications as the nature of the case requires, as provided for recall elections.

SEC. 10. The common council may by ordinance make such further regulations as may be necessary to carry out the provisions of this article, and to adapt the provisions of the recall election thereto.

SEC. 11. All parts of the charter of the city of San Jose in conflict with the provisions of this charter are hereby repealed and the common council is hereby authorized and directed to enact any ordinances necessary to make said provisions effective.

A new section to be added to chapter IV, article X of said charter, to be known as section 14, and to read as follows:

Section 14. Every paid employee of the city who shall be required to be on duty twenty-four hours each day shall be entitled to one day off in every seven, and every board or commission having supervision of such employees shall make rules and regulations providing for one day off in every seven for such employees. No employee shall be allowed to work more than six consecutive days except in times of great emergency, and a lack of public funds shall in no event be construed as such an emergency.

That the charter of the city of San Jose be amended by adding a new section to be numbered section 6a to chapter I of article III. Said section 6a to read as follows, to wit:

Section 6a. Should the mayor die, resign or be removed from office other than by vote of the people, or the office of mayor become permanently vacant in any other way, then the common council shall appoint one of their number mayor, and he shall possess all the powers of the mayor and receive the same compensation provided for the mayor during the unexpired term. The mayor so appointed shall, with the consent of the common council, appoint an eligible citizen to the vacancy created in the common council by his elevation.

That section 3 of article I, section 9 of chapter I of article II, sections 1 and 2 of chapter I of article III, section 2 of chapter II of article V, and section 2 of article IX of the charter of the city of San Jose be amended to read as follows:

Section 3 of article I. The city shall be divided into six wards, bounded as follows:

That portion of the city bounded on the northwest by the former northern boundary line of said city, on the northeast by the center line of First street, on the southeast by the center line of Santa Clara street, and on the southwest by the southwestern boundary of said city (together with all of that portion of the city lying north of the center line of Rosa street and being the territory annexed to the city by the election had November 22, 1912) shall be and constitute the First ward.

That portion of the city bounded on the northwest by the northern boundary line of said street, on the northeast by the center line of the Coyote river, on the southeast by the center line of Santa Clara street and on the southwest by the center line of First street shall be and constitute the Second ward.

That portion of the city bounded on the northwest by the center line of Santa Clara street, on the east and northeast by the center line of the Coyote river, on the southeast by the southeastern boundary line of said city, and on the southwest by the center line of First street shall be and constitute the Third ward.

That portion of the city bounded on the northwest by the center line of Santa Clara street, on the northeast by the center line of First street, on the southeast by the southeastern boundary line of said city, on the southwest by a line commencing at the point of intersection of the center line of Santa Clara street with the center line of Delmas avenue and running thence southerly along the center line of said Delmas avenue to the point of intersection of the center line of Delmas avenue with the center line of Grant street, thence easterly along the center line of Grant street to the point of intersection of the center line of Grant street with the center line of Guadalupe creek; thence southerly along the center line of the Guadalupe creek following the meanderings thereof to the southwesterly city limits as they stood in the year 1897, and thence southerly along the southwesterly boundary line of the city as it stood in 1897 to the southerly boundary line of the city, shall be and constitute the Fourth ward.

That portion of the city lying south of the center line of Santa Clara street and west of the center line of First street, and not included in the Fourth ward, shall be and constitute the Fifth ward.

That portion of the city lying easterly of the center line of the Coyote river shall be and constitute the Sixth ward.

Whenever territory is hereafter annexed to the city, the mayor and common council, shall, immediately, after said annexation, make it a part of one of the wards of the city by ordinance, and it shall be and become from thenceforth a part of the ward to which it is attached by ordinance.

Section 9 of chapter I of article II: The election for city officers held under the provisions of this charter shall be held in the even numbered years, and be biennially hereafter, when there shall be elected a mayor, treasurer, city clerk, and councilmen, in place of the councilmen whose terms expire on the first Monday of July of the year in which said election is held.

At the election in the year 1916, there shall be elected one councilman from each of the Second, Third, Fifth and Sixth wards, each to hold office for four years.

The mayor, treasurer and city clerk shall hold office for a term of two years; but the same persons shall not be eligible for election as mayor for more than two consecutive terms.

The councilman at large, and the councilmen from the Second and Third wards elected at the general municipal election in 1914, shall hold office for the term of four years.

Of the councilmen, six shall be elected for the wards, one for each ward, and one at large. The nominations of councilmen for wards shall be made by the respective wards, and the person nominated shall be a resident of the ward for which he is chosen. Nominations for councilman at large shall be from the city at large. The certificates of nomination shall show whether the person is nominated at large or by ward, and in the latter case the name of the ward for which he stands. The official ballot shall be made to correspond. All candidates for councilmen, whether at large or from the wards, shall be voted for by the electors of the entire city, without respect to wards; and the nominee in each ward having the highest number of votes shall be declared the councilmen-elect from that ward.

At each general municipal election, councilmen shall be elected to succeed those whose terms are about to expire, and they shall likewise hold office for four years.

Immediately upon the going into effect of this amendment, the mayor and common council then in office, shall appoint a councilman from each of the Fifth and Sixth wards, in the manner now provided in this charter for filling a vacancy, in the common council, and each of said appointees shall hold office until the first Monday in July, 1916.

Section 1 of chapter I of article III: The legislative power of the city is hereby vested in a common council consisting of seven members, four of whom shall constitute a quorum, but a less number may adjourn from time to time or compel the attendance of other members. No order, except to adjourn for lack of a quorum or to compel the attendance of a quorum, and no ordinance or resolution shall be valid unless it receive the affirmative votes of four councilmen.

Section 2 of chapter I of article III: Ordinances and resolutions are the formal acts of the council reduced to writing and passed under legal restrictions governing action thereon; orders embrace all other acts, which being less formal in character require only to be duly passed by the common council and spread upon the minutes. No order, resolution or ordinance shall have effect without the approval of the mayor. In the case of orders the approval of the mayor shall be presumed unless at the same meeting at which the order was passed the mayor causes his disapproval, with his reasons therefor, to be spread upon the minutes. All resolutions and ordinances after passage must be submitted to the mayor, who shall, within five days after he has received the same, endorse his approval or disapproval thereon, giving the reasons for his disapproval. No ordinance or resolution shall be placed upon its final passage in the council upon the same day that it has been introduced and read in full the first time; and every ordinance to be valid must be passed by a vote of not less than four councilmen, and approved by the mayor; *provided*, that if the mayor fail to approve the same it may be passed by a vote of not less than five councilmen, and shall then take effect as if approved by the mayor.

Section 2 of chapter II of article V: After allowance by the common council, the city clerk shall present such claim or demand to the mayor, who, within five days thereafter, shall endorse thereon or annex thereto his approval or disapproval and return it to the city clerk. The mayor may approve a claim in part, but where a claim is disapproved in whole or in part the reasons of the mayor must be given in full. The common council, by the affirmative votes of five of its members, may allow a claim or such portion of a claim as the mayor has disapproved, but not otherwise.

Section 2 of article IX: The government of the school department is hereby vested in a city board of education, consisting of five members to be selected from the city at large, who shall serve without compensation.

That said proposed amendments were, and each of them was, published as required by law, ten times in a daily newspaper in general circulation, printed, published and circulated in said city, to wit, The Evening News.

That the city council of said city did by ordinance duly adopted on the 22nd day of April, 1914, and approved by the mayor of said city on the same day, order the holding of a general municipal election in said city on the 18th day of May, 1914, and did provide therein for the submission of said proposed charter amendments hereinabove set forth to the qualified electors of said city for their ratification at said general municipal election, which said ordinance was duly published as required by law.

That at said election a majority of the qualified electors voting thereon voted in favor of the ratification of, and did ratify, each and all of the proposed amendments to the charter of the city of San Jose hereinabove set forth.

That the city council of the city of San Jose, at a meeting held at the time and in the manner required by law, duly canvassed the returns of said election and duly found, determined and declared that a majority of said qualified electors voting thereon had voted for and ratified each and all of said proposed amendments to said charter hereinabove set forth.

In witness whereof, We have hereunto set our hands and caused the seal of said city to be affixed, this 8th day of January, 1915.

[SEAL]

F. R. HUSTED,
Mayor of the city of San Jose.
ROY E. WALTER,
City Clerk of the city of San Jose.

AND WHEREAS, The said proposed amendments so ratified as hereinabove set forth have been duly presented and submitted to the legislature of the State of California for approval or rejection, without power of alteration or amendment, in accordance with section 8 of article XI of the constitution of the State of California; now, therefore, be it

Resolved by the assembly of the State of California, the senate thereof concurring (a majority of all the members elected to each house voting therefor and concurring therein), That said amendments to the charter of the city of San Jose as proposed to and adopted and ratified by the electors of said city, and as hereinbefore fully set forth, be and the same are, and each of them is, hereby approved as a whole without amendment or alteration, for and as amendments to and as part of the charter of the city of San Jose.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 9 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Mulvany, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Assembly Concurrent Resolution No. 9 ordered transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—OUT OF ORDER.

By consent of the Senate the following bill was introduced out of the regular order.

By Senator Scott: Senate Bill No. 533—An Act placing under the jurisdiction of the Railroad Commission every employer who provides hospital service for his employees and makes a charge therefor; requiring every such charge to be just and reasonable and to be devoted to no other purpose than such hospital service; and prescribing penalties for violations of the provisions hereof.

Bill read first time, and referred to Committee on Public Utilities.

RECESS.

At ten o'clock and forty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until eleven o'clock a.m.

RECONVENED.

At eleven o'clock a.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 5—Relative to the establishment of life saving stations on the Pacific Coast;

Also: Assembly Concurrent Resolution No. 5—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition

Also: Assembly Concurrent Resolution No. 8—Relative to approving the charter of the City of Napa, County of Napa, State of California, voted for and ratified by the qualified voters of the said City of Napa at a special municipal election held therein for that purpose on the 16th day of December, 1914.

L. B. MALLORY, Chief Clerk of Assembly.

Assembly Joint Resolution No. 5 referred to Committee on Federal Relations.

Assembly Concurrent Resolution No. 5 referred to Committee on Federal Relations.

Assembly Concurrent Resolution No. 8 referred to Committee on Municipal Corporations.

Also:

SACRAMENTO, January 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 3—Accepting temporary jurisdiction over certain portions of the Presidio of San Francisco and Fort Mason Military Reservations of the United States during their occupany by the Panama-Pacific International Exposition under certain grants from the Secretary of War.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

SUSPENSION OF RULES.

Senator Wolfe asked for and was granted unanimous consent to call up for consideration at this time Assembly Joint Resolution No. 3 without reference to committee.

ASSEMBLY JOINT RESOLUTION No. 3.

Accepting temporary jurisdiction over certain portions of the Presidio of San Francisco and Fort Mason Military Reservations of the United States during their occupancy by the Panama-Pacific International Exposition under certain grants from the secretary of war.

WHEREAS, On the 22nd day of October, 1914, the president of the United States approved a joint resolution, theretofore adopted by the Congress of the United States, ceding to the State of California temporary jurisdiction over certain lands in the Presidio of San Francisco and Fort Mason (California) military reservations, which said joint resolution was as follows:

(Public Resolution—No. 57—63d Congress)
(S. J. Res. 188.)

Joint resolution ceding to the State of California temporary jurisdiction over certain lands in the Presidio of San Francisco and Fort Mason (California) military reservations.

Whereas the secretary of war was authorized by H. J. Res. 8, of Ferbruary sixteenth, nineteen hundred twelve, to grant to the Panama-Pacific International Exposition Company permission to occupy and utilize such portions of the Presidio of San Francisco and Fort Mason military reservations for exposition purposes as he might designate; and

Whereas the secretary of war, under the authority in him vested by the said joint resolution, did by an instrument dated April twenty-second, nineteen hundred twelve, grant permission to the said company to occupy and utilize for the said purposes certain portions of the said military reservations, and did by an instrument dated April tenth, nineteen hundred fourteen, grant a like permission to the said company as to certain other portions of the said presidio military reservation, and

Whereas the United States now has exclusive jurisdiction over the said military reservations; and

Whereas it is desirable that the power to preserve order in all of the said portions of said reservations during their occupancy by the said Panama-Pacific International Exposition Company be vested in the authorities of the State of California; therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled, That the United States hereby cedes to the State of California such jurisdiction over the said portions of the said military reservations as the said state now possesses elsewhere within its territory, such cession to be coextensive territorially with the said permits of April twenty-second, nineteen hundred twelve, and April tenth, nineteen hundred thirteen, and to terminate upon their expiration; *provided,* that jurisdiction to try and punish all crimes committed within said portions of said military reservations prior to the date that this cession becomes effective is reserved to the United States; *provided, further,* that the cession of jurisdiction made by this resolution shall not take effect until the same is accepted by the legislature of the State of California; *and provided further,* that when the United States shall resume possession of the said lands or any part thereof, the jurisdiction herein ceded over lands so repossessed shall revest in the United States.

Approved, October 22, 1914.

WHEREAS, It is deemed for the best interest of the people of the State of California to accept the cession of jurisdiction as provided in said joint resolution; therefore, be it

Resolved by the legislature of the State of California in its Senate and Assembly jointly, That the State of California shall and does hereby accept the cession of jurisdiction over those portions of the Presidio of San Francisco and Fort Mason military reservations, permission to occupy and utilize which was granted by the secretary of war to the Panama-Pacific International Exposition by an instrument dated April twenty-second, nineteen hundred twelve, and by an instrument dated April tenth, nineteen hundred thirteen, such jurisdiction to terminate upon the expiration of said grants; *provided, however,* that jurisdiction to try and punish all crimes committed within said portions of said military reservations prior to the date that this cession becomes effective is reserved to the United States; *and provided, further,* that when the United States shall resume possession of said lands, or any part thereof, the jurisdiction herein accepted over said lands so repossessed shall revest in the United States.

Resolved, further, That the secretary of state be, and he is hereby requested to transmit certified copies hereof, one each to the secretary of state and the secretary of war of the United States and two copies to the librarian of congress.

Resolved, further, That the acceptance of jurisdiction herein provided for shall take effect immediately.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 3 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

Assembly Joint Resolution No. 3 ordered transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—OUT OF ORDER.

By consent of the Senate, the following bills were introduced out of the regular order:

By Senator Strobridge: Senate Bill No. 534—An Act validating the formation and organization, and determining the boundaries of the Pleasanton township county water district in the county of Alameda, State of California.

Bill read first time, and referred to Committee on County Government.

By Senator Cohn: Senate Bill No. 535—An Act to amend an Act entitled "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending sections two, three, four, five, six, seven and one half and eight thereof, by adding a new section thereto to be known and numbered as section six and one half, and repealing section seven thereof, all relating to the powers and duties of the state veterinarian, assistant state veterinarian and deputy state veterinarians, and fixing salaries, and prescribing penalties for violation of this Act.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 536—An Act to prevent the importation into the State of California of horses, mules, dairy cattle and breeding bulls which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this Act, and repealing an Act approved June 4, 1913, entitled "An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the state; to repeal an Act entitled 'An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Bill read first time, and referred to Committee on Agriculture.

PRIVILEGE OF THE FLOOR EXTENDED.

On motion of Senator Benson the privilege of the floor this day was extended to the following students of the San Jose State Normal School:

Chrissie Owen, Vivian Saunders, Eva Hankson, Ann Baxter, Inez Cooper, Phil Sheehy, Annette Mitchell, Ann Logan, Hester Murphy, Lola Prior, Romie Swall, Marie Pate, Ruth Kuhn, Rood Davidson, Miss Keager, Miss Bissell, Miss Walkson, Charles Fisher, Raymond Miller, Marjorie Hamlin, Roma McGraff, Walter Christensen, Raymond Mosher, Clifton Boyle, Robert Wilson, Harold Mosher, Don Walker, Melvin Dillingham, Horton Blair, Miss Riebsam, Miss Kinney, Miss Rowell, Miss Whitmeier and Dr. Morris E. Dailey.

ADJOURNMENT.

At eleven o'clock and thirty minutes a.m., on motion of Senator Thompson, the President declared the Senate adjourned until Monday January 25, at 11 o'clock a.m.

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Monday, January 25, 1915.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

President pro tem Thompson in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry I. Stark.

LEAVES OF ABSENCE.

Senator Lyon was, on motion of Senator Birdsall, granted leave of absence for this day.

Senator Owens was, on motion of Senator Wolfe, granted leave of absence for this day.

Senator Flaherty was, on motion of Senator Finn, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 22, 1915, the further reading was dispensed with, on motion of Senator Rush.

PETITIONS.

The following communications were read and ordered printed in the Journal:

Presented by Senator Cohn.

SACRAMENTO, CAL., January 20, 1915.

The Secretary of the Senate, Sacramento, Cal.

DEAR SIR: At a regular meeting of the Sacramento Ministerial Association last Monday, January 18, 1915, the members present unanimously went on record as opposing any proposed legislation to levy a State tax upon the saloons of this State.

Very truly yours,

B. F. DAVIS, Secretary.

By Senator Breed:

To the Legislature of the State of California, care of Hon. A. H. Breed, Senator.

We earnestly petition your honorable body to pass no law which shall put a tax upon the saloon or upon the business of selling liquor in this state.

We believe that the saloon fosters crime, vice and poverty in the communities where saloons are licensed.

We believe that the State should not countenance the saloon as an institution, as it would if the saloon business were recognized as a business suitable to be taxed. Therefore we protest.

The above was endorsed by unanimous vote at a meeting of the Seventh-Day Adventist Church of Berkeley, Cal. (membership 115) on January 23, 1915; and the undersigned was authorized to so attest.

ROBERT A. S. FRIES, Presiding.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 25, 1915.

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate Bill 235—An Act to amend section five hundred forty-two *a* of the Code of Civil Procedure of the State of California, relating to attachment liens;

Also: Senate Bill 196—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty—have had the same under consideration, and respectfully recommend that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 235 and 196 ordered on file for second reading.

Also:

SACRAMENTO, January 25, 1915.

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate Bill No. 9—An Act relating to the sale and carrying of dangerous weapons;

Also: Senate Bill No. 200—An Act to amend section six hundred one of the Code of Civil Procedure of the State of California, relating to challenge of jurors—have had the same under consideration, and respectfully recommend that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 9 and 200 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SACRAMENTO, January 25, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations to whom was referred Assembly Concurrent Resolution No. 8—Relative to approving the charter of the city of Napa, county of Napa, State of California, voted for and ratified by the qualified voters of the said city of Napa at a special municipal election held therein for that purpose on the 16th day of December, 1914—have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

TYRRELL, Chairman.

Assembly Concurrent Resolution No. 8 ordered on file.

ON RULES.

SACRAMENTO, January 25, 1915.

MR. PRESIDENT: Your Committee on Rules to whom was referred Senate Concurrent Resolution No. 12—Relative to the adjournment of the legislature for the constitutional recess and to the reassembling of the legislature after said recess and fixing the date for said adjournment and said reassembling—have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

THOMPSON, Chairman.

CONSIDERATION OF RESOLUTION—(OUT OF ORDER).

On motion of Senator Strobridge Senate Concurrent Resolution No. 12 was taken up for consideration at this time.

SENATE CONCURRENT RESOLUTION NO. 12.

Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling.

WHEREAS, Section 2 of article IV of the Constitution of the State of California requires that, after the legislature has been in session for a period not exceeding thirty days, a recess must be taken by both houses for a period of not less than thirty days; therefore, be it

Resolved by the Senate, the Assembly concurring, That the forty-first session of the Legislature of the State of California shall adjourn for said recess at twelve o'clock noon on Thursday, January 28, 1915, and shall reassemble at the hour of twelve o'clock noon on Monday, March 8, 1915.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 12 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Mott, Purkitt, Rush, Scott, Sharkey, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.
NOES—None.

Senate Concurrent Resolution No. 12 ordered to engrossment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON REVENUE AND TAXATION.

SACRAMENTO, January 25, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 127—An Act to amend section three thousand eight hundred twenty-three of the Political Code relating to the collection of taxes by the assessor—Have had the same under consideration, and respectfully report the same back with one amendment and recommend that it do pass as amended.

COGSWELL, Chairman.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Cogswell asked for and was granted unanimous consent to call up for consideration at this time Senate Bill No. 127.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out of line eighteen, page one of the printed bill the letters "LV" and insert in lieu thereof "IV."
Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ROADS AND HIGHWAYS.

SACRAMENTO, January 25, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways to whom was referred Senate Bill No. 330—An Act authorizing the establishment of a cash revolving fund for the Department of Engineering and defining its use—have had the same under consideration, and respectfully report the same back and recommend that it be rereferred to Finance Committee.

BIRDSALL, Chairman.

Senate Bill No. 330 ordered rereferred to Committee on Finance.

ON FEDERAL RELATIONS.

SACRAMENTO, January 25, 1915.

MR. PRESIDENT: Your Committee on Federal Relations to whom was referred Assembly Concurrent Resolution No. 5—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition—have had the same under consideration, and respectfully report the same back with amendments and recommend that it be adopted as amended.

RUSH, Chairman.

Assembly Concurrent Resolution No. 5 ordered on file.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Campbell: Senate Joint Resolution No. 5—Relative to memorializing the Congress of the United States to initiate proceedings therein for the submission to the several states of an amendment to the constitution of the United States giving Congress power to enact a uniform divorce law.

Resolution read, and referred to Committee on Federal Relations.

By Senator Cohn: Senate Concurrent Resolution No. 13—Relative to a measure pending in Congress known as House Joint Resolution three hundred forty-four, Sixty-third Congress, second session, providing for the appointment of a National Marketing Commission, and memorializing Congress to adopt the resolution so that it may immediately go into effect.

SUSPENSION OF RULES.

Senator Cohn asked for and was granted unanimous consent to call up for consideration at this time, without reference to committee and under suspension of the rules, Senate Concurrent Resolution No. 13.

SENATE CONCURRENT RESOLUTION NUMBER THIRTEEN.

Relative to a measure pending in Congress known as House Joint Resolution 344, Sixty-third Congress, second session, providing for the appointment of a National Marketing Commission, and memorializing Congress to adopt the resolution so that it may immediately go into effect.

WHEREAS, Representative Godwin, of Arkansas, introduced on September 10, 1914, House Joint Resolution 344, which was referred to the Committee on Agriculture and ordered to be printed, and

WHEREAS, House Joint Resolution 344 expresses the sentiment of a majority of the State legislature of the State of California, said resolution in full being as follows:

"WHEREAS, It is patent that there are defects in the economic system of the United States which affect adversely the producers and the consumers of agricultural products; and

"WHEREAS, These defects have been accentuated by the European war, and to a degree justifying the recent utterances of the President of the United States in the matter of the high cost of living; and

"WHEREAS, Various attempts have been made from time to time to overcome these defects, mainly through non-governmental agencies, and recently under governmental agency under the Bureau of Marketing of the Department of Agriculture, and

"WHEREAS, Experience has, however, proven that the solution of this question is not to be found in nongovernmental agencies nor is it to be found in a governmental agency. It is to be found in a semiofficial governmental agency, as is here proposed, as witness the success in the European countries of such a system, a system which has swept aside the trusts in food products and which renders the trust an impossibility; and

"WHEREAS, The present abnormally high prices for food products not alone offers an opportune time for the establishment of a semiofficial governmental agency as a means for the temporary solution of this problem but also for the organization of the agricultural forces of the United States on the lines indicated as a means for the permanent solution of this problem;" Now therefore, be it

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President be authorized and requested to appoint a National Marketing Commission to be composed of twenty-nine members, fifteen of whom shall be farmers and fourteen of whom shall be selected with reference to their eminence in commerce, law, finance, and transportation.

"Sec. 2. That such National Marketing Commission shall meet in the city of Washington at a time designated by the President and organize by the election of officers, and adopt a plan of action for the effective organization of the states, counties, and localities of the United States for the economic distribution of the products of the farm, with power to act in so far only as affecting individuals and organizations that shall elect to become a part of this national marketing system;" and

WHEREAS, It is generally recognized that there is imperative need of a more scientific system of marketing the farm products of the United States, and

WHEREAS, The above resolution, if carried out, will undoubtedly lead to an improvement in our marketing conditions, be it, therefore

Resolved, That the Senate of the State of California, the Assembly concurring, respectfully requests and urges the Congress of the United States to adopt House Joint Resolution 344, and be it further

Resolved, That copies of this resolution be sent to the California Senators and Representatives and to the President of the United States, who are hereby requested by this resolution to work in the interest of the passage of House Joint Resolution 344.

Resolution read.

SPECIAL ORDER SET.

On motion of Senator Cohn, Senate Concurrent Resolution No. 13 was ordered printed in the Journal to be taken up for consideration on the next legislative day after consideration of the Daily File.

SPECIAL ORDER CONTINUED.

By order of President pro tem. Thompson, consideration of the resolution pertaining to the distribution of bills, which was set for this day, was continued for twenty-four hours.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

By Senator Cogswell: Senate Bill No. 537—An Act to amend section four thousand forty-one of the Political Code, relating to the general powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 538—An Act to amend section four thousand two hundred eighty-eight of the Political Code by adding a new section thereto permitting boards of supervisors in counties of the first class or counties operating under a charter to fix dates of which salaried employees may be paid.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 539—An Act to limit the times when district lines in districts, where tax rates for same are to be fixed by the board of supervisors of any county, may be changed or new district formed.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 540—An Act to amend section two thousand six hundred forty-three of the Political Code relating to the powers of boards of supervisors relating to roads.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 541—An Act to repeal section nine hundred twenty-four of the Political Code.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 542—An Act to amend section four thousand seventy-five and section four thousand seventy-six of the Political Code, relating to payment and form of claims against the county.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 543—An Act to amend section one thousand eight hundred sixty-one of the Civil Code of the State of California, relating to the lien of hotel, inn, boarding house and lodging house keepers upon the baggage and other property of value of their guests.

or boarders, or lodgers, by including therein a lien for apartment house keepers upon the property of their tenants.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 544—An Act to appropriate money to supplement the support appropriation of the Whittier State School for the sixty-sixth fiscal year.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 545—An Act to provide for the appointment of a board of Pio Pico mansion trustees and for the acquisition of the Pio Pico mansion property; and making an appropriation for the preservation and protection of said property.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 546—An Act appropriating money to pay the claim of the Lake Tahoe Railway and Transportation Company against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 547—An Act making an appropriation to pay the claim of W. H. Taylor against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 548—An Act to provide for the location, survey and construction of a proposed highway to connect the road system of Los Angeles County in the vicinity of Azusa with the road system of Antelope Valley in the vicinity of Palmdale, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Birdsall: Senate Bill No. 549—An Act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on State roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this Act.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 550—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered section five hundred eighty-eight *c*, concerning the injury, defacement or removal of monuments or stakes placed, erected or used by the State Department of Engineering, its officers or employees on or along any State road or highway or in connection with State road or highway work, and prescribing penalty for the violation of such section.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 551—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered section five hundred eighty-eight *b*, concerning the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of notices, or the extinguishment, removal, injury or destruction of warning lights or lanterns on a State road or highway, and prescribing a penalty for the violation of such section.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 552—An Act to provide for the care, management and protection of State highways and providing penalties for violations of the provisions of the Act.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 553—An Act to provide for the abandonment of State roads and highways by the State Department of Engineering.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Scott (by request): Senate Bill No. 554—An Act creating a reclamation district to be called and known as "Big Valley Reclamation District;" providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Big Valley Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Big Valley Reclamation District.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also, (by request): Senate Bill No. 555—An Act creating a reclamation district to be called and known as "Upper Lake Reclamation District;" providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Upper Lake Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Upper Lake Reclamation District.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also (by request): Senate Bill No. 556—An Act creating a reclamation district to be called and known as "Tule Lake Reclamation District;" providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Tule Lake Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Tule Lake Reclamation District.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also (by request): Senate Bill No. 557—An Act to amend section four hundred seventy-two of the Political Code of the State of California, relating to the appointees of the Attorney General and his duties.

Bill read first time, and referred to Committee on Judiciary.

By Senator Brown: Senate Bill No. 558—An Act to amend section two thousand nine hundred seventy-eight of the Political Code, relating to the constitution of the State Board of Health and the terms of the members of said board.

Bill read first time and referred to Committee on Public Health and Quarantine.

By Senator Duncan: Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by adding a new section to article XIII, relating to revenue and taxation.

Constitutional Amendment referred to Committee on Judiciary.

By Senator Benedict: Senate Bill No. 559—An Act to amend section nine hundred thirty-nine of the Code of Civil Procedure of the State of California, relating to the time within which an appeal may be taken.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 560—An Act to amend sections nine hundred fifty, nine hundred fifty-one and nine hundred fifty-three of the Code of Civil Procedure, and to repeal section nine hundred fifty-two of said code, all relating to appeals.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 561—An Act to amend section nine hundred fifty-six of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 562—An Act to amend section one hundred thirty-one of the Civil Code of the State of California relating to actions for divorce.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 563—An Act to amend section nine hundred sixty-three of the Code of Civil Procedure of the State of California, relating to cases in which an appeal may be taken.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 564—An Act authorizing any municipality to incur indebtedness by the issuance and sale of bonds for the purpose of investing the proceeds arising from the sale thereof in other bonds, evidences of debt or liens issued for public improvements in said municipality.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 565—An Act empowering municipal corporations to secure and enforce payment of rates and charges for water, gas or electricity furnished by them.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 566—An Act to amend section two and section seven of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 567—An Act relating to bonds of county water works districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of county water works districts as security for the performance of any act may be authorized.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 568—An Act to repeal section two thousand six hundred thirty three *a* of the Civil Code of the State of California, relating to the time for notice of loss in casualty or accident insurance policies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 569—An Act to incorporate standard provisions in policies of accident and health insurance, to prevent discriminations in connection therewith and to prescribe penalties for violations of the provisions hereof.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 570—An Act prohibiting insurance companies and their agents from giving, and insured persons from receiving, a rebate of any portion of an insurance premium, and providing a penalty for violations of the provisions hereof.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 571—An Act to prohibit insurance companies, associations, or societies and their agents from misrepresenting the terms of any policy of insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 572—An Act to amend section six hundred thirty-three of the Political Code, relating to the licensing of insurance agents.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 573—An Act to add a new section to the Political Code to be numbered six hundred thirty-three *a*, relating to the licensing of fire insurance brokers.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 574—An Act to amend section nine hundred twenty-eight of the Penal Code relating to grand juries, permitting the use of the accounting department of the State Board of Control by the grand juries of the several counties of the State instead of employing "experts."

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 575—An Act to validate the formation of certain districts formed under the provisions of an Act entitled "An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof," approved June 13, 1913, and to validate the issuance and sale of certain bonds thereof.

Bill read first time and referred to Committee on Irrigation.

By Senator Kehoe: Senate Bill No. 576—An Act to amend section six hundred sixty-one of the Code of Civil Procedure, relating to new trials and appeals.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 577—An Act to amend section six hundred fifty-six of the Code of Civil Procedure, relating to new trials and appeals.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 578—An Act to amend section six hundred fifty-eight of the Code of Civil Procedure, relating to new trials.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 579—An Act to amend section six hundred sixty of the Code of Civil Procedure relating to new trials.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 580—An Act to amend section one of an Act approved May 1st, 1911, entitled "An Act for the regulation and control of fraternal benefit societies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 581—An Act to amend section 14 of an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the constitution of the State of California as said consitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, and every Act amendatory of said section fourteen, by providing the procedure for ascertaining and determining the actual cash value of every franchise subject to taxation, other than the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State, and providing a procedure for ascertaining and determining the actual cash value of the actual exercise of the right to be a corporation and to do business as a corporation under the laws of this State.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 582—An Act to promote the public health; to prevent fraud or deception in the sale of butter, or in the sale of milk or cream intended for butter making, when any of such products are sold on the basis of quality or grade; to fix and define standards and grades for milk and cream intended for butter making; to fix and define standards and grades for butter; to regulate the buying and selling of butter when any such buying or selling is on the basis of quality or grade; to regulate the buying and selling of milk and cream intended for butter making when any such buying or selling is on the basis of quality or grade; and to provide for the enforcement of its provisions, and for the punishment of violations thereof.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 583—An Act to amend section two hundred sixty-four of the Penal Code relating to the punishment for the crime of rape.

Bill read first time, and referred to Committee on Judiciary.

By Senator Flint: Senate Bill No. 584—An Act to amend section two thousand four hundred sixty-six of the Political Code and to add thereto a new section to be numbered two thousand four hundred sixty-six *a*, relating to rates of pilotage at San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 585—An Act to amend section three thousand seventy-five of the Political Code of the State of California relating to the office of the State Registrar of the Bureau of Vital Statistics and the State Board of Health, and providing for deputies, clerks and assistants and their compensation.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 586—An Act to amend an Act entitled "An Act to define and regulate the business of banking," known as the Bank Act, approved March 1, 1909, by amending section fifty-three thereof added thereto by an Act entitled "An Act to amend that certain Act of the legislature of the State of California entitled 'An Act to define and regulate the business of banking,' approved March 1, 1909, by amending sections eleven, twenty, twenty three, thirty three, thirty-five, thirty nine, forty three, forty nine, sixty, sixty two, eighty, eighty-two, eighty three, ninety six, one hundred twenty three, one hundred thirty-three, one hundred twenty four and one hundred twenty-one thereof, and by adding new sections twelve *a*, fifty two, fifty-three, and eighty-four thereto," approved April 21, 1911.

Bill read first time, and referred to Committee on Banking.

By Senator Campbell: Senate Bill No. 587—An Act to amend section seventeen hundred seventy nine of the Political Code of the State of California, relating to the establishment of post graduate elementary school courses.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 588—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating liquors to persons addicted to the inordinate use of intoxicating liquors," approved March 19, 1889.

Bill read first time, and referred to Committee on Public Morals.

Also: Senate Bill No. 589—An Act to amend section two hundred forty one of the Code of Civil Procedure, relating to grand jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 590—An Act fixing the number of probation officers and assistant probation officers in all the counties of the State of California, fixing the salaries of such officers and providing for the payment thereof, authorizing the payment of incidental expenses incurred by probation officers, assistant probation officers, deputy probation officers and members of the probation committee in the discharge of their duties.

Bill read first time, and referred to Committee on Judiciary.

By Senator Shearer: Senate Bill No. 591—An Act to amend section two thousand six hundred forty-three of the Political Code, relating to the powers of boards of supervisors, relating to roads, and to repeal section two thousand six hundred forty-one of the Political Code.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 592—To make an appropriation for the purpose of making a survey for a State highway from the intersection of the State highway and the Klamath River road in Siskiyou county to the terminus of the Humboldt county road at Orleans at the mouth of the Redwood river.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Irwin: Senate Bill No. 593—An Act to amend sections six hundred twenty-six *a*, six hundred twenty-six *f*, and six hundred twenty-six *j*, and to repeal section six hundred twenty-six *i* of the Penal Code of the State of California.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 594—An Act to amend section four thousand two hundred sixty-one of the Political Code relating to compensation of officers in counties of the thirty-second class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 595—An Act to amend section four thousand fourteen of the Political Code of the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Senator Ballard (by request): Senate Bill No. 596—An Act to amend section seven hundred thirty-eight of the Code of Civil Procedure of the State of California, relating to actions to quiet title, wills in evidence and right to jury trial.

Bill read first time, and referred to Committee on Judiciary.

By Senator Butler: Senate Bill No. 597—An Act to amend sections one hundred ninety, one hundred ninety-two, one hundred ninety-three, one hundred ninety-four and one hundred ninety-five of the Code of Civil Procedure, relating to jurors.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 598—An Act making an appropriation to complete the buildings, equipping and furnishing of an armory to be used for the National Guard and National Guard purposes in the city of Los Angeles.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 599—An Act to amend section one thousand forty-six of the Penal Code, relating to the formation of the trial jury in criminal actions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr: Senate Bill No. 600—An Act to provide for submitting to the qualified electors of every city and county, or incorporated city or town, in this State, the question whether such city and county, or incorporated city or town, shall retain powers of control vested therein respecting all or any public utilities, and to provide for elections thereafter to surrender such powers of control in case the qualified electors of any such city and county, or incorporated city or town, shall have voted to retain such powers of control.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 601—An Act to amend section ten of an Act entitled "An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," Approved June 12, 1913, Statutes of California of 1913, page 608.

Bill read first time, and referred to Committee on Labor and Capital.

Also. Senate Bill No. 602—An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part of public highways, squares, lands, alleys, parks, storm water drains, settling basins, courts, and places, within counties, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvements.

Bill read first time, and referred to Committee on County Government.

Also. Senate Bill No. 603—An Act to amend an Act entitled, "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways, to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts, the assessment, collection, custody and disbursement of taxes therein; and creation of ex officio boards of supervisors," enacted March 20, 1909, amended March 23, 1911.

Bill read first time and referred to Committee on County Government.

Also: Senate Bill No. 604—An Act to amend sections two, eight, eleven and thirteen of "An Act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns, for the incidental establishment of grades thereof, for the constructions therein or thereon of sidewalks, sewers, manholes, bridges, cesspools, gutters, tunnels, curbing, and crosswalks, for the issue of bonds representing the costs and expenses thereof, for a special fund derived in part from the county road fund and in part by special assessment upon a district, and for the establishment of such districts. (approved March 21, 1907, as subsequently amended)."

Bill read first time and referred to Committee on Roads and Highways.

Also: Senate Bill No. 605—An Act to amend sections seven hundred fifty-two and eight hundred fifty-two, and repealing sections seven hundred fifty-two *b* and eight hundred fifty-two *b* of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 606—An Act to amend section eight hundred seventy-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the president and presidents pro tem. of boards of trustees of cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 607—An Act amending an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without Governor's approval, February 25, 1901, by adding a new section thereto to be numbered section ten and a half (10½) relating to establishing the validity of municipal bonds.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 608—An Act to amend sections three, five, six, seven, nine, eleven, twelve, eighteen, twenty-one, twenty-three, twenty-five, twenty-seven, forty-three, fifty-nine, sixty-one, sixty-two, sixty-three and sixty-five of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and repealing sections eighty-four, eighty-five, eighty-six, eighty-seven, eighty-eight and eighty-nine thereof relating to work in unincorporated territory.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 609—An Act to provide for the issuance of street improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property secured thereby and for the payment of the bonds so issued.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 610—An Act to provide for the establishment, government, and maintenance of city planning commissions within municipalities, and prescribing their powers and duties.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 611—An Act to amend sections one and four of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 612—An Act to amend section two of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 613—An Act to add article seven to chapter three of title five, part four of the Code of Civil Procedure, relating to interrogatories to parties to actions and special proceedings, and admitting execution and genuineness of documents, letters or writings.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 614—An Act to confirm and validate bonds issued and to be issued by the State of California under the provisions of the "State Highways Act," and "San Francisco Harbor Improvement Act of 1909."

Bill read first time, and referred to Committee on Judiciary.

By Senator Gerdes: Senate Bill No. 615—An Act to appropriate the sum of eleven thousand four hundred thirty three and eighty-two one hundredths dollars out of the San Francisco Harbor Improvement Fund in the State treasury to pay the assessment levied for said amount on property belonging to the State of California by the City and County of San Francisco for a local improvement.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 616—An Act to amend sections three and five of the Act entitled "An Act providing for the sanitation of food-producing establishments, places where food is stored, prepared, kept or manufactured and in which food is distributed; regulating the health of persons by whom the materials from which food is prepared or the finished product is handled, providing for the inspection of such places, persons and things, declaring places and things in violation of this Act to be a nuisance, dangerous to health and providing for the abatement of the same, making violations of this Act misdemeanors, and providing for the punishment of the same," approved March 6, 1909.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator King: Senate Bill No. 617—An Act providing for the location and construction of a State highway in Imperial County; and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Anderson: Senate Bill No. 618—An Act to amend section two of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under constitutional provision without Governor's approval February 25, 1909, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 619—An Act to amend section eight hundred sixty-two of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations" approved March 13, 1883, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Slater: Senate Bill No. 620—An Act to add a new section to the Political Code, to be numbered two hundred forty-seven *a*, relating to the appointment of the employees of the Legislature.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 621—An Act to add a new section to the Political Code to be numbered two hundred forty-five *a*, relating to the employees of the Senate.

Bill read first time, and referred to Committee on Judiciary

Also: Senate Bill No. 622—An Act to add a new section to the Political Code to be numbered two hundred forty-seven *a*, relating to the employees of the Assembly.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 623 —An Act to amend section two hundred five of the Political Code, relating to the officers of the Senate.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 624—An Act to amend section two hundred forty-seven of the Political Code, relating to the election of officers of the Legislature.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 625—An Act to amend section two hundred forty-six of the Political Code relating to the officers of the Assembly.

Bill read first time, and referred to Committee on Judiciary.

By Senator Luce: Senate Bill No. 626—An Act to amend section five hundred eighty-five of the Code of Civil Procedure of the State of California, referring to judgment upon failure to answer.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 627—An Act to amend section two hundred seventy-four *b* of the Code of Civil Procedure of the State of California, relating to the fees charged by phonographic reporters in transcribing evidence.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 628 —An Act declaring kelp beds to be the property of the State of California and providing for the control and leasing of said beds.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Hans: Senate Bill No. 629—An Act to add a new section of the Political Code to be numbered four thousand two hundred thirty-two *a*, providing for the compensation of grand jurors and trial jurors in the superior court in counties of the third class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 630—An Act to amend section one thousand six hundred twenty-two *a* of the Political Code relating to teachers' salaries and fixing a minimum amount to be paid.

Bill read first time, and referred to Committee on Education.

By Senator Benson: Senate Bill No. 631—An Act to create a river control and drainage district, to be called Sutter Basin River Control and Drainage District; to provide for the control and improvement of the Sacramento river, and to promote drainage in said district by the construction of by-passes, and of levees, ditches, dams, dikes, canals and other works for the control and improvement of the Sacramento river, and the control of the flood waters thereof, and the drainage of lands in said district: to provide for the appointment of officers of said districts; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said district; the issuance of bonds by said district, and testing the validity of the levy of such assessments and the issuance of such bonds.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 632—An Act relating to and regulating the carrying and possession of firearms that may be concealed upon the person within cities, towns and other municipal corporations of this State, and providing for the issuance of licenses therefor and regulating the sale thereof; and prohibiting the sale and disposition of firearms and ammunition therefor to minors within the State; and prohibiting the possession, carrying, manufacturing and sale of other dangerous instruments and weapons and the giving, transferring and disposition thereof to other persons within this State; and relating to the carrying and possession of dangerous and deadly instruments and weapons by any person who intends or attempts to use the same unlawfully against another.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 633—An Act to amend section three thousand seven hundred and sixty-six of the Political Code, relating to the manner of publication of the delinquent tax list.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 634—An Act to amend an Act entitled "An Act creating a reclamation district to be called and known as 'Reclamation District No. 1500;' providing for the management and control thereof and dissolving all levee districts, swamp-land districts, and reclamation districts, lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500."

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Purkitt: Senate Bill No. 635—An Act to amend section three of an Act entitled "An Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended March 6, 1899, and April 21, 1909.

Bill read first time, and referred to Committee on County Government.

By Senator Thompson: Senate Bill No. 636—An Act making an appropriation to defray the expense of legislative printing, and mailing handled by the Superintendent of State Printing, for the forty-first session of the legislature of the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 637—An Act to amend section three thousand six hundred fifty of the Political Code, relating to the assessment of property for taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 638—An Act to amend sections three thousand six hundred ninety-two, three thousand six hundred ninety-six, three thousand seven hundred fourteen, three thousand seven hundred thirty-two, three thousand seven hundred thirty-seven, three thousand seven hundred forty-six, three thousand seven hundred fifty-six of the Political Code relating to the assessment, equalization and collection of taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 639—An Act to amend section four hundred forty-two of the Code of Civil Procedure, relating to cross complaints.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 640—An Act to amend section four hundred eight of the Political Code, relating to the duties of the Secretary of State.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 641—An Act to amend section five hundred twenty-six of the Political Code, relating to the general duties of the Superintendent of State Printing.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 642—An Act to add a new section to the Civil Code, to be numbered section three hundred twenty *a*, relating to waiver of notice of meeting by directors of corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 643—An Act to add a new section to the Code of Civil Procedure to be numbered section three hundred, relating to costs in proceedings for the removal and suspension of attorneys.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 644—An Act to add to the Code of Civil Procedure a new section to be numbered section seven hundred forty-nine, relating to the recording of certified copies of judgments.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 645—An Act to amend section one hundred sixty-one *a* of the Penal Code relating to the practice of law.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 646—An Act to add to the Civil Code a new section to be numbered section three hundred six, relating to attendance at directors' meetings.

Bill read first time, and referred to Committee on Corporations.

Also (by request): Senate Bill No. 647—An Act to add to the Civil Code a new section to be numbered section three hundred six *a*, relating to duties of directors of corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 648—An Act validating and confirming the organization of lighting districts.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 649—An Act to amend section twenty-nine hundred twenty-four of the Civil Code, relating to mortgages and deeds of trust.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 650—An Act to amend section five hundred ninety-four of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 651—An Act to revise and amend chapter eight of title two of part four of division first of the Civil Code relating to mortgage insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 652—An Act to amend section ninety-six of the Act known as the "Bank Act," approved March 1, 1909, as amended February 6, 1911; April 21, 1911; December 18, 1911; December 24, 1911, and May 6, 1913.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 653—An Act to amend section one thousand two hundred forty of the Code of Civil Procedure of the State of California relating to the private property which may be taken under title VII of part III of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 654—An Act to amend section four hundred seventy-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, providing for the appointment by the attorney general of clerks, phonographic reporter, service agent and stenographers, and fixing their salaries.

Bill read first time, and referred to Committee on Judiciary.

By Senator Wolfe: Senate Bill No. 655—An Act to provide for branding on the back of all crabs brought into the State of California, name of the place where they were caught, and providing a penalty for the violation thereof.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Brown: Senate Bill No. 656—An Act to repeal section three hundred seventy-three of the Penal Code of the State of California, relating to the maintenance of pest houses within the limits of cities, towns or villages.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Senator King: Senate Bill No. 657—An Act regulating the sale or transportation of immature oranges; preventing deception in the packing of oranges, and prescribing penalties for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 658—An Act regulating the sale and shipment of citrus fruits damaged by frost, and prescribing penalties for the violation of the provisions thereof.

Bill read first time and referred to Committee on Agriculture.

By Senator Benson: Senate Bill No. 659—An Act to amend section two hundred of the Code of Civil Procedure, relating to exemptions from liability to act as a juror.

Bill read first time, and referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Concurrent Resolution No. 4—Approving eleven certain amendments to the charter of the city of Petaluma.

On motion of Senator Slater, Senate Concurrent Resolution No. 4 was passed on file.

Senate Concurrent Resolution No. 7—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition.

On motion of Senator Finn, Senate Concurrent Resolution No. 7 passed on file.

SENATE JOINT RESOLUTION NUMBER TWO.

Relative to national forests situated within the State of California and requesting the war department of the United States to station and maintain Federal troops in such national forests during certain months.

WHEREAS, There are situated within the State of California great national forests comprising in area over twenty-seven million acres, and

WHEREAS, The protection and preservation of these forests is of great benefit to the citizens of this state and of the whole United States, and

WHEREAS, Each year during the months of July, August and September, forest fires threaten partial or total destruction of these forests, and

WHEREAS, These forests are not sufficiently protected from fire during such months; now, therefore, be it

Resolved by the senate of the State of California and the assembly, jointly, That the war department of the United States be and it hereby is, requested to station Federal troops in the national forests within the State of California during the months of July, August and September each year for the purpose of preventing and fighting forest fires and protecting such national forests; and be it further

Resolved, That a copy of this joint resolution be sent to the head of the war department of the United States.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 2 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Resolution ordered to engrossment.

SECOND-READING FILE.

Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21, and 26 of said Act.

Bill read second time, ordered engrossed and on file for third reading.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Cogswell, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 10—Approving a new charter for the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 15th day of October, 1914.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

SUSPENSION OF RULES.

Senator Cogswell moved that the standing rules of the Senate be suspended for the purpose of calling up for consideration at this time Assembly Concurrent Resolution No. 10.

Motion duly seconded.

The roll was called, and the rules suspended by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

ASSEMBLY CONCURRENT RESOLUTION No. 10.

Approving a new charter for the city of Long Beach, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Long Beach at a special municipal election held therein on the 15th day of October, 1914.

WHEREAS, The city clerk of the city of Long Beach did, on the 5th day of January, 1915, duly certify to the submission to the electors of said city of Long Beach a proposed charter, together with two alternative propositions and to the ratification of said proposed charter together with alternative proposition No. One, and did further certify to a copy of said proposed charter and alternative proposition No. One authenticated by the seal of said city of Long Beach, which said certificate is in words and figures following, to wit:

STATE OF CALIFORNIA,
County of Los Angeles, ss.
City of Long Beach.

I, Harry B. Riley, city clerk of the city of Long Beach, do hereby certify as follows, to-wit:

That, The city of Long Beach, in the county of Los Angeles, State of California, contains a population of more than ten thousand inhabitants, and has been ever since the year nineteen hundred and seven, and is now, organized and acting under a freeholders' charter, adopted under and by virtue of section 8, of article XI, of the constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the 5th day of February, 1907, and approved by the legislature of the State of California, on the 20th day of February, 1907 (statutes of 1907, page 1178); and

That, At a special election duly held in said city on the 20th day of April, 1914; under and in accordance with the law and the provisions of section 8 of article XI of the constitution of the State of California, a board of fifteen freeholders, duly qualified, was elected in and by said city by the qualified electors thereof, to prepare and propose a new charter for the government of said city; and

That, Said board of freeholders did within one hundred and twenty days after the result of said election was declared, prepare and propose a new charter for the government of said city of Long Beach; and

That, Said charter was on the 19th day of August, 1914, signed in duplicate by the members of said board of freeholders, and was thereupon duly returned and filed, one copy with the city clerk of said city of Long Beach, and the other copy with the county recorder of said county of Los Angeles, and filed in the office of said county recorder; and

That, Said proposed charter, together with two alternative propositions, was thereafter published ten times in "The Long Beach Press," a daily newspaper of general circulation, printed, published and circulated in the city of Long Beach, on the following days of publication, to wit: August 28th, 29th and 31st, and September 1st, 2d, 3d, 4th, 5th, 7th and 8th, 1914; the first publication thereof having been made within fifteen days after the filing of the copy thereof as aforesaid in the office of the said city clerk; and

That, Within not less than thirty days after the completion of said publication the said charter, together with said alternative propositions, was submitted by the city council of the city of Long Beach to the qualified electors of said city of Long Beach at a special election previously duly called and therein held on the 15th day of October, 1914, for the purpose of ratifying or rejecting said proposed charter and for adopting or rejecting alternative proposition No. 1. or alternative proposition No. 2. published with said charter and presented with said charter for the choice of said voters and to be voted on separately, said alternative propositions being as follows:

"ALTERNATIVE PROPOSITION NO. 1.

ARTICLE XXIV.

INDUSTRIAL DISTRICTS.

SECTION 1. There is hereby established two industrial districts in the city of Long Beach, as follows: Beginning at the intersection of Seaside boulevard and Alpine avenue; thence north and easterly on Alpine avenue to its intersection with Mendocino avenue; thence north on Mendocino avenue to Ocean avenue; thence east on Ocean avenue to the junction of Ocean avenue and Ocean Park avenue; thence westerly, northerly and easterly along Ocean Park avenue to its intersection with Shanock street; thence northerly on Shanock street to its intersection with the Southern Pacific railroad right of way; thence along said railroad right of way to a point opposite the center of Riverside drive, where said Riverside drive intersects said railroad right of way; thence northerly across said railroad right of way and Wilmington boulevard to the junction of Wilmington boulevard and Fairbanks avenue; thence westerly and northerly along said Fairbanks avenue to the Cerritos slough; thence along the said Cerritos slough with its meanderings, to the southwest corner of property of the Soft Water Laundry Company, as said property is shown on map filed with the city clerk of the city of Long Beach for assessment purposes, March, 1911, by the Los Angeles Dock & Terminal Company; thence south 60 deg. 18 min. 40 sec. east, along the southerly boundary of said property of the Soft Water Laundry Company, 52.05 feet; thence north 37 deg. 8 min. east, along the easterly boundary of said property, 246.12 feet; thence north 208.9 feet to a point in the center line of Anaheim street; thence east on Anaheim street to Daisy avenue; thence north on Daisy avenue to the city limits.

That Industrial District No. 2, known as Zaferia Industrial District, shall comprise all that portion of the city of Long Beach, described as follows: Beginning at a point in the east line of Temple avenue, as said Temple avenue is shown on the map of the Alamitos Tract, recorded in book 36, page 27, *et seq.*, Miscellaneous Records of Los Angeles county, said point being six hundred sixty (660) feet south of the center line of Anaheim street; thence north thirteen hundred twenty (1320) feet, thence east to the west line of Loma avenue; thence south to the south line of Anaheim street; thence east to the east line of Ximeno avenue; thence south six hundred twenty (620) feet; thence west to the point of beginning.

SEC. 2. That the boundaries of said industrial district hereinbefore in section 1 described shall not be increased or diminished, and no other or further industrial districts shall be created or established by the legislative body.

SEC. 3. That said industrial districts are hereby defined to be that portion of the city of Long Beach within which such buildings may be erected and such avocations and industries may be maintained as are prohibited in the remaining portions of the city of Long Beach.

SEC. 4. That it is hereby declared to be unlawful and a nuisance to erect, construct, repair or maintain any building, or structure, or to maintain any yard, or place for the purpose of conducting, carrying on, or maintaining any of the following avocations, industries or lines of business in the city of Long Beach, except within said industrial districts, to-wit: The manufacture of gas and electricity, the maintaining of a stone crusher, rolling mill, planing mill, lumber yard, coal or wood yard, feed yard, carpet beating establishment, fire works, factory, warehouse, laundry, smelter, skin yard, foundry, grist mill, flour mill, glass factory, woolen mill, powder mill, turn-tables or freight yard, car barn or the manufacture of any kind of goods, wares or merchandise not hereinbefore mentioned wherein machinery is used, to propel which requires the use of steam, gas, gasoline, distillate or electric energy or any other motive or animal power or in the manufacture of which large volumes of smoke, excessive noise and obnoxious odors are produced, *provided* this section shall not apply to the maintenance of garages or to the maintenance of any lines of business which are in existence and being conducted in the city of Long Beach outside of said industrial district at the time of the taking effect of this charter except that no additions, or extensions, or any improvements other than mere repairs of existing parts shall be permitted upon any of the buildings, structures or places where such restricted lines of business are now being conducted or upon any of the machinery or equipment therein.

SEC. 5. That any person, firm or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not exceeding $500, or by imprisonment in the city jail for a period of not exceeding six months, or by both such fine and imprisonment, each such person, firm or corporation shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this article is committed, continued or permitted by such person, firm or corporation and shall be punishable therefor as provided by this article."

"ALTERNATIVE PROPOSITION NO. 2.

ARTICLE XXIV

INDUSTRIAL DISTRICTS.

SECTION 1. The legislative body shall have the power to create, by ordinance, industrial districts within the city of Long Beach, define what industries shall be confined to the industrial district, prohibit the erection, construction, maintaining and operation of such industries outside of the industrial district, regulate and control the establishment of industries, and fix a penalty for the violation of said ordinance."

And that, At said last mentioned special election a majority of such qualified voters of said city voting at such special election, voted in favor of a ratification of such charter, as proposed, as a whole, and Alternative Proposition No. One was also ratified at the same time and in the same manner, and received a majority of the votes of the qualified electors of said city, voting at such special election and thereupon became article XXIV of said proposed charter, said Alternative Proposition No. Two being rejected and failing to receive a majority of the votes cast by the electors at such special election; and

That, The returns of said election were duly canvassed by the said city council of the city of Long Beach at a meeting held on the 21st day of October, 1914 (which such meeting was duly convened); and

That, Said city council, after canvassing said returns, duly found and declared that a majority of such qualified electors voting at such special election had voted for and ratified said charter, and had also voted for, adopted and ratified said Alternative Proposition No. One; and

That, Said charter, as so constituted by its ratification as a whole, and by the ratification of said Alternative Proposition No. One, is now submitted to the legislature of the State of California for its approval or rejection as a whole, without power of alteration or amendment, in accordance with section 8 of article XI, of the constitution of the State of California; and

That, Said charter, so ratified, is in the words and figures as follows, to-wit

CHARTER

For the City of Long Beach, California

ARTICLE I.

SECTION 1. The municipal corporation now existing, known as the city of Long Beach, shall continue to be a body corporate and politic under the name of the city of Long Beach, and with the following boundaries, to-wit:

DESCRIPTION OF THE BOUNDARY OF THE CITY OF LONG BEACH.

Beginning at the southwest corner of block 10, East San Pedro, as shown on map recorded in Book 52, pages 13 *et seq.* of Miscellaneous Records of Los Angeles county; thence to the northwest corner of said block 10; thence northeasterly along the northerly boundary lines of blocks 10, 11, 12 and 13, and across all intervening streets to the northwest corner of block 14, all said blocks and streets as shown on said map of East San Pedro; thence northwesterly to the southwest corner of lot 3, Terminal Island, as said lot 3 is shown on file Map No. 123, Records of Los Angeles County; thence northwesterly along the westerly line of said lot 3 to the most northerly corner of lot 2, said Terminal Island; thence in a direct line northeasterly to the intersection of the westerly boundary line of Long Beach township with the southerly line of Wilmington and Anaheim road, as said road is shown on said map of Terminal Island; thence northwesterly along the boundary line of the city of Wilmington as incorporated December 26, 1905, to a point, said point being south 85 deg. west from the intersection of the west prolongation of the north line of State street with the "Compromise line" between Rancho San Pedro and Rancho Los Cerritos as said "Compromise line" is shown in Licensed Surveyor's Map Book 6, pages 15 and 16, said Los Angeles County; thence northeasterly in a direct line to a point in the westerly boundary of the Wilmington Colony Tract, recorded in Book 4, pages 406 and 407, Miscellaneous Records of said county, said point being 1,300 feet south of the north line of lot 7 of said Wilmington Colony Tract; thence east to the east line of lot 11 of said Wilmington Colony Tract; thence north 10 feet; thence east to a point 32 feet west of the west line of American avenue, as said avenue is shown on aforementioned map of American Colony Tract; thence south to a point 100 feet north of the north line of Hill street, as shown on said map of American Colony Tract; thence east to the east line of American avenue, as shown on map of Elm Avenue Tract, recorded in Map Book 4, page 86, Records of Los Angeles County; thence north to a point 80 feet north of the north line of Willow street, as said Willow street is shown on aforementioned map of American Colony Tract; thence east to the east line of Pasadena avenue, as said avenue is shown on Map of Signal Tract, recorded in Map Book 7, page 76, Records of Los Angeles County; thence south 30 feet; thence east to a point one hundred and forty-three (143) feet west of the west line of Atlantic avenue; thence north to the north line of Farm Lot 52, aforementioned American Colony Tract; thence west along said north line of Farm Lot 52, to the east line of American avenue, as shown on aforementioned map of American Colony Tract; thence north to the north line of Spring street; thence east along the north line of Spring street to a point 143 feet west of the west line of Atlantic avenue; thence north to the north line of aforementioned American Colony Tract; thence east to the easterly boundary of Los Angeles County; thence southerly along said boundary to a point 100 feet south of the prolonged north line of American Colony Tract; thence west to a point 100 feet east of the aforementioned Atlantic avenue; thence south to the south line of aforementioned Willow street; thence east to a point 300 feet west of the west line of California avenue, as said avenue is shown on aforementioned map of American Colony Tract; thence south to a point in the southerly line of the Pacific Electric Railway right of way, as shown on map of Gadwell and Lyster Tract, recorded in Map Book 7, page 163, Records of Los Angeles County; thence southeasterly along said southerly line of right of way prolonged to the east line of California avenue, as shown on map of aforementioned American Colony Tract; thence south to a point 160 feet north of the north line of Anaheim street; thence east to the west line of Orange avenue, as said Orange avenue is shown on map of Alamitos Tract, recorded in Book 36, pages 37 and 44, Miscellaneous Records of Los Angeles County; thence south 860 feet; thence east to the east line of Temple avenue; thence north to the south line of State street; thence east to the east line of Loma avenue; thence south to the south line of Anaheim street; thence east to the east line of Ximeno avenue; thence south to the north line of Seventh street; thence east to the southwesterly line of right of way of the Pacific Electric Railway; thence southeasterly along said southwesterly line to the east line of Santa Fe avenue; thence south to the north line of lot 194; thence east along said north line of lot 194 to the west line of Nieto avenue, as said Temple avenue State street, Loma avenue, Anaheim street, Ximeno avenue, Seventh street, right of way, Santa Fe avenue, lot 194 and Nieto avenue are shown on aforementioned map of The Alamitos Tract; thence south to the northeasterly line of block A, West Naples, as shown on map recorded in map book 7, pages 164 and 165, records of Los Angeles County; thence in a direct line to the most northerly corner of lot 17, said block A; thence southwesterly along the prolonged northwesterly line of said lot 17 to its intersection with the northeasterly line of block B, said West Naples; thence southeasterly along the northeasterly line of said block B to the most northerly corner of lot 18, said block B; thence southwesterly along the prolonged northwesterly lines of said lot 18 to its intersection with the northeasterly line of lots 35 and 36, said block B; thence southeasterly along said northeasterly line of lots 35 and 36 to the most northerly corner of lot 37, said Block B; thence southwesterly along the prolonged northwesterly line of said lot 37 to the northeasterly line of block C, said West Naples; thence southeasterly along the northeasterly line of said block C to its intersection with the northwesterly line of lot 16, said block C; thence southwesterly along the prolonged northwesterly line of said lot 16 to the northeasterly line of lots 44 and 43 of said block C; thence southeasterly along the northeasterly line of said lots 44 and 43 to the most easterly corner of lot 44, said block C; thence southwesterly along the prolonged southeasterly line of lot 44 to its intersection with the northeasterly line of block D, said West Naples; thence southeasterly along the northeasterly line of said block D to the northwesterly line of lot 17, said block D; thence southwesterly along the prolonged northwesterly line of said lot 17 to the northeasterly line of block 48, Alamitos Bay Townsite, recorded in map book 4, pages 75 and 76, records of Los Angeles county; thence southeasterly along the northeasterly line of said block 48 to the northwesterly line of lot 10, said block 48; thence southwesterly along the prolonged northwesterly line of said lot 10 to a point three (3) miles distant from the shore of the Pacific ocean; thence westerly and parallel with the shore of the Pacific ocean and three (3) miles distant therefrom to a point in the prolonged westerly line of aforementioned block 10, East San Pedro; thence in a direct line to point of beginning.

ARTICLE II.

GENERAL POWERS.

SECTION 1. The said city shall continue vested with all the property of every kind belonging to it, and shall have the power:

1st. To have perpetual succession.

2nd. To have and use a corporate seal and alter it at pleasure.

3rd. To sue and be sued in all courts and places and in all actions and proceedings whatever.

4th. To purchase, receive, have, take, hold, lease, use and enjoy property of every kind and description, both within and without the limits of said city, and control and dispose of the same for the general benefit.

5th. To receive bequests, devises, and donations of property, both within and without the corporate limits of the said city, in the manner and for the purposes, and upon such trusts and conditions as are now or may hereafter be in accordance with the general law.

6th. To acquire, erect, construct, and maintain public buildings, schools, kindergartens, libraries, hospitals, markets, baths, fountains, prisons, workhouses, piers, wharves, museums, lifesaving stations, pavilions, morgues and crematories.

7th. To acquire, improve and maintain public parks, cemeteries and sewer farms, both within and without the city; to regulate the same, and to exclude cemeteries from the limits of the city or any portion thereof, and to discontinue the same.

8th. To provide for supplying the city and its inhabitants with water, gas, electricity or any other public utility, or with other means of heat, illumination or power and to acquire, repair, remodel or construct and to lease or operate, and to regulate the construction or operation of conduits or of railroads, or other means of transportation or transit, and of plants and equipments for the production or transmission of gas, electricity, heat, refrigeration or power, in any of their forms, by pipes, wires, or other means, either in or out of the city.

9th. To provide for the care of the sick and helpless, and to make regulations to prevent the spread of epidemic, contagious and loathsome diseases.

10th. To establish or change the grade, to lay out, open, extend, widen, change, vacate, pave and improve streets, alleys, places, sidewalks, crossings, and other highways and public squares and places, and to make provision for cleaning, sprinkling and oiling the same.

11th. To build, own, alter, improve, repair, keep in repair and control the water front of said city; to build, own, alter, improve, repair and keep in repair wharves, piers, bulkheads, retaining walls and chutes, and to fix the rate of wharfage and transit; to provide for regulation of berths, landing, stationing and removing of steamboats, sailing vessels, rafts and other craft, and to fix the rate of speed at which steamboats and other craft may run along the water front of the city.

12th. To provide against the existence of filth, garbage or other injurious and inconvenient matter within the city, and for the disposal of the same.

13th. To levy and collect taxes upon all property for all municipal purposes; and to levy assessments upon property to pay for the improvement of streets and other public improvements, and to collect the same.

14th. To levy taxes exceeding the limit permitted in this charter; *provided*, that before such levy can be made, the proposition to make such levy shall first be submitted to the qualified electors of the city at a special or general municipal election, and that two-thirds of the vote cast on the question of making such levy shall have been cast in favor thereof.

15th. To license and regulate places of amusement and the carrying on of any and all professions, trades, callings, occupations and kinds of business, carried on within the limits of said city, and to fix the amount of license tax thereon to be paid by all persons engaged in carrying on such places of amusement and such professions, trades or callings, occupations and kinds of business in said city, and to provide for the manner of enforcing the payment of such license tax; and to regulate, restrain, suppress and prohibit hawking, peddling and the carrying on of any laundry, livery and sale stable, cattle or horse corral, feed yard, horse clipping establishment, bill boards, lumber yards, planing mills, rolling mills, oil wells, furnaces, chimneys and smoke stacks, tanks or refineries, foundries, brickyards, slaughter houses or butcher shops, and the keeping of hogs, cattle or other domestic animals, poultry or pigeons within the limits, or within any designated portion of said city; and to prohibit and suppress the sale or giving away of intoxicating liquors, and the keeping of any place where alcoholic liquor or other intoxicating drinks are sold or given away, and all faro banks, games of chance, gambling houses, or bawdy houses, and any and all obnoxious, offensive, immoral, indecent or disreputable places or practices within the said city.

16th. To regulate or prohibit the sale, keeping, storing and use of powder, gasoline, fireworks, dynamite, nitroglycerine and other explosive materials and substances, the places of their manufacture or storage, and their transportation; and to regulate the storage of hay, straw and other inflammable materials, and the use of steam boilers, gas and gasoline engines.

17th. To require every railroad corporation or company to pave and keep in repair that portion of the street between the rails and for a distance of two (2) feet outside the rails, and between the tracks on all streets where more than one track is maintained by such corporation or company.

18th. To fix and determine annually the rates of compensation to be collected by any person, firm, company or corporation, in the city for the use of water, gas and electricity, or any public service supplied to the city or the inhabitants thereof; also to fix and regulate annually the tolls and wharfage to be charged for the use of any wharf within the city limits.

19th. To provide by ordinance a fund from which the expenses of all necessary matters of public entertainment and advertising shall be met.

20th. To contract for all necessary printing, and in that behalf either to make contracts for city printing, or to acquire, own and operate municipal printing presses and all the necessary paraphernalia therefor, and to publish and issue a municipal newspaper.

21st. To regulate the speed of railway engines, cars, and trains, passing through or operating within the city, and to require railroad companies either to station flagmen or place sufficient automatic warning signals and signal bells at street crossings; to require street cars to be provided with fenders and other appliances for the protection of the public; to regulate the speed with which persons may ride, drive, or propel bicycles, tricycles, automobiles or other vehicles, or ride or drive any horse or other animal along or upon any of the streets or highways of the city.

22nd. To create offices other than those established by this charter or by the general laws, whenever the public convenience or necessity may require the same, and to prescribe all duties pertaining to the office thus created, and to provide for the election or appointment, and to fix the compensation of the officers to fill the same. (But this shall not be construed to authorize the creation of new offices and the appointment of other officers to perform the duties by this charter assigned to officers provided for herein, other than the necessary deputies and assistants to the officers of said city.)

23rd. To make, adopt and enforce all necessary rules and regulations for the prevention of fire, floods and riots, and to make and enforce all such local, police, sanitary and other regulations as are deemed expedient to maintain the public peace, protect property, promote the public morals and preserve the health of the inhabitants of the city.

24th. To prescribe the manner in which, the times at which, and the places where elections shall be held in said city, and to appoint the officers to conduct such elections, and provide for their compensation.

25th. To make the violation of its ordinances or any provision of this charter a misdemeanor, and to prescribe the penalty for such violation, which penalty shall be by fine or imprisonment, or by both fine and imprisonment; *provided, however*, that such fine shall not exceed five hundred dollars, and such imprisonment shall not exceed six months.

26th. To acquire, by purchase, condemnation, or other lawful means, property, both real and personal, including water and water rights, within or without the corporate limits, necessary or convenient for municipal purposes or for the exercise of the powers granted to said corporation.

27th. To regulate or control the carrying of freight through any part of the city on, along or upon any of the streets, alleys or places.

28th. To exercise all municipal and police powers necessary to the complete and efficient management and control of municipal property, and for the efficient administration of the municipal government, whether such powers are herein expressly enumerated or not, except such powers as are forbidden or controlled by general law.

29th. Plenary control over all uses of its streets and other public places is vested in the city.

30th. To compel the owner, or occupant of buildings or grounds, or the owner of vacant lots to remove dirt, rubbish and weeds from the vacant lots and from lots occupied by buildings and from the sidewalk opposite thereto, and in default, to authorize the removal or destruction thereof by some officer or employee of the city, at the expense of such owner or occupant, and to make such expense a lien upon such lots, buildings, or grounds.

31st. To create a department of the city, known as department of public charity; and may, by ordinance, provide a fund, to be known as "the charity fund"; and the legislative body shall, by ordinance, provide the necessary rules and regulations governing said department.

32nd. Provided, that all of said commissioners comprising the legislative body shall be subject to the provisions of all ordinances now in force or that may be hereafter adopted by the legislative body and the general laws of the State of California relative to such powers and duties.

33rd. To provide by ordinance for all matters not otherwise provided for by this charter for the proper protection of the peace, health and safety of the city and the inhabitants thereof, or to regulate and control any condition arising from floods, strikes, or the elements.

ARTICLE III.

OFFICERS.

SECTION 1. The officers of the city shall be:

Mayor, one of the commissioners, to be elected by the legislative body.

- Elective:
  - Commissioner of public affairs;
  - Commissioner of public property;
  - Commissioner of finance and accounting;
  - Commissioner of public safety;
  - Commissioner of public works;
  - Auditor;
  - Attorney;
  - Police judge;
  - Board of education.
- Appointive:
  - Clerk;
  - Tax and license collector;
  - Assessor;
  - Civil engineer;
  - Health officer;
  - Chief of police;
  - Chief of the fire department;
  - Librarian.

SEC. 2. Every officer provided for in this charter shall, within fifteen days after receiving his certificate of election or appointment, qualify by giving the bond required by this charter, or by the ordinances of this city and by taking the following oath: "I do solemnly swear (or affirm as the case may be) that I will support the constitution of the United States, and the constitution and laws of the State of California, and the charter of the city of Long Beach, and I will faithfully discharge the duties of the office according to the best of my ability."

SEC. 3. *Salaries of officers.* The officers of this city, in this section named, shall receive, in full compensation for all services rendered by them, the following salaries, payable in equal monthly instalments at the end of each calendar month:

Commissioner of public affairs, twenty-five hundred dollars per annum;

Commissioner of public property, twenty-five hundred dollars per annum;

Commissioner of finance and accounting, twenty-five hundred dollars per annum;

Commissioner of public safety, twenty-five hundred dollars per annum;

Commissioner of public works, twenty-five hundred dollars per annum, (one of above commissioners being mayor).

Auditor, eighteen hundred dollars per annum;

Attorney, three thousand dollars per annum;

Police judge, fifteen hundred dollars per annum.

SEC. 4. In all cases not otherwise provided for in this charter, the legislative body shall, by ordinance, fix the salaries and other compensation of officers and employees.

SEC. 5. *Bonds of officers.* All officers and employees of the city, before entering upon the discharge of their official duties, shall give and execute to the city such official bonds as may be required by general law, this charter, or the ordinances of the city.

SEC. 6. *Bonds—How fixed.* When the amount of bond is not fixed by law or by this charter, it shall be fixed by an ordinance of the legislative body.

SEC. 7. *Bonded officers.* The following named officers shall execute official bonds to the city with sureties, in the following sums:

Each of the five commissioners, one of whom shall be the mayor, in the sum of ten thousand dollars;

Auditor, in the sum of ten thousand dollars;

Clerk, in the sum of ten thousand dollars;

Tax and license collector, in the sum of fifty thousand dollars;

Assessor, in the sum of ten thousand dollars;

Treasurer, in the sum of fifty thousand dollars;

City engineer, in the sum of five thousand dollars;

Police judge, in the sum of five thousand dollars.

Such other and additional bonds may be required from time to time, as the legislative body may deem proper.

SEC. 8. *Kinds of bonds and sureties.* No city officer, deputy or employee shall be accepted as surety for any other city officer, deputy or employee on any official bond. Every such bond shall contain a condition that the principal will perform all official duties then or which may thereafter be imposed upon or required of him by law, by ordinance or by this charter, and that at the expiration of his term of office, he will surrender to his successor all property, books, papers, and documents that may come into his possession as such. Such bonds must also be executed by two or more sureties who shall justify in the amount required for such bond, but when the amount of the bond is more than five thousand dollars the sureties may become severally liable for portions thereof, not less than one thousand dollars. When there are more than two sureties, such sureties may justify in an amount which in the aggregate shall equal the amount of the bond. In giving such official bonds the principal giving the same may furnish as one of the sureties, or as the sole surety thereon any of the lawfully authorized surety companies described in sections ten hundred and fifty-six and ten hundred and fifty-seven of the Code of Civil Procedure of the State of California.

SEC. 9. Every surety upon an official bond, other than such lawfully authorized surety companies, must make affidavit which shall be endorsed upon such bonds, that he is a resident of the county of Los Angeles, that he is the owner of real estate therein over and above such as is legally free from execution or forced sale worth double the amount of his undertaking. All persons offered as sureties on official bonds may be examined on oath as to their qualifications by the aforesaid officers whose duty it is to approve such bonds.

ARTICLE IV.

ELECTIONS.

SECTION 1. Elections to be held in the city of Long Beach are of three kinds:

1. General municipal elections.
2. Second municipal elections.
3. Special elections.

SEC. 2. A general municipal election shall be held in said city on the second Tuesday in May, 1915, and on the second Tuesday in May every two years thereafter, for the election of municipal officers.

SEC. 3. Candidates for said offices shall be nominated as follows:

1. The name of a candidate shall be printed upon the ballot when a petition of nomination shall have been filed in his behalf, in the manner and form and under the conditions hereinafter set forth.

2. The petition of nomination shall contain not less than twenty-five, or more than thirty-five individual signatures, which shall read substantially as follows:

PETITION OF NOMINATION.

STATE OF CALIFORNIA,
County of Los Angeles, } ss.
City of Long Beach.

I, the undersigned, certify that I do hereby join in a petition for the nomination of----------, whose residence is at No.------ ------------ street, Long Beach, California, for the office of -------------, to be voted for at the municipal election, to be held in the city of Long Beach, on the ------ day of ------------, 19----, and I further certify that I am a qualified elector and am not at this time a signer of any other petition nominating any other candidate for the above named office; and I further declare that I intend to support for such nomination the candidate named herein.

No. precinct	Signature	Residence	Date
1			
2			
3			
4			
5			
6			
to 35 inclusive.			

VERIFICATION DEPUTY'S AFFIDAVIT.

I, ----------------------, solemnly swear (or affirm) that I have been duly appointed as a verification deputy to secure signatures in the city of Long Beach, county of Los Angeles, State of California, to the nomination paper of --- -- for the office of ------------; that all the signatures on this nomination paper, numbered from 1 to ----, inclusive, were made in my presence, and that to the best of my knowledge and belief each of said signatures is the genuine signature of the person whose name it purports to be.

Verification Deputy.

Subscribed and sworn to before me, this ------------ day of ----------, 19---.

Notary Public (or other officer).

This petition of nomination shall, if found insufficient, be returned to ----------, at No. ---- -------------- street, Long Beach, California.

3 It shall be the duty of the city clerk to furnish, upon application, a reasonable number of official forms of petitions of nomination of the above character.

4. Each petition of nomination must contain the name of one candidate, and no more. Each signer to the nominating petition must be a qualified elector, and must not at the time of signing have signed his name to the petition of any other candidate for the same office.

5. Verification deputies, under this section, must be qualified electors of the city, and shall be appointed by the city clerk upon application in writing, signed by not less than five qualified electors of the city. The application shall set forth that the signers thereto desire to procure the necessary signatures of electors for the nomination of candidates for municipal offices at an election therein specified, and that the applicants desire the person or persons whose names and addresses are given appointed as verification deputies, who shall upon appointment secure the signatures of the signers of petitions of nomination; their appointments shall continue only until all of the petitions under this section shall have been filed with the city clerk. All verification deputies must, before their appointment, make and file with the city clerk, an oath as to their ages, places of residence, occupation, and that they are qualified electors of the city of Long Beach, California.

6. A petition of nomination may be presented to the city clerk not earlier than forty-five days, nor later than thirty days before the election. The clerk shall endorse thereon the date upon which the petition was presented to him.

7. When a petition of nomination is presented to the city clerk for filing, he shall forthwith examine the same, and see whether it conforms to the provisions of this section. If found not to conform thereto, he shall then and there, in writing, designate on said petition the defect or omission or reason why such petition can not be filed, and shall return the petition at once. The petition may then be amended and presented to the clerk, as in the first instance.

8. Any signer to any petition of nomination may withdraw his name from same by filing with the city clerk a verified revocation of his signature before the filing of the petition by the clerk, and not otherwise. He shall then be at liberty to sign a petition for another candidate for the same office.

9. Any person whose name has been presented under this section as a candidate may, not later than twenty-five days before the date of election, cause his name to be withdrawn from nomination by filing with the city clerk a request therefor in writing, and no name so withdrawn shall be printed upon the ballot.

10. If either the original or the amended petition of nomination be found sufficiently signed as hereinbefore provided, the clerk shall file the same twenty-five days before the date of the election. When a petition of nomination shall have been filed by the clerk it shall not be withdrawn or added to and no signature shall be revoked thereafter.

11. The city clerk shall preserve in his office for a period of two years all petitions of nomination and all certificates belonging thereto filed under this section.

12. Immediately after such petitions are filed, the clerk shall enter the names of the candidates in a list with the offices to be filled, and shall, not later than twenty days before the election, certify such list as being the list of candidates nominated as required by the city of Long Beach, and the legislative body shall cause said certified list of names and the offices to be filled, designating whether for a full term or unexpired term, to be published in the proclamation calling the election, at least ten successive days before the election, in daily newspapers of general circulation published in the city of Long Beach. Said proclamation shall conform in all respects to the general state law governing the conduct of municipal elections, now or hereafter in force, except as herein required.

13. The city clerk shall cause the ballots to be printed and bound and numbered as provided for by state law, except as otherwise required in this charter. The ballots shall contain the list of names and the respective offices, as published in the proclamation, and shall be in substantially the following form:

GENERAL MUNICIPAL ELECTION, SECOND MUNICIPAL ELECTION, OR SPECIAL ELECTION.

CITY OF LONG BEACH

(Insert date thereof.)

Instructions to voters: To vote, stamp a cross (×) opposite the name of the candidate for whom you desire to vote. All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void. If you wrongly mark, or tear, or deface this ballot, return it to the inspector of elections, and obtain another.

14. All ballots shall be precisely of the same size, quality, tint of paper, kind of type, and color of ink, so that without the number it would be impossible to distinguish one ballot from another, and the names of all the candidates printed upon the ballot shall be in type of the same size and style. A column may be provided on the right hand side for charter amendments or other questions to be voted upon at the municipal elections as provided for under this article. The names of the candidates for each office shall be arranged by lot by the city clerk, and nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate.

15. The name of every candidate who has been duly and regularly nominated, and who has not withdrawn his name as herein provided, shall be printed upon the ballot.

16. The offices to be filled shall be arranged in separate columns in the following order:

A commissioner of public affairs, vote for one.
A commissioner of public property, vote for one.
A commissioner of finance and accounting, vote for one.
A commissioner of public safety, vote for one.
A commissioner of public works, vote for one.
An auditor, vote for one.
An attorney, vote for one.
A police judge, vote for one.

17. Half inch square shall be provided at the right of the name of each candidate wherein to stamp the cross.

18. Half inch spaces shall be left below the printed names of candidates for each office equal in number to the number to be voted for, wherein the voter may write the name of any person or persons for whom he may wish to vote.

19. The clerk shall cause to be printed sample ballots identical with the ballot to be used at the election and shall furnish copies of the same on application to registered voters at his office at least five days before the date fixed for such election, and shall mail one such ballot to each voter entitled to vote at such election, so that all of said sample ballots shall have been mailed at least three whole days before said election.

20. The candidate receiving the majority of all the votes cast for all the candidates for that office shall be declared elected.

21. If at any election, where as above provided, there be any office to which no person was elected, then, as to such office, the first election shall be deemed a primary election for the nomination of candidates, and a second municipal election shall be held to fill said office. The two candidates receiving the highest number of votes for the respective offices at such first election shall be the only candidates at such second municipal election; *provided*, that if there be any person who, under the provisions of this subdivision, would have been entitled to have become a candidate for any office except for the fact that some other candidate received an equal number of votes therefor, then all such persons receiving such equal number of votes shall likewise become candidates for such office. The candidate who shall receive the highest number of votes at such second municipal election shall be declared elected to such office.

22. The second municipal election, if necessary to be held, shall be held three weeks after the first election.

23. All the provisions and conditions above set forth as to the conduct of an election, so far as they may be applicable, shall govern the second municipal election, except that notice of the election be published twice in the official newspaper, *and provided*, also that the same precincts and polling places shall, if possible, be used.

24. If a person elected fails to qualify, the office shall be filled as if there were a vacancy in such office, as hereinafter provided.

25. No informalities in conducting municipal elections shall invalidate the same, if the election has been conducted fairly and in substantial conformity to the requirements of this charter.

SEC. 4. The provisions of the state law relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of elections, so far as they may be applicable, shall govern all municipal elections; *provided*, that the legislative body shall meet as a canvassing board and duly canvass the election returns within seven days after any municipal election.

SEC. 5. All officers provided to be elected by this article shall take office on the first Monday in July, next after their election, except the board of education. In the case of a special election to fill a vacancy the person elected shall, after qualifying, as herein provided, enter at once upon the discharge of the duties of the office to which he has been elected, and shall serve for the remainder of the term and until his successor shall have been elected and qualified.

SEC. 6. In the event of a vacancy in the legislative body a special election for the purpose of filling the same shall be ordered and held without delay. In the event of a vacancy in any other elective office the legislative body shall fill such vacancy until the next municipal election.

SEC. 7. The legislative body shall have the power to submit to the electors of said city, at any election, any question required to be so submitted by the constitution, the law, this charter, or by ordinance; *provided*, that in case such question is required by said constitution, law, charter, or ordinance to be submitted at a special or other particular kind of election, it shall be so submitted, and not otherwise.

SEC. 8. *Terms of officers.* At the first election after the adoption of this charter, the commissioner of public affairs, the commissioner of public property, and the commissioner of finance and accounting shall be elected for a term expiring the first Monday in July, 1917, and the commissioner of public safety, and the commissioner of public works, the auditor, the attorney, and the police judge shall be elected by the qualified electors of the city of Long Beach, for a term expiring the first Monday in July, 1919, and until their successors are elected and qualified, and thereafter said elective officers shall be elected for a term of four years; *provided, always*, that the tenure herein fixed shall be subject to right of recall as provided in this charter.

SEC. 9. *Qualifications.* Each commissioner must be at least twenty-five years of age, not in litigation against the city when elected, and must for four years next preceding the date of his election have been a bona fide resident and qualified elector of the city of Long Beach or territory legally annexed thereto.

SEC. 10. Duties of commissioners:

1. *Commissioner of public affairs.* The commissioner of public affairs shall be superintendent of the department of public affairs, which shall include all charitable, correctional and reformatory institutions and agencies belonging to the city, the use of all recreational facilities of the city, including all parks, play grounds, civic beautification and libraries; he shall have charge of the inspection and supervision of all public amusements and entertainments; he shall provide for the study of and the research into causes of poverty, delinquency, crime and disease, and other social problems in the community, and shall, by the means of lectures and exhibits, promote the education and understanding of the community in matters which affect the public welfare.

2. *Commissioner of public property.* The commissioner of public property shall be the superintendent of and have charge of the department of public property, which shall include water works, and other public utilities and properties that are not delegated to other departments.

3. *Commissioner of finance and accounting.* The commissioner of finance and accounting shall be superintendent of and have charge of the department of finance and accounting, city clerk and force, treasurer, assessor, taxes, licenses, rents, bond issues, special assessments, printing, city hall and city financial affairs generally.

4. *Commissioner of public safety.* The commissioner of public safety shall be superintendent of and have charge of the department of public safety, which shall include the police department, and city jail, the fire department, and buildings and property pertaining thereto, the health department and city hospitals, the collection and disposal of garbage and rubbish, and the sanitation and sewer regulations.

5. *Commissioner of public works.* The commissioner of public works shall be superintendent of and have charge of the department of public works, which shall include the opening, grading, paving, curbing, or otherwise improving, lighting, cleaning, repairing, and sprinkling the public streets, sewers, viaducts, piers, docks and bridge construction, sidewalks and crossings, the city engineering department, building, lighting and heating departments, including gas, electrical, plumbing, and building inspectors and inspection of gas and electrical meters, and in addition thereto, shall perform such duties as are required by law to be performed by a mayor or common council or board of public works, with reference to the improvement of streets.

SEC. 11. *The board may assign duties to other departments.* The legislative body shall have the power to assign duties not specifically named in this charter to any department to which said duties may properly belong.

SEC. 12. *Monthly reports of commissioners.* The commissioner superintending each of said departments shall make and file written report monthly to the legislative body the condition of his department, which reports shall be filed and preserved, and the legislative body may, at any time, request from any of the commissioners or officers of the city specific information on any municipal matter, and may require the presence of any officer or employee before the legislative body to answer such questions as may be put to him touching the matters pertaining to his office.

SEC. 13. *Office and business hours of commissioners.* Said commissioners shall have and hold their offices at the city hall or seat of city government; and every officer or employee of the city provided for by this charter shall devote his entire time to the duties of his or her office during regular working hours; and all city offices provided for by this charter shall be kept open to the public for eight hours for each day of the year, Sundays and holidays excepted.

SEC. 14. *Officers elected by the legislative body.* The legislative body shall, at their first meeting, or as soon as practicable thereafter, elect by a majority vote, the following officers: Treasurer, tax and license collector, clerk, assessor, and a civil service commission, and may create such other offices and appoint such other officers and assistants as shall be provided for by ordinance, necessary to the proper and efficient conduct of the affairs of the city. The legislative body shall, by ordinance, fix and prescribe the salaries and duties of the several officers and employees created and appointed by them.

SEC. 15. *How nominated and elected.* The first officer in rank appointed in each department under this charter shall be nominated by the heads of each of the five departments, and confirmed by a majority vote of the legislative body. The legislative body may from time to time, by a majority vote, create or discontinue offices and municipal employments and prescribe and alter the compensation of any officer or employee of the city, except the elective officers. Each officer or employee of the city shall perform such duties as may be prescribed herein, or as may appertain to his office or employment, and in addition such duties as may be imposed upon him by the legislative body, each subordinate officer or employee being subject to the general superintendence of the commissioner of his department. The legislative body may require any employee of the city to perform duties in the same civil service classification in any department.

SEC. 16. *How nominated and elected.* All officers to be appointed by the commissioners shall be selected in the following manner: The commissioner in whose department the duties of the officer are to be performed shall nominate him, and said nomination must be confirmed by the votes of at least three commissioners. Said appointees so elected by the commissioners shall hold office for a period of two years, and subject to removal at any time by a vote of four fifths of all the commissioners, except those under civil service.

SEC. 17. *May not hold office.* No person holding a salaried office under the United States government or the State of California, notaries public excepted, or any state or municipality, or any agent or employee of any public service corporation doing business in the city shall hold any position under this city.

SEC. 18. *No compensation except salary.* No officer or employee of the city shall receive for his services to the city any further compensation than specified in the salary attaching to his position. No person shall be permitted under any circumstances to draw more than one salary from the city for any and all services, and all fees collected shall be accounted for by the proper officer and turned over to the treasurer.

SEC. 19. *Commissioner may not accept newly created office.* No commissioner shall be appointed to any office created by the legislative body until the expiration of one year after his official connection with the city shall have been severed.

ARTICLE V.

EXECUTIVE.

SECTION 1. *Election of mayor.* At the first meeting of the commissioners they shall elect one member thereof as president of the legislative body, who shall be designated as the "Mayor of the city of Long Beach," and the said member so elected shall serve as such mayor for the term for which he was elected, and until his successor is so elected and qualified.

SEC. 2. *Duties of mayor.* The mayor shall preside at all sessions of the legislative body, and shall act as spokesman of the body; he shall have charge of all civic functions, and perform the social duties usually appertaining to the position of mayor.

SEC. 3. *Executive duties of mayor.* He shall, in behalf of the city, sign all contracts and other documents of every kind and nature to which the city is a party, except as is otherwise provided in this charter, and shall perform such other ministerial functions as the legislative body may from time to time direct. In addition to other duties imposed upon him by the state and municipal laws and the legislative body, he shall approve all bonds of officers, except the bonds of the five commissioners, which shall be approved by the city attorney.

SEC. 4. *Quorum.* Three of the commissioners shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time, or may compel the attendance of other members in such manner and under such penalties as the legislative body may prescribe, and shall hold public meetings at least once a week, for the transaction of business, and no legislation shall be enacted except at public meetings.

SEC. 5. *Mayor pro tempore.* The legislative body shall have the power to elect one of their number to act as president during the absence or inability of the mayor to act, who shall exercise all the powers of the mayor.

ARTICLE VI.

JUDICIAL.

SECTION 1. There is hereby created and established in and for the city of Long Beach a police court, which is hereby vested with the judicial powers of the city.

SEC. 2. The police court shall be presided over by the police judge, who shall be elected by the qualified electors of the city, and shall serve for a term of four years and until his successor is elected and qualified.

SEC. 3. The police judge shall be a bona fide resident and qualified elector of the city of Long Beach for the four years next preceding the date of his election.

SEC. 4. The said police judge shall have jurisdiction of the following offenses committed within the corporate limits of the city:

1. Petit larceny.

2. Assault or battery not charged to have been committed upon a public officer in the discharge of his duties or to have been committed with such intent as to render the offense a felony.

3. Breaches of peace, riots, affrays, committing a willful injury to property, and all misdemeanors punishable by a fine not exceeding five hundred dollars or imprisonment not exceeding six months, or both such fine and imprisonment.

The said police court shall have exclusive jurisdiction:

1. Of all proceedings for the violation of any ordinance of the city, both civil and criminal.

2. Of any action for the collection of taxes or assessments levied for any city purpose, when the amount of the tax or assessment sought to be collected of the person assessed is less than three hundred dollars, but no lien upon the property taxed or assessed for the nonpayment of the taxes or assessment can be foreclosed in such action.

3. Of any action for the collection of any money payable to the city or from the city to any person when the amount sought to be collected, exclusive of the interests and costs, is less than three hundred dollars.

4. For the breach of any official bond given by any city officer, or for the breach of any contract and any action for damages in which the city is a party, and upon all forfeited recognizances given to or for the benefit or in behalf of the city, upon all bonds given upon any appeal taken from the judgment of the court in any of the cases herein named, where the amount claimed, exclusive of costs, is less than three hundred dollars.

5. For the recovery of personal property belonging to the city, when the value of the property, exclusive of damages for the taking or detention, is less than three hundred dollars.

SEC. 5. In the exercise of his jurisdiction the police judge may punish persons guilty of contempt of court and may issue warrants of arrest, subpoenas, attachments, executions and all other process necessary and proper, and may administer oaths.

SEC. 6. In all cases in which the police judge is interested or in which he is related to a party to the action or proceeding, either by consanguinity or affinity within the third degree, and in case of his absence, sickness or inability to act, any justice of the peace of Los Angeles county may, at the written request of the police judge, act in his stead.

SEC. 7. The police judge shall keep a record of the proceedings of the police court in all matters and cases before said court, and shall pay weekly into the city treasury all fines and other moneys received by him, belonging to the city. He shall, on or before the tenth day of each and every month, file with the auditor, an exact and detailed account in writing, under oath, of all fines imposed and collected, and of all fines imposed and not collected, and of all other moneys collected by him for or on behalf of the city.

SEC. 8. The city shall furnish suitable quarters for said police court, and the necessary supplies therefor.

SEC. 9. All fees received or collected by said court shall be the property of the city.

SEC. 10. The rules of practice and modes of procedure in the police court shall be the same as are, or may be, prescribed by law for justice courts, in like cases, and appeals may be taken to the superior court of the county from all judgments of said police court in like manner, and with like effect as in cases of appeals from justice courts.

ARTICLE VII.

LEGAL

SECTION 1. The legal department of the city of Long Beach shall consist of the city attorney, one assistant city attorney, a stenographer, and such deputies, clerks and other employees as may from time to time be authorized by the legislative body of said city.

SEC. 2. The city attorney shall be a bona fide resident and a qualified elector of the city of Long Beach for at least four years next preceding the day of his election. He shall be elected by the qualified electors of the city, and shall hold office for four years and until his successor has been elected and qualified. The city attorney must be qualified to practice in all the courts of the state, and must have been so qualified for at least five years next preceding his election.

SEC. 3. The city attorney shall prosecute, on behalf of the people, all criminal cases arising from violation of the ordinances of the city, shall attend to all suits, matters and proceedings in which the city may legally be interested, and shall defend all suits for damages instituted against officers and employees and former officers and employees for acts performed by them in the furtherance of their duty while in the employ of said city; *provided*, that the legislative body shall have control of all litigation of the city, and may employ other attorneys to assist the city attorney therein.

SEC. 4. The city attorney shall be in attendance at every regular meeting of the legislative body, and shall give his advice or opinion in writing, whenever so required to do by the legislative body or any of the commissioners or officers of the city.

SEC. 5. The city attorney shall approve the form of all bonds given to the city, and all contracts before the same are entered into on behalf of the city, and shall endorse his approval thereon in writing. He shall, whenever required by the legislative body, or any member thereof, draft any or all the proposed ordinances for the city or amendments thereto, and shall do and perform all such things touching his office as the legislative body may require of him.

SEC. 6. The city attorney shall keep on file in his office copies of all written communications and opinions given by him to any commissioner, officer or department; copies of all papers and briefs used by him in cases wherein he appears, and books of record and a copy of all actions or proceedings in his charge in which the city or any officer thereof is a party or interested, and on vacating his office shall surrender all such books, files and documents pertaining to the city's business to his successor.

SEC. 7. The city attorney shall appoint an assistant city attorney, and a stenographer, and such other deputies, clerks and other employees as the legislative body shall prescribe; *provided*, that the assistant city attorney must, at the time of his appointment, have been a resident of the city of Long Beach and a qualified elector thereof for at least two years next preceding his appointment, and must have been for said period of two years next preceding his appointment qualified to practice in all the courts of the state.

SEC. 8. The assistant city attorney, the stenographer, and such other deputies, clerks and employees shall receive such compensation for their services as may be prescribed and authorized by ordinance by the legislative body.

ARTICLE VIII.

AUDITOR.

SECTION 1. The auditor shall appoint a chief deputy, and such other deputies and clerks as the legislative body may by ordinance provide.

SEC. 2. It shall be the duty of the city auditor to audit all demands made upon the city and to issue warrants upon the treasurer for the payment of all demands as provided herein.

SEC. 3. He shall be constantly acquainted with the exact condition of the treasury, and shall apportion among the several funds all money not by law or ordinance specifically apportioned or appropriated, and forthwith notify the treasurer of such apportionment or appropriation.

SEC. 4. He shall keep a record of all business transacted in his office, and said record shall be open for inspection during office hours.

SEC. 5. He shall make a report to the legislative body, on or before the tenth day of every month, of all moneys paid to the city treasurer and funds to which said moneys have been apportioned and the amount of the warrants ordered paid from each fund during the preceding month.

SEC. 6. All money due and payable to the city shall be paid to the treasurer on order of the auditor, designating the fund in which said money shall be deposited.

SEC. 7. Money shall be drawn from the treasury only upon warrants issued by the auditor as herein authorized. Every demand against the city, from whatever source, and every demand against the public library fund must first be endorsed by the head of the department in which such demand originated, and shall be signed by the commissioner of finance and accounting, on order of the legislative body, before being presented to the auditor.

SEC. 8. If the auditor, upon examination, believes that any demand is not a proper claim against the city, he shall immediately return said demand to the legislative body, with his objections endorsed thereon. Said demand shall again be considered by the legislative body, and if it shall again be approved by them and endorsed as required by this charter, the said objections of the auditor shall be thereby overruled. Any demand upon which the objections of the auditor has been overruled by the legislative body shall be again returned to the auditor, who shall issue a warrant upon the treasurer for the same, in like manner as if it had been approved by him. If the demand is allowed, in whole or in part, he shall number the demand and endorse upon it the word "allowed" and the date of such allowance and sign his name thereto, and shall issue a warrant upon the treasurer for the amount allowed, number the warrant the same as the demand, and file the demand in his office. No demand shall be approved, allowed or ordered paid unless it specify each item and the date thereof.

SEC. 9. It shall be the duty of the auditor, within the time provided by ordinance, to compute the tax rate for the various sections of the city and submit the same to the legislative body.

SEC. 10. The auditor shall demand of every officer a report to him, on or before the fifth day of every month, of all moneys belonging to or for the use of the city, collected by said officer during the preceding month, and shall cause the same to be immediately deposited in the city treasury, as required by this charter.

SEC. 11. He shall perform such other duties as may be required of him by ordinance or by this charter.

ARTICLE IX.

CIVIL SERVICE.

SECTION 1. The legislative body, at their first meeting, or within ten days thereafter, shall appoint three electors of the city as civil service commissioners, who shall have been bona fide residents and qualified electors of the city of Long Beach for at least four years next preceding such appointment; one of said commissioners to serve for two years, one for four years and one for six years, or until their successors have been appointed and have qualified. Said civil service commissioners shall not hold any other public office.

SEC. 2. *Removal, equipment, officers.* The legislative body may remove any of said civil service commissioners during their term of office for cause, four commissioners of the legislative body voting in favor of such removal and shall fill any vacancy that may occur in said civil service commission for the unexpired term. The legislative body shall provide suitable accommodations and equipment to enable the civil service commission to properly attend to its business. Said civil service commission shall elect a president, a vice-president, and clerk. Said clerk shall keep a record of all its meetings and of the work of said board, and shall perform such other services as the civil service commission may require.

SEC. 3. *Salaries.* The salaries of the civil service commission and said clerk, or other employees shall be determined by the legislative body, and a sufficient sum shall be apportioned each year to carry out the civil service provisions of this charter.

SEC. 4. *Classification.* Said civil service commission shall classify all the offices and places of employment, mentioned as hereinafter provided. The offices and places so classified by the civil service commission shall constitute the classified civil service of said city, and no appointment to any such offices or places shall be made except under and according to the rules hereinafter mentioned.

SEC. 5. *Rules.* Said civil service commission shall make rules, subject to the confirmation of the legislative body, to carry out the purposes of this article and for the examinations and appointments in accordance with its provisions, and the civil service commission may, from time to time, make changes, subject to the confirmation of the legislative body, in such rules.

SEC. 6. *Publication of rules.* All rules made as hereinbefore provided, and all changes therein, shall be printed for distribution by said civil service commission. The said civil service commission shall give notice by one publication in the official newspaper of the city, the place or places where said rules may be obtained, and in such publication shall be specified the date, not less than thirty days subsequent to the date of such publication, when said rules shall go into operation.

SEC. 7. *Examination.* All applications for office, places or employments in said classified civil service, shall be subject to examination, which shall be public, competitive and free to all citizens of the United States, with specified limitations as to residence, age, sex, health, habits, and moral character. Such examinations shall be practical in their character, and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the position to which they seek to be appointed. No question in any examination shall relate to politics or religious opinions or affiliations. The civil service commission shall control all examinations, and may, whenever an examination is to take place, obtain the assistance of a suitable person or number of persons to aid it in preparing for and conducting such examinations.

SEC. 8. *Notice.* Notice of time, place and general scope of every examination shall be given by the civil service commission by publication once a week for two weeks preceding such examination in the official newspaper, and such notice shall also be posted by said commission in a conspicuous place at the city hall, and in its office two weeks before such examination.

SEC. 9. *Registration.* From the examinations made by the civil service commission it shall prepare a register, in each grade or class of position in the classified civil service, of the person whose general average standing upon examination for such grade or class is not less than the minimum fixed by the rules of said civil service commission, and who are otherwise eligible, and such persons shall take rank upon the register as candidates in the order of their relative excellence as determined by their examinations, without reference to priority of the date of examination.

SEC. 10. *Promotions.* The civil service commission shall by its rules provide for the promotion in such classified civil service on the basis of ascertained merit and seniority in service and examination, and shall provide in all cases where it is practicable that vacancies shall be filled by promotion. All examinations for promotion shall be competitive among such members of the next lower rank as desire to submit themselves to such examination, and it shall be the duty of the civil service commission to submit to the appointing power the names of not more than three applicants for each promotion having the highest rating. The method of examination and the rules governing the same, and the method of certifying, shall be the same as provided for applicants for original appointment.

SEC. 11. *Exceptions in promotion.* Any civil service employee who is injured in the service of the city while actually engaged in the discharge of the duties of his position may, in the discretion of the civil service commissioners, be assigned to a position other than that for which he has been examined, and with or without examination. Said civil service commission, upon assigning such person so injured to such new position, shall place his name at the head of the eligible list, and he shall thereafter be first certified for such position. The civil service commissioners shall not place such person so injured as aforesaid at the head of any eligible list without carefully examining the facts of each case, and making its finding that such person is not incompetent, by reason of physical or other disability, to fill the same. Nothing in this provision shall be construed as compelling said civil service commission to take the action herein provided for unless the person injured is in the judgment of said civil service commission of good moral character and worthy of receiving the benefits hereof.

SEC. 12. *Requisitions.* The head of the department in which a position, classified under this article, is to be filled, shall notify said civil service commission of that fact, and said civil service commission shall certify to such officer the name and address of one or more candidates not to exceed five standing highest on the register for the class or grade to which said position belongs. In making such certification, sex shall be disregarded, except when some statute, the rules of said civil service commission, or the appointing power specify sex. Said appointing officer or department shall notify said civil service commission of each position to be filled separately, and shall fill such place from the names certified to him or it by said commission thereof. The candidate thus appointed shall be employed on probation for a period of six months. Each candidate, unless he shall be sooner appointed, or otherwise lawfully cease to be a candidate, shall be certified for appointment in the grade or class for which he is eligible not less than three times, and no candidate shall lose his place on the register by certification or rejection, except that said civil service commission may strike off names of candidates from the register after they have remained thereon more than two years. At or before the expiration of the period of probation, the head of the department or office in which the candidate is employed, may discharge him upon assigning in writing the reasons therefor to said civil service commission. If he is not thus discharged during the period of probation, his appointment shall be deemed complete. To prevent the stoppage of public business, or to meet extraordinary exigencies, the head of any department or any officer or board may, under such regulations as the civil service commission may by its rules prescribe, make temporary appointments in the classified civil service, to remain in force not exceeding sixty days, and only until regular appointment, under the provisions of this article, can be made.

SEC. 13. *Departments under civil service.* The following departments of the city are placed under civil service:

Police department;
Fire department;
Health department;
City clerk department, except the city clerk and chief deputy.

SEC. 14. *Reports.* Immediate notice in writing shall be given by the appointing powers, to said civil service commission of all appointments, permanent or temporary, made in such classified civil service, and of all transfers, promotions, resignations, or vacancies from any cause in such service, and of the date thereof, and a record of the same shall be kept by said civil service commission. When any office or place of employment is created or abolished or the compensation attached thereto altered, the officer or board making such change shall immediately report in writing to said civil service commission.

SEC. 15. *Investigations.* The civil service commission shall investigate the enforcement of this article and its rules, and the conduct and action of the appointees in the classified civil service in this city.

SEC. 16. *Annual and special reports.* Said civil service commission shall make a full report to the legislative body, on or before the fifth day of July in each year for the preceding fiscal year. The legislative body may require a special report from said civil service commission at any time.

SEC. 17. *Officers inhibited.* No officer or other person shall wilfully or corruptly, by himself or in cooperation with one or more other persons, defeat, deceive, or obstruct any person in respect to his or her right of examination, or corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder, or aid in so doing, or wilfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, or to be examined, of being employed, appointed or promoted.

SEC. 18. *Applicants inhibited.* No applicant for appointment in said classified civil service, either directly or indirectly, shall pay or promise to pay any money or other valuable thing to any person whatever for or on account of his appointment, or proposed appointment, and no other officer or employee shall pay or promise to pay, either directly or indirectly, any money or other valuable thing whatever for or on account of his promotion.

SEC. 19. *Auditing and accounting officers enjoined.* The auditor shall not, nor shall any auditing or accounting officer of the city, approve any demand for the salary or wages of any person subject to the provisions of this article, for services as an officer or employee of such city, before the appointment of such person to the classified civil service has been certified, nor after the civil service commission shall have certified to the auditor a finding made or approved by it under the provisions of this article, that such person be discharged from the classified civil service.

SEC. 20. *Tenure of officers and employees in present employments.* All officers and employees who, at the time of taking effect of this article, would be included in the classified civil service, and who shall have been continuously in the service of the city for a period of six months prior to the adoption of this article, shall be deemed to have the necessary qualifications required by the provisions hereof, and shall retain their respective positions until removed for cause, as provided herein. All officers and employees who, at the time of taking effect of this article, would be included in the classified civil service but who have been in the service of the city for a period of less than six months, shall, during the period of six months from and after the taking effect of this article, be deemed to be serving under probation, and be subject to the same regulations as other candidates serving under probation, as hereinbefore provided in this article.

SEC. 21. *Penalties for violation.* The legislative body shall have power to pass ordinances imposing suitable penalties for the punishment of persons violating any of the provisions of this article.

SEC. 22. *Qualifications.* No person shall be admitted to examination who would be ineligible to appointment. The applications shall be made under oath in such form and manner as the civil service commission may prescribe. Examination papers shall be rated on a scale of one hundred, and the subjects therein shall be given such relative weight as the civil service commission may prescribe. Each competitor shall be duly notified of his rating.

SEC. 23. *Removal.* Any officer or employee of the city under civil service may be removed for cause, in the following manner: If a complaint, in writing, is filed with the civil service commission, the said commission, upon the request of the accused, shall grant to such person a public hearing. If the civil service commission finds that the evidence presented at such public hearing is sufficient the accused shall be forthwith removed from his office. If the said commission finds the evidence presented at such public hearing is insufficient, it shall cause his retention in office or employment. The civil service commission shall have power to suspend, without pay, pending a public hearing, any officer or employee against whom charges have been preferred; *provided*, that if the accused is not dismissed from office or employment he shall receive pay for the time of his suspension.

ARTICLE X.

LEGISLATIVE.

SECTION 1. The legislative powers of the city shall be vested in its five commissioners.

SEC. 2. Ordinances and resolutions are the formal acts of the legislative body reduced to writing and passed under legal restrictions governing action thereon.

Orders embrace all other acts which, being less formal in character, require only to be passed by the legislative body and spread upon the minutes. No ordinance shall be placed upon its final passage upon the same day that it has been introduced and read in full for the first time, and neither ordinance nor resolution shall be of full force and effect unless it shall have received the affirmative vote of three members of the legislative body.

SEC. 3. The enacting clause of all ordinances shall be: "The Legislative Body of the City of Long Beach ordains as follows":

SEC. 4. All ordinances, resolutions, and all official notices authorized by the legislative body under this charter shall be published at least once in the official newspaper of the city, or, at the option of the legislative body, may be posted in three conspicuous places in the city.

SEC. 5. The legislative body shall have power:

1. To fix the time and place of its meetings, to compel the attendance before it of witnesses and the production of papers in any matter under investigation, to judge of the qualification and election of its own members, and to punish any member or other city officer by fine of not exceeding fifty dollars, for disorderly or contemptuous behavior in its presence.

2. To make and pass all ordinances, resolutions and orders not repugnant to the constitution of the United States, or of the State of California, or to the provisions of this charter, necessary for the municipal government and the management of the affairs of the city, for the execution of the powers vested in the city, and for carrying into effect the provisions of this charter.

3. To provide for the lighting of the streets and public buildings and places of the city, and to regulate such lighting.

4. To regulate the use and sale of gas, electric and other light in the city, to fix and determine the price thereof, as well as the rental price of all electric and gas meters, within the city, and to provide for the inspection of such meters.

5. To regulate telephone service and the use of telephones and to fix and determine the charges for telephones, telephone service and connections within the city.

6. To cause the removal and placing underground of all telephone, telegraph, electric light, or other wires within the city or within any designated portion thereof, and to regulate and prohibit the placing of poles and the stringing of wires along or across any of the streets, alleys, and public places of the city.

7. To establish, license and regulate markets and market houses.

8. To provide for and regulate the inspection by the health officer of meats, poultry, fish, game, bread, butter, cheese, lard, eggs, vegetables, flour, meal, milk and other food products offered for sale in this city, and to provide for the taking and summarily destroying of any such products as are unsound, spoiled, adulterated, or unwholesome, and to regulate and prevent the bringing into the city or having or keeping within the city of such unsound, adulterated or unwholesome products.

9. To provide for the inspection of and to regulate the sale of bread within the city, and to prescribe the weight of the loaf and to provide for the seizure and forfeiture of bread offered for sale which does not comply with such regulations.

10. To provide for and regulate the manner of weighing hay, straw, and wood, and any other commodity and the selling of the same, and the measuring and selling of fire wood within the limits of the city.

11. To provide for the inspection and selling of all weights and measures used in the city, and to enforce the keeping and use by dealers of proper weights and measures duly tested and sealed.

12. To regulate the construction of and the material used in all buildings, chimneys, stacks and other structures; to prevent the erection and maintenance of insecure or unsafe buildings, walls, chimneys, stacks or other structures, and to provide for their summary abatement or destruction; to prescribe the depth of cellars and basements, the materials used in and the method of construction of foundation and foundation walls, the manner of construction and location of drains and sewers, the materials used in and the thickness and construction of party walls, partitions and outside walls, the thickness and construction of chimneys, the construction and character of bathrooms, water closets, privies and vaults, the manner and materials used in wiring buildings or other structures for the use of electricity for lighting, power or other purposes, and the manner and materials used for piping buildings or other structures for the purpose of supplying the same with water and gas; to prohibit the construction of buildings and structures which do not conform to such regulations.

13. To require the owners and lessees of buildings and other structures to place upon or in them fire escapes and appliances for protection against and the extinguishment of fire.

14. To prevent the construction and to cause the removal of dangerous chimneys, fire places, hearths, stoves, stove pipes, ovens, boilers, apparatus and machinery used in any building in the city; to regulate the carrying on of manufactories liable to cause fire; to prevent the depositing of ashes or the accumulation of shavings, rubbish or any combustible material, in unsafe places, and to make other provisions to guard against fire.

15. To prescribe the fire limits and determine the character and height of buildings that may be erected therein, and the nature of the material to be used in the con-

struction, alteration or repair of such buildings, or in the repair or alteration of existing buildings within said fire limits.

16. To regulate the entrance to and exit from all theatres, lecture rooms, public halls, school houses, churches, and public buildings of every kind, and to prevent the placing of seats, chairs, benches or other obstructions in the halls, aisles or other open places therein.

17. To regulate or prohibit the operation of blasts and blasting and the construction and operation of derricks, windlasses or other structures, apparatus and operations hazardous to life and property, and to regulate the operation and provide for the inspection of freight and passenger elevators, boilers, engines, dynamos and other apparatus generating steam, electricity or other power.

18. To define nuisances, and to prevent, remove and abate the same, and to provide that said nuisances may be removed or abated at the expense of the party or parties creating, causing, committing or maintaining such nuisances, and to prohibit offensive or unwholesome businesses or establishments within the city.

19. To regulate lodging, tenement and apartment houses, and to prevent the overcrowding of the same, and to require the same to be put and kept in proper sanitary condition.

20. To provide for the inspection and regulation of all dairies within the city limits, and to provide for the inspection and regulation of all dairies outside the city limits that offer for sale or sell any of their products within the city.

21. To provide for the naming of the streets and the numbering of houses, and to regulate or prohibit the exhibition of banners, flags, placards, or signs across the streets, sidewalks, or other public places of the city.

22. To prohibit the making up of railroad trains upon any of the streets, street crossings or street intersections of the city; to establish stands for hacks, public carriages, express wagons and other public vehicles for hire, and regulate the charges for the use of such hacks, public carriages, express wagons and other public vehicles, and require schedules for such charges to be posted in or upon such public vehicles.

23. To regulate street railroads, their tracks and cars, to compel the owners of two or more of such roads using the same street, for any distance not exceeding five blocks, to use the same tracks and to equitably divide the cost of construction and the cost of maintenance thereof between them.

24. To prohibit the injury or interference with the ornamental trees and shrubbery in the streets and public places of the city, and to prescribe the punishment for such injury and interference.

25. To grant the right to erect or lay telegraph or telephone wires, or lay conduits for transmitting electrical energy for lighting or power purposes along or upon the public streets or highways of the city; *provided, however*, that all such rights and franchises shall be granted subject to the restrictions and limitations in this charter contained relating to the granting of franchises.

26. To make arrangements for the care, feeding and clothing of all persons in prison by municipal authority or sentenced to imprisonment by the police court, and to provide that all such persons shall work upon the streets, or do other public work.

27. To restrain or punish vagrants, mendicants, street beggars and lewd persons, and prevent diseased, maimed, injured or unfortunate persons from displaying their infirmities for the purpose of receiving alms, and to prevent and punish drunkenness and all obnoxious, offensive, immoral, indecent and disorderly conduct and practices in the city.

28. To make all regulations which may be necessary and expedient for the preservation of health and the suppression of diseases; to make regulations to prevent the introduction of contagious, infectious or other diseases into the city; to make quarantine laws and regulations, and to enforce the same within the city; to regulate, control and prevent the entry into the city of persons, baggage, merchandise, or other property infected with contagious diseases.

29. To provide for the sale of personal property belonging to the city which is not needed by or which is not suited for the use of the city.

30. To prohibit and punish cruelty to animals and fowls, and to require the places where they are kept to be maintained in a healthful condition.

31. To set apart and dedicate as a boulevard or boulevards any street or streets or portions of a street or streets in the city.

32. To adopt and enforce, by ordinance, all such measures and to establish all such regulations, in case no express provision is in this charter made, as the legislative body may from time to time deem expedient and necessary for the promotion and protection of the health, comfort, safety, life, welfare and property of the inhabitants of the city, the preservation of peace and good order, the promotion of public morals, and the suppression of vice in the city.

33. To pass ordinances upon any other subject of municipal control or to carry into force or effect any other powers of the municipality.

34. To adopt by ordinance at any time any provision made by the general law of the State of California for the levy and collection, or either of them, of city taxes by and through the officers of the county.

35. Whenever the legislative body shall determine that the public interest requires the construction, acquisition, completion or repair of any improvement or utility, the cost of which, in addition to the other expenditures of the city, will exceed the income

and revenue provided for in any one year, they may, by ordinance, submit a proposition to incur a bonded indebtedness for such purposes and proceed thereon as provided in section 18, of article XI of the constitution of this state and the general law or laws thereof; *provided*, that such indebtedness shall not bear more than five per cent interest per annum and that no bond issued therefor shall be sold for less than par nor to any other than to the highest bidder, after advertising for sealed proposals therefor; *and provided*, that several propositions for the issue of bonds may be submitted at one special or general municipal election.

36. The legislative body shall keep a record of all its proceedings, showing the aye and nay vote in all matters voted upon by said body, and said records shall be open to the public at the office of the city clerk during regular business hours.

ARTICLE XI.

POLICE.

SECTION 1. The police department of the city of Long Beach shall be under the commissioner of public safety.

SEC. 2. *Appointments.* The appointment of officers and members of the police department shall be made by the commissioner of public safety, under such civil service regulations as may be in effect.

SEC. 3. *Officers.* The police department shall consist of the chief of police and as many subordinate officers and regular policemen as the legislative body, by ordinance, may from time to time determine.

SEC. 4. *Qualifications.* No policeman shall be eligible for appointment who is not a bona fide resident and a qualified elector of the city of Long Beach for at least two years prior to his appointment.

SEC. 5. *Chief of Police. Qualifications, salary, duties, powers and bond.* The chief of police shall be appointed by the commissioner of public safety subject to civil service regulations; he shall be the chief police officer of the city; he shall be a bona fide resident and qualified elector of the city of Long Beach for at least two years preceding the date of his appointment, and shall be at least twenty-five years of age. He shall receive for his services such compensation as may be fixed by ordinance by the legislative body.

1st. It shall be his duty to arrest without warrant all violators of the public peace and all who obstruct or interfere with him in the execution of the duties of his office or who shall be guilty of any disorderly conduct or disturbance whatever in his presence or upon complaint of any citizen. To prevent a breach of the peace or to preserve quiet and good order, he shall have authority to close any theatre, pool-hall, or any other place or building of public resort, and in the prevention and suppression of crime and the arrest of offenders he shall have, possess and exercise like powers, authority and jurisdiction as the sheriff of the county, under the laws of the state.

2nd. He shall perform such other duties and possess such other powers, rights and authority as the commissioner of public safety may designate, or the legislative body may by ordinance require or confer.

3rd. He shall have the right to suspend any police officer of the police department for ten days, without pay, for any insubordination or conduct unbecoming an officer, and upon the request of the officer so suspended shall report the same in writing to the commissioner of public safety.

SEC. 6. The commissioner of public safety shall have power:

1. To suspend or remove for cause any person from the police force, subject to civil service regulations, and shall reduce said force whenever so directed by the legislative body; prescribe rules and regulations for the government of the force, and fix and enforce penalties for their violation.

2. To prescribe the qualifications, duties, badges of office, and uniforms of the officers, members, and employees of said department.

3. To appoint special policemen, who shall be under the supervision and control of the chief of police, and to remove same at pleasure; *provided, however*, that the compensation of said policemen shall not be a charge against the city unless approved by authority of the legislative body.

SEC. 7. The commissioner of public safety shall have the custody and control of all the property and equipment belonging to or hereafter acquired by the police department.

SEC. 8. The commissioner of public safety shall prescribe the necessary rules and regulations to carry into execution all powers vested in him by this charter or by any ordinance of the legislative body, passed pursuant thereto, or by the constitution and laws of this state.

ARTICLE XII.

FIRE DEPARTMENT.

SECTION 1. The fire department of the city of Long Beach shall be under the control of the commissioner of public safety.

SEC. 2. The appointment of officers and members of the fire department shall be made by the commissioner of public safety, subject to such civil service regulations as may be in effect.

SEC. 3. The fire department shall consist of a fire chief and such other officers and employees as the legislative body may by ordinance determine.

SEC. 4. *Qualifications.* No fireman shall be eligible for appointment who is not a bona fide resident and a qualified elector of the city of Long Beach for at least two years prior to his appointment.

SEC. 5. *Chief of the fire department.* The chief of the fire department shall be appointed by the commissioner of public safety, under such civil service regulations as may be in effect; he shall be a bona fide resident and qualified elector of the city of Long Beach for at least four years preceding the date of his appointment, and shall be at least twenty-five years of age. He shall receive for his services such compensation as may be fixed by ordinance by the legislative body.

1st. He shall perform such duties and possess such powers, rights and authority as the commissioner of public safety may designate, or that the legislative body may by ordinance require or confer.

2nd. He shall have the right to suspend any officer or employee of the department for ten days, without pay, for any insubordination or conduct unbecoming an officer, and upon the request of the officer so suspended shall report the same in writing to the commissioner of public safety.

SEC. 6. The commissioner of public safety shall have power:

1st. To prescribe the qualifications, duties, badges of office and uniforms of officers, members and employees of said department.

2nd. To make rules and regulations to carry into execution all powers vested in said commissioner of public safety by this charter, or by any ordinance of the legislative body passed pursuant thereto, or by the constitution or the laws of this state.

SEC. 7. The commissioner of public safety shall have the custody and control of the houses, engines, hose carts, trucks, ladders, horses, stables, and all other property and equipment now belonging to or hereafter used by or belonging to the fire department.

SEC. 8. The commissioner of public safety shall report to the legislative body the necessity for additional apparatus, material and supplies, and for alterations and repairs required but the action of the commissioner of public safety with respect to the necessity of these matters, shall be advisory only to the legislative body, and no increase in the same shall be made until authorized by the legislative body.

SEC. 9. The commissioner of public safety shall have power to make repairs upon engines and other property under his control when the cost thereof does not exceed the sum of three hundred dollars.

ARTICLE XIII.

HEALTH AND SANITATION.

SECTION 1. There shall be a department of public health and sanitation under the administration and control of the commissioner of public safety.

1. The commissioner of public safety and said health department shall have supervision of all matters pertaining to the sanitary conditions of the city and the health of its inhabitants; and full power is hereby given said commissioner of public safety and said department to supervise, control and regulate, among other things:

1. Defective drainage and sewage disposal.

2. Nuisances of every description.

3. The care, preparation, manufacture and sale of all articles of food or drink, or anything used for human consumption: and to fix and prescribe: Quarantine and other regulations framed to prevent the spread of infectious, communicable or contagious diseases dangerous to the public health, including the establishment and maintenance of an isolated hospital, and the removal thereto of any person in the city affected with an infectious, communicable or contagious disease which it shall be impossible so to quarantine and regulate in the dwelling of said person as to safeguard the public health and including the power, when a case of disease suspected to be infectious, communicable, contagious or dangerous to the public health is reported to the health department, to visit the premises where such case is reported as being and examine the condition of such person; to supervise, control and regulate the relief of the indigent sick and wounded in the city, including the establishment and maintenance of a free dispensary and emergency hospital.

4. To regulate or prohibit the manner and place of killing and dressing any animal, fowl, bird or fish, not already regulated or prohibited by general law. And to compel the owners or occupants of property to keep the same free from anything obnoxious, filthy or dangerous to the public health.

SEC. 2. The principal officer and executive of said department shall be the health officer, who shall be nominated by the commissioner of public safety and appointed subject to such civil service regulations as may be in effect. Said health officer shall be a graduate of a reputable medical college licensed to practice in the State of California, and shall have practiced medicine and been a bona fide resident and qualified elector of this city for at least four years next preceding the date of his appointment, and shall hold office at the will of the legislative body, under the civil service regulations of the city. He shall have authority under the commissioner of public safety, over all employees and officers of the health department.

SEC. 3. The subordinate officers of the department shall be: a sanitary inspector, a city bacteriologist, who shall be a graduate of a recognized university and of at least five years' experience in analytical chemistry; a milk and dairy inspector, who shall be veterinary surgeon, qualified by law to practice in this state, and of at least five years' experience practice; and such deputies and assistants as the legislative body may deem necessary. The legislative body may, by ordinance, provide for such other subordinate officers and assistants as may be necessary, but the health officer may himself perform the duties of one or more subordinate officers, and may assign to one individual the duties of two or more such offices.

SEC. 4. The health officer, with the approval of the commissioner of public safety, shall prescribe rules, regulations and requirements not in conflict with this charter, the ordinances of the city or the general law, for the conduct of the business of the department, the preservation of public health, and the maintenance of proper sanitary conditions within the city, including such forms and regulations for the government of physicians, undertakers, and the administrators of cemeteries as shall be designed to preserve reliable vital and mortality statistics within and pertaining to said city.

SEC. 5. The commissioner of public safety, the health officer or any authorized inspector of the department shall inspect, when called upon by any person, and when in his or their judgment it seems necessary, any and all things offered for sale or to be given away or given in exchange for use as food or drink, or for human consumption, and shall have the right to enter at any time for the purpose of making such examination or inspection any place or building where anything for use as food or drink, or for human consumption is stored, manufactured, kept for sale or to be given away or given in exchange, and no person shall be permitted to sell or dispose of anything pronounced by said commissioner of public safety or by said health officer or any authorized inspector of the department to be unfit for food or drink or for human consumption, but all such articles must be seized and destroyed by said commissioner of public safety, health officer or authorized inspector.

SEC. 6. The health officer shall enforce all ordinances and laws relating to health, and shall perform all duties and have all the powers provided by general law relative to the public health to be exercised in municipalities by health officers; provided that regulations affecting the public health additional to those established by general law and for the violation of which penalties are imposed may be enacted by the legislative body and enforced as provided herein.

SEC. 7. When the commissioner of public safety, the health officer, or any authorized inspector of the department shall have inspected any place or building used for the storage, manufacture, sale or giving away or exchanging of anything used for food or drink or human consumption, and shall have found such place or building to be so filthy or unsanitary or the methods or practices therein used so filthy or unsanitary as to endanger the public health, said commissioner of public safety, health officer or inspector shall post at the entrance of said building or place notice of such inspection and finding, and shall maintain such notice until the conditions or practices dangerous to the public health shall have been remedied or abated, and shall close such place or building and prevent its use for the storage, manufacture, sale, giving away or exchange of anything for use for food, drink, or human consumption, until said place or building shall be put in such condition and so used as no longer to endanger the public health.

SEC. 8. The health officer shall visit periodically all public buildings and school houses in the city, and examine the manner in which they are lighted, ventilated and heated, and their sanitary condition, and report his findings thereupon in writing to the commissioner of public safety at least quarterly.

SEC. 9. The health officer shall certify to the superintendent of schools the names and addresses of all persons within the city sick of such infectious, communicable or contagious diseases as may be listed by the health department so to be certified.

SEC. 10. The health officer shall see to it that the laws of the state and ordinances of the city relative to public health and sanitation and all rules, regulations, orders and requirements of the health department are promptly enforced. The commissioner of public safety, the health officer and any other regularly appointed employee of the health department shall have the right and power to arrest any person or persons who may violate any of the rules, regulations, orders or requirements of the health department, or any ordinance or general law relating to the maintenance of the public health and sanitation of the city.

SEC. 11. It shall be the duty of the commissioner of public safety and of the health officer to abate, or cause to be abated, any and all nuisances within the city limits that are offensive to the senses, or that are, or threaten to become, if suffered to continue, detrimental to the public health. All pools of stagnant water, and all collections of filth, garbage, manure or other substances that are, or may become breeding places or food for mosquitoes, flies, rats, or other disease-carrying insects or animals, are hereby declared to be nuisances within the meaning of this section. Whenever any such nuisance exists within the city limits, the commissioner of public safety, or health officer shall, upon acquiring knowledge thereof, order the owner or occupant of the premises whereon such nuisance exists, to abate or remove the same within such time as shall be specified in the order. If the owner or occupant of such premises fails, neglects or refuses to obey such order, or if the premises be unoccupied and the owner, or his agent, can not be found upon reasonable inquiry, the commissioner of public safety, or health officer shall proceed summarily to abate or remove such nuisance and shall defray the expenses thereof out of any moneys in the city treasury available for such purpose. All expenditures so incurred shall be charged against the owner, and shall be a lien upon the lot and premises whereupon such nuisance existed. It shall be the duty of the commissioner of public safety or health officer to forward forthwith to the city attorney a written statement of all such expenditures incurred by him in carrying out the provisions of this section, and it shall be the duty of the city attorney to proceed without delay to foreclose such lien, or otherwise compel the owner of such premises to repay the amount thereof to the city, together with all costs and charges of collection.

SEC. 12. The health officer shall enforce all rules and regulations which may be adopted for the carrying out and enforcement of a good sanitary condition in the city; for the protection of the public health; for determining the nature and character of nuisances and for their abatement; securing the proper registration of births, deaths and other statistical information. He shall from time to time submit to the legislative body a draft of such ordinances, rules and regulations as it may deem necessary to promote the objects mentioned in this section.

SEC. 13. The health officer shall have the power of a police officer, and shall make an extended annual report to the commissioner of public safety of the affairs pertaining to his office, including mortuary and other statistics with such observations and recommendations in relation to the sanitary condition of the city as he may deem proper.

SEC. 14. The health officer shall issue all permits for burials, exhumations and cremations within the city limits or within the cemeteries owned or controlled by the city, and shall exercise over cemeteries without the city such control and supervision as is by general law provided. No interment, cremation or exhumation shall be made in any cemetery within the city, or in any cemetery within the city's jurisdiction, unless the health officer or responsible subordinate is satisfied of the correctness and reliability of the certificate of death presented for his inspection. The health officer or his responsible subordinate shall keep such records, make such reports and perform such duties in relation to cemeteries and the disposal of the dead as may be required of him by general law, by this charter, by ordinance or by the rules, regulations and requirements of the health department.

SEC. 15. The health officer shall make to the commissioner of public health an annual report, and may at any time be required to make special reports, concerning the health and sanitation of the city, with his observations and recommendations thereupon, together with mortuary and other statistics concerning the department.

SEC. 16. Every person in the city shall promptly report to the health department every patient whom he shall have sick of an infectious, communicable or contagious disease, dangerous to the public health or a disease which the health department shall have issued official notice is to be reported; and every householder, upon reasonable notice from the department, that an occupant of his or her house is suffering from any infectious, communicable or contagious disease dangerous to the public health, shall forthwith adopt such preventative means and regulations as the department shall prescribe.

SEC. 17. Every person who shall fail to report such case of sickness, as required herein, and every householder, or head of family who shall knowingly conceal such case of sickness, and every person who shall so go or conduct himself or permit a minor child to so go or conduct himself upon a street or other public ground while suffering from such disease, which the health department has issued official notice is to be reported as infectious, communicable or contagious or dangerous to the public health, as to expose other persons to the danger of contracting the same disease, and every person who shall fail to comply with the rules, regulations and requirements of the health department shall be subject to such fines and penalties as the legislative body, by ordinance, may prescribe.

SEC. 18. The commissioner of public safety and the health officer shall have authority to administer oaths and require the giving of sworn testimony, in matters connected with the health department.

SEC. 19. The health officer and other officers of the health department shall receive such compensation for their services as the legislative body may by ordinance determine.

ARTICLE XIV.

EDUCATION.

SECTION 1. The school department of the city shall comprise all the public schools within the city of Long Beach or within the territory that is now, or may hereafter be annexed thereto for school purposes, and shall be known as the Long Beach city school district, which shall succeed to all the property, rights and privileges of the former Long Beach city school district, and shall consist of kindergarten, primary, grammar and high schools, as now established, and may, at the discretion of the board of education, include intermediate, technical, vacation, industrial or night schools and detention home.

Sec. 2. The government of the schools will be vested in a board of education consisting of five members, who shall have been residents of the territory included in the district for the two years next preceding the day of their election. They shall be elected by the voters of the district at large on the first Friday in April following the date on which this charter goes into effect; *provided, however*, that said members so elected at the first election of the members of the board of education held after this charter becomes effective shall so classify themselves by lot that the term of office of two of them shall be for two years and of three of them for four years, and thereafter, alternately, on the first Friday in April of each odd numbered year, there shall be elected respectively, two and three members of said board of education, whose term of office shall be four years; *provided, further*, that the members of the board of education holding office at the time this charter becomes effective shall continue to perform the duties of such office until their successors have been elected and have qualified under the provisions of this charter. The officers of the election for all school elections shall receive the sum of four dollars each as compensation for their services.

Sec. 3. All elections for members of the board of education or for issuing bonds of the school district or on propositions to be submitted to the people of the school district shall be conducted in the same manner as general elections are conducted in this state.

Sec. 4. The board of education shall enter upon the discharge of their duties on the first Monday in May after their election, and shall meet upon said day and annually thereafter and organize by electing one of their number president and one as vice-president, whose terms of office shall be one year.

1. Vacancies in the board of education shall be filled by the remaining members of the board until the next election for members of the board, and if there are no remaining members, by special election.

2. The board of education shall hold a regular meeting at least once a month. Special meetings may be called by the secretary at the direction of the president, or by the written request of three members, but no business shall be transacted at any meeting that has not been distinctly stated in the call.

3. A majority of the members of the board of education shall constitute a quorum, but a vote of three members shall be required for transacting any business except to adjourn when a quorum is not present.

4. The sessions of the board shall be public, and its minutes open to inspection. The board may determine its rules of procedure. The ayes and noes shall be taken and recorded when demanded by any member, and they shall be taken and recorded in all questions involving elections and appointments or the expenditure of money. All warrants shall be signed by the president, or the vice-president when acting for him, and by the secretary of the board.

Sec. 5. The powers and duties of the board of education shall be as provided by the general law, except as hereinafter provided.

Sec. 6. The board of education shall elect a secretary, who shall not be a member of the board, and shall fix his salary. His duties shall be prescribed by the board. His term of office shall be at the pleasure of the board, and he shall be empowered to administer oaths.

Sec. 7. The board of education shall elect a superintendent and shall fix his salary; such superintendent shall serve for a term of four years from and after the day of his election. Although not a member of the board he shall have the rights and privileges of a member of the board, except the right to vote.

1. The superintendent shall be the executive officer of the board of education, and shall indorse all rules and regulations adopted by the board, and perform such other duties as the board shall designate.

2. He shall, at the regular meeting in the month of June of each year, submit to the board a detailed statement of the amount, as nearly as may be ascertained, which may be necessary for the schools for the following year.

3. He shall annually, and oftener when desired, make a full report of the condition of matters under his jurisdiction, and shall make such recommendations as he shall deem best, and such annual report shall be published by the board for the information of the public, and for exchange with other cities.

Sec. 8. The board shall provide suitable rooms for itself and for the superintendent, and such rooms shall be open to the public during such regular office hours as shall be established by a vote of the board.

ARTICLE XV.

LIBRARY.

Section 1. The public library of the city shall be under the control of the commissioner of public affairs, subject to such ordinances as may from time to time be adopted by the legislative body.

Sec. 2. If payment into the city treasury of any money or property derived by donation or bequest would be inconsistent with the conditions or terms of the donation or bequest, the legislative body shall, by ordinance, provide for the safety and preservation of the same and the application thereof to the use of the library, in accordance with the conditions or terms of such donation or bequest.

ARTICLE XVI.

CITY MANAGER.

SECTION 1. If a petition, requesting that a city manager be employed, and signed by electors of this city, equal in number to fifty-one per cent of the votes cast at the last general municipal election is filed with the city clerk and verified, as required under article XXII of this charter, the legislative body shall, by ordinance, provide for the employment of a city manager, who shall have charge, superintendence and control over all the departments of the city, provided by this charter placed under the control of five commissioners, the said commissioners to continue to act only as a legislative body and to receive a salary not to exceed five hundred dollars per annum for each of the said commissioners.

SEC. 2. If a petition, requesting that a city manager be employed, and signed by electors equal in number to twenty-five per cent of the vote cast at the last general municipal election, is filed with the city clerk and verified, as required in article XXII of this charter, the legislative body shall, at the next general municipal election, submit the question of the employment of said city manager, as provided in section one of this article, to the qualified electors of the city, and if the proposition receives a majority of all votes cast at said election on said proposition the legislative body shall enact the same legislation as provided for in section one of this article.

SEC. 3. If a city manager is employed, as provided for in sections one or two of this article, his salary shall be fixed by the legislative body.

ARTICLE XVII.

REVENUE AND TAXATION.

SECTION 1. *The fiscal year.* The fiscal year of the city shall commence upon the first day of July of each year, or at such other time as may be fixed by ordinance.

SEC. 2. *Tax system.* The legislative body shall by ordinance provide a system for the assessment, levy and collection of all city taxes not inconsistent with the provisions of this charter.

The legislative body shall have power to avail itself by ordinance of any law of the State of California now or hereafter in force, and to comply with the requirement thereof whereby assessments may be made by the assesser of the county in which the city of Long Beach is situated and taxes collected by the tax collector of said county for and on behalf of the city of Long Beach. Other provisions of this charter concerning the assessment, levy and collection of taxes shall be subject to the provisions of any such ordinance while the same shall be in force.

SEC. 3. *Department estimates of annual requirements.* On or before the first Monday in July in each year, or on such date in each year as shall be fixed by the legislative body, the heads of departments, offices, boards and commissions shall send to the commissioner of finance and accounting a careful estimate, in writing, of the amounts, specifying in detail the objects thereof, required for the business and proper conduct of their respective departments, offices, boards and commissions, during the next ensuing fiscal year.

SEC. 4. *Commissioner of finance and accounting's estimate of city's annual requirements and revenue.* On or before the first Monday in August in each year, or on such date in each year as shall be fixed by the legislative body, the commissioner of finance and accounting shall submit to the legislative body, an estimate of the probable expenditures of the city government for the next ensuing fiscal year, stating the amount required to meet the interest and sinking funds for the outstanding funded indebtedness of the city, and the wants of all the departments of the municipal government in detail, and showing specifically the amount necessary to provide for each fund and department; also an estimate of the amount of income from fines, licenses and other sources of revenue, exclusive of taxes upon property, and the probable amount required to be levied and raised by taxation.

SEC. 5. *Annual budget.* The legislative body shall, annually, between the first and second Monday in August, make a budget of the estimated amounts required to pay the expenses of conducting the business of the city government for the fiscal year. The budget shall be prepared in such detail as to the aggregate sum and the items thereof allowed to each department, office, board or commission, and for the general fund, as the legislative body deem advisable.

SEC. 6. *Board of equalization.* The legislative body shall meet at their usual place of holding meetings, on the first Monday in August of each year, at ten o'clock in the forenoon of said day, and sit as a board of equalization, and shall continue in session from day to day for a period of two weeks. They shall hear complaints and have power to increase or diminish any assessment, provided that notice shall be given to the party whose assessment is to be increased, and such party shall have the right to be heard before the board under oath.

SEC. 7. *Annual tax levy.* The legislative body must finally adopt, not later than the first Tuesday in September, an ordinance, levying upon the assessed valuation of the property of the city, subject to the provisions of this charter, a rate of taxation upon each one hundred dollars of valuation sufficient to raise the amount estimated to be required in the annual budget, less the amount estimated to be received from fines, licenses and other sources of revenue. They shall then deliver the assessment roll to the auditor who shall compute and carry out the amount of the tax so levied upon each parcel of property contained in said assessment roll. The corrected list for each tax shall be the assessment roll of said tax for said year, and it shall be certified by the auditor as being the assessment roll of said tax.

SEC. 8. *Limit of tax levy.* The tax levy authorized by the legislative body to meet the municipal expenses for each fiscal year shall not exceed, except as herein provided, the rate of one dollar on each one hundred dollars of the assessed value of all real and personal property within the city.

SEC. 9. The legislative body shall, at the time of fixing the tax levy, by ordinance, establish the various funds, as provided for by the department estimates allowed by them, and also for a general fund. All moneys received by the city shall be apportioned by the auditor to the various funds so established, and no transfer of any money shall be made from one fund to another until the end of the fiscal year, at which time, after all demands have been paid out of the various funds, the auditor shall transfer any residue remaining from any of said funds to the general fund; and the legislative body may authorize a transfer from the general fund to any fund in which there is an overdraft created by an actual emergency in the department.

SEC. 10. *Bond tax—Library tax.* The legislative body shall have power to levy and collect taxes, in addition to the taxes herein authorized to be levied and collected, sufficient to pay the interest and maintain the sinking fund, to provide for the bonded indebtedness of the city and to provide for the establishment and support of free public libraries and reading rooms.

SEC. 11. *Tax liens.* All taxes assessed, together with any percentage imposed for delinquency and the cost of collection, shall constitute liens on the property assessed; every tax upon the personal property shall be a lien upon the real property of the owner thereof. The liens provided for in this section shall attach as of the first Monday in March in each year, and may be enforced by actions in any court of competent jurisdiction under the state law to foreclose such liens, or by a sale of the property affected and the execution and delivery of all necessary certificates and deeds therefor, under said law or such regulations as may be prescribed by ordinance; *provided*, that when real estate is offered for sale for city taxes due thereon, the same shall be struck off and sold to the city, in like case and in like manner and with like effect and with like right of redemption, as it may be struck off and sold to the state when offered for sale for state and county taxes, and the legislative body shall have power to provide for the procedure to be followed in such sales to the city and redemption thereafter.

SEC. 12. The first installment of all taxes levied under this charter shall be due and payable on the second Monday in October in each year, and the first installment shall become delinquent on the last Monday in November of each year. The second installment of all taxes levied, under this charter shall be due and payable on the first Monday in January of each year, and shall become delinquent on the last Monday in April of each year, except taxes on personal property unsecured by real estate which shall be due and payable at the time said assessment is made.

SEC. 13. *Disposition of money collected.* Every officer collecting or receiving any moneys belonging to or for the use of the city shall settle for the same with the auditor on or before the last day of each month, or at more frequent intervals as may be directed by the legislative body, and immediately pay said money or moneys into the city treasury, on the order of the auditor, for the benefit of the funds to which such moneys severally belong.

SEC. 14. The legislative body shall prescribe uniform form of accounts, which shall be observed by all officers and departments of the city which receive or disburse moneys.

SEC. 15. *General fund.* The legislative body shall place annually in the general fund two per cent of the estimated expenses of the city, but no money shall be drawn from the general fund except as provided for in section nine of this article.

ARTICLE XVIII.

RELIEF AND PENSION FUND.

SECTION 1. The legislative body shall have the power to create, by ordinance, a fund to be known as the "relief and pension fund," and provide for the payment into said fund a percentage of each month's pay from all the members of the police and fire departments and from all the members of such other departments as may by said ordinance be declared to be entitled to relief out of said fund, and also authorize the commissioner of public safety to include in his annual budget an amount not exceeding one per cent of the general tax levy to be paid into said fund.

SEC. 2. If the legislative body creates such fund, it shall in the ordinance creating the same designate who are to receive benefits out of said fund and upon what conditions and to what extent: *provided*, that no member of any department, or the widow or children of such member shall be entitled to a pension unless such member shall have been an active member of the department for at least twenty years.

ARTICLE XIX.

FRANCHISES.

SECTION 1. Plenary control over all uses of the streets and public places is vested in the city. Franchises may be granted to persons, firms or corporations upon such terms, conditions, restrictions or limitations as may be prescribed by the legislative body, by ordinance, but no franchise shall be granted without reserving to the city adequate compensation for the privilege conferred, nor shall any franchise be granted for a longer period than thirty-five years, unless there be reserved to the city the right to take over at any time the works, plants, and property constructed under the grant at their physical valuation and without compensation for franchise or good will, but no franchise shall be granted for a longer period or term than fifty years on any street or public place in the city, but no franchise nor lease shall be granted on, over, across or along the beach front south of the north line of Seaside boulevard and the prolongations thereof, or on other water front of the city of Long Beach, except by a vote of a majority of the electors of the city of Long Beach voting on such proposition at a general municipal election or special election called for said purpose. The legislative body may, by ordinance, adopted by a four-fifths vote of all its members, provide a method of procedure for granting franchises under the provision herein, and from time to time, in like manner, change the method so provided. Until such provision is made, the ordinances of this city, regulating the granting of franchises in force at the time of the taking effect of this charter, in so far as the same are consistent with the provisions of this charter, shall apply.

CONTRACTS.

SECTION 1. The City of Long Beach shall not be, and is not bound by any contract, except as otherwise provided herein, unless the same is made in writing, by order of the legislative body and signed by the mayor, or by some other person in behalf of the city, authorized so to do; *provided*, that the approval of the form of the contract by the city attorney shall be endorsed thereon before the same shall be signed on behalf of the city; but the legislative body, by ordinance duly adopted, may authorize any of the five commissioners, or any commission, board or agent of the city to bind the city without a contract in writing for the payment of supplies, labor, or other valuable consideration furnished to the city, in an amount not exceeding three hundred dollars.

SEC. 2. All contracts for goods, merchandise, stores, supplies, materials, substances or printing, except as otherwise provided in this charter, for the city or for any of the departments or public institutions thereof, must be made by the legislative body with the lowest responsible bidder, whose bid is in regular form, not less than ten days after one publication of a notice calling for bids, in the official newspaper of the city; said notice shall contain a brief description of the supplies or materials required, and amount of the bonds required by the successful bidder, and state the hour and day on which said bids will be opened; except that the legislative body may, by a resolution, adopted by the affirmative vote of four of the commissioners authorize any city commissioner to enter into a contract on behalf of the city, in writing or otherwise, without advertising for bids for labor, material or supplies for actual emergency work.

SEC. 3. All bids must be sealed bids, accompanied by a certified check or bank draft, payable to the city auditor, and drawn on a solvent bank of Los Angeles county, or a satisfactory bond, for an amount equal to ten per centum of the bid.

SEC. 4. On the day, and at the hour named in the notice calling for bids, the legislative body shall open and declare all bids received, and at that time, or at such time as the legislative body may determine, shall accept the lowest regular responsible bid, or reject all bids, and return all deposits accompanying said bids, and may, at their option, abandon their proceedings or readvertise for bids in a like manner.

SEC. 5. The legislative body shall require bonds with sufficient sureties for the faithful performance of every contract entered into by them on behalf of the city, and such other bonds as may be required by law. All such bonds shall have the approval of the city attorney endorsed thereon, before the contract is signed by the mayor or other person authorized so to do; and when such contract is so signed the ten per centum accompanying the bid shall be returned to the bidder. If the bidder to whom the contract is awarded shall, for ten days after such award, fail or neglect to enter into the contract and file the required bond the city auditor shall draw the money due on the certified check or bank draft accompanying the bid, or declare the bond accompanying the bid forfeited and collect the money due thereon, and pay the same into the city treasury, and under no circumstances shall the check, or the proceeds thereon be returned to the defaulting bidder.

SEC. 6. When a contractor fails to enter into a contract awarded to him or to perform the same, new bids may be invited and a new contract awarded as provided herein, in the first instance; or the legislative body may let said contract to the next lowest responsible bidder.

SEC. 7. All contracts for official advertising shall be let annually, and go into effect at the beginning of each fiscal year, in a like manner to the lowest responsible bidder publishing or circulating a daily newspaper of general circulation in the city of Long Beach; *provided*, that the said newspaper shall have been in existence at the time of the award of said contract for one year, and shall have been a daily newspaper for at least three months.

SEC. 8. No contract for power, gas, electric light, removing garbage, sweeping, sprinkling or lighting the streets, public buildings, places or offices shall be made for a longer period than two years; nor shall any contracts to pay for power, gas, electric lights, printing or advertising or telephones be let at a higher rate than the minimum price charged to any other advertiser or consumer for like service.

SEC. 9. The city shall not be bound by or liable for any contract entered into by any officer of the city in behalf of the city for an amount greater than is provided by the budget for such purpose.

SEC. 10. The auditor shall not issue a warrant to pay any demand upon the city for the payment of any contract in violation of this section.

ARTICLE XXI.

STREETS.

SECTION 1. Except as provided herein, the general law of the State of California relative to the improvement of, and work upon streets, lanes, alleys, courts, places and sidewalks, including the construction of sewers, establishing of and changing grades of streets, and providing for the laying out, opening, widening, straightening, or closing up, in whole or in part, of any street, square, lane, alley, court or place within the municipality, and to condemn and acquire any and all land and property necessary and convenient for that purpose, and for providing a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within the municipality, and to provide for the payment of such bonds; and provide for the planting, maintenance and care of shade trees upon streets, lanes, alleys, courts and places within the municipality, and of hedges upon the lines thereof, and for the eradication of weeds within the city limits, now in force, or which may hereafter be adopted by the legislature of this state, is hereby made a part of this charter, and shall govern the legislative body in such matters.

ARTICLE XXII.

INITIATIVE, REFERENDUM AND RECALL.

SECTION 1. The holder of any elective office may be removed at any time by the qualified electors of the city of Long Beach. The procedure to effect the removal of any such officer shall be as follows: A petition signed by qualified electors, equal in number to twenty five per cent of the entire vote cast at the last preceding general municipal election for the commissioner receiving the highest number of votes, demanding the removal of such officer shall be filed with the city clerk, which petition shall contain a general statement of the ground or grounds for which the removal is sought. The signatures to the petition need not be all appended to one paper, but each signer shall add to his signature his place of residence, giving street and number, and one of the signers of each such paper shall make oath before an officer authorized to administer oaths that the statements therein made are true, and that each signature to the paper appended was made in his presence, and that to the best of his knowledge and belief each of said signatures is the genuine signature of the person whose name it purports to be. Within ten days from the date of filing such petition the city clerk shall examine said petition, and from the great register, ascertain whether or not said petition is signed by the requisite number of qualified electors, and he shall attach to said petition his certificate, showing the result of said examination, stating the number of qualified electors found upon said petition, and the number of persons not qualified to vote, and in checking said petition, the clerk shall designate the names of the persons found thereon not qualified to vote, with the letters "D. V." in red ink opposite such name or names. If by the clerk's certificate the petition is shown to be insufficient, it may be amended within ten days from the date of the return of said certificate to the petitioners. The clerk shall within ten days after such amendment is filed with him make a like examination and check off the names thereon, and if his certificate shall show the same to be insufficient, it shall be returned to the person filing the same without prejudice, however, to the filing of a new petition to the same effect. If the petition is shown to be sufficient by the certificate of the clerk, he shall submit the same to the legislative body without delay, and the legislative body shall immediately order and fix a date for holding an election to determine whether or not the officer against whom the petition is filed, shall be removed. Said election shall be held not less than thirty days nor more than forty days from the date of the clerk's certificate of the sufficiency of the petition filed. The legislative body shall make, or cause to be made, publication in the official newspaper of the city for three consecutive days, at least twenty days preceding the date fixed for holding such election, a notice of such election, and shall state therein when such election will be held and the purpose of the same. The legislative body shall cause all arrangements for holding said election to be made and the same shall be held, conducted, returned and the result thereof declared in all respects as are other elections, and in the manner hereinafter provided, except the city clerk shall cause to be printed and used the following ballot:

"OFFICIAL REMOVAL BALLOT.

For the removal of_____________________________________
From the office of_____________________________________
For removal______________________________________
Against removal____________________________________
Attest: _______________________________________
City clerk of the city of Long Beach, California."

In voting said ballot, the voter shall indicate his vote in favor of removal by stamping a cross opposite the words "For removal," and shall indicate his vote against removal by stamping a cross (×) opposite the words "Against removal."

If the majority of the votes cast at such election shall be in favor of removal, the legislative body shall immediately declare the result of said election, and declare said office vacant, and shall immediately fill such vacancy by appointment, such appointee to hold office until the next general municipal election, when his successor shall be elected. An officer thus removed shall not be eligible to succeed himself. If the majority is against removal, the incumbent shall continue in office.

INITIATIVE ORDINANCES.

SEC. 2. The citizens of the City of Long Beach may propose and submit to the legislative body ordinances in the following manner: By petition signed by electors, equal in number to twenty-five per cent of the entire vote cast at the last preceding municipal election for the commissioner receiving the highest number of votes. The petition shall set forth the proposed ordinance or ordinances and contain a request that the same be enacted into law by the legislative body. The signatures to such petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving street and number. One of the signers of each paper shall make oath before some officer authorized to administer oaths, that each signature to the paper appended was made in his presence and that to the best of his knowledge and belief it is the genuine signature of the person whose name purports to be thereunto subscribed. Within ten days from the date of filing of such petition the city clerk shall examine the same and from the list of qualified voters of the city hereinafter mentioned, ascertain whether or not said petition is signed by the requisite number of qualified voters, and he shall attach to said petition his certificate showing the result of such examination, stating the number of qualified voters found upon said petition and the number of persons not qualified to vote, and in checking said petition the city clerk shall designate the names of persons found thereon not qualified to vote, with the letters "D. V." in red ink opposite such names or names. If by the clerk's certificate, the petition is shown to be insufficient, it may be amended within ten days from the date of the return of said certificate to the petitioners. The clerk shall within ten days after such amendment is filed with him, make a like examination and check off the names thereon, and if his certificate shall show the same to be insufficient it shall be returned to the person filing the same, without prejudice, however, to the filing of a new petition to the same effect. If the petition is shown to be sufficient by the certificate of the clerk, he shall submit the same to the legislative body without delay, and the legislative body shall either (*a*) pass the ordinance set out in said petition without alteration within ten days after the date of the clerk's certificate of sufficiency thereon; or (*b*) submit the same to a vote of the qualified voters of the city at a special election to be called for that purpose within forty days from the date of said certificate, unless a general municipal election is to be held within ninety days thereafter, and then at such general municipal election such ordinance shall be submitted without alteration of any kind. The ballot used in voting upon an ordinance shall contain these words: "For the Ordinance," stating the nature of the proposed ordinance, and "Against the Ordinance," stating the nature of the proposed ordinance. If a majority of the qualified votes cast is in favor thereof, such ordinance shall thereupon become a valid and binding ordinance of the city, and any ordinance so enacted shall not be repealed or amended, except upon a vote of the people. Any number of ordinances may be voted upon at the same election in accordance with the provisions of this article. The legislative body may submit a proposition for the repeal of any such ordinance or for amendments thereto to be voted upon at any general municipal election and should such proposition so submitted receive a majority of the votes cast thereon at such election, such ordinance shall thereby be repealed or amended accordingly.

SEC. 2. *Ordinance or proposition submitted to vote—Publication of.* Whenever any ordinance or proposition is required by this charter to be submitted to the voters of the city at any election, the city clerk shall cause the ordinance or proposition to be published in the official newspaper of the city, said publication to be not more than twenty nor less than ten days before the submission of such ordinance or proposition to the vote of the people.

SEC. 3. *Ordinances—When effective—Exceptions—Grant of franchise—Petition—Referendum election—Procedure—Suspension of ordinance.* No ordinance passed by the legislative body shall go into effect before the expiration of thirty days from the time of its final passage, except when otherwise required by the general laws of the state, or by the provisions of this charter, and except an ordinance for the immediate preservation of the public peace, health and safety, which contains a statement of its urgency and is passed by four-fifths of the vote of the legislative body, and no grant of any franchise shall be held or construed to be an emergency measure, and all franchises and ordinances granting the same shall be subject to the referendum vote hereinafter provided; and if, during said thirty days, a petition, signed by qualified electors, equal in number to twenty-five per cent of the entire vote cast at the last preceding general municipal election for the commissioner receiving the highest number of votes, protesting against the passage of such ordinance shall be presented to the legislative body the same shall thereupon be suspended from going into effect, and it shall be the duty of the legislative body to reconsider such ordinance, and if the same is not entirely repealed the legislative body shall submit the ordinance or ordinances to a vote of the people, as provided in article XXII, either at the next general municipal election or at a special election to be called for the purpose, and such ordinance shall not then go into effect or become operative unless a majority of the qualified voters voting upon said ordinance or ordinances shall vote in favor thereof. Said petition shall be in all respects in accordance with the provisions of article XXII of this charter, except it shall not be subject to amendment, and shall be examined and certified by the city clerk as therein provided. If an ordinance is passed by the legislative body within ninety days next before a general election, then a petition signed by fifteen per cent of the qualified electors voting at the last preceding general municipal election for the commissioner receiving the highest number of votes, or more, shall be sufficient to suspend the going into effect of said ordinance, and it shall either be repealed by the legislative body or submitted to the vote of the people at such next general municipal election.

ARTICLE XXIII.

ALCOHOLIC LIQUORS

SECTION 1. Every person who, as owner, principal, agent, employee or otherwise opens, establishes, keeps, maintains or carries on a place where alcoholic liquor or other intoxicating drinks are sold, kept for sale, offered for sale, distributed, divided, delivered or given away, in the city of Long Beach is guilty of a misdemeanor.

SEC. 2. Every person who, as owner, principal, agent, employee or otherwise, sells, keeps for sale, offers for sale, distributes, divides or gives away alcoholic liquor or other intoxicating drinks in the city of Long Beach is guilty of a misdemeanor.

SEC. 3. Every person who, directly or indirectly, alone or associated or combined with others, as principal, agent, employee or otherwise, opens, establishes, keeps, maintains or carries on, or who, in any manner aids, assists or abets in opening, establishing, keeping, maintaining or carrying on, any club or clubroom, or any place used in connection with any such club or clubroom, where alcoholic liquor or other intoxicating drinks are received or kept for use, gift, sale or barter, or for distribution or division, among the members, guests or visitors of any such club or clubroom, or among any other persons, in the city of Long Beach, is guilty of a misdemeanor.

SEC. 4. Every person who, as owner, principal, agent, employee or otherwise, has in his or her possession any alcoholic liquor or intoxicating drinks, with intent to use the same in violation of any of the provisions of this article, in the city of Long Beach, is guilty of a misdemeanor, and all such alcoholic liquor or other intoxicating drinks and the bottles, barrels and other vessels containing the same are hereby declared nuisances, and in abatement thereof the police shall seize all such liquor, bottles, barrels and other vessels, and, upon conviction of such person for unlawfully having the same in his possession, destroy such liquor, bottles, barrels or other vessels.

SEC. 5. Every person who, as owner, principal, agent, employee or otherwise, lets or leases any building, room, tenement or place to be used in violation of any of the provisions of this article, in the city of Long Beach, or who, being the owner thereof, or having the control thereof, permits any building, room, tenement, or place to be used in violation of any of the provisions of this article, in the city of Long Beach, is guilty of a misdemeanor, and upon the second conviction thereof, the building shall be locked for one year, unless he shall furnish sufficient bond to insure its not being used for that purpose again.

SEC. 6. Every person who, as owner, principal, agent, employee or otherwise, serves alcoholic liquor or other intoxicating drinks in any public dining-room, of any hotel, apartment house, rooming-house, lodging-house, cafe, restaurant or cafeteria, in the city of Long Beach, is guilty of a misdemeanor.

SEC. 7. Every person who drinks alcoholic liquor or any other intoxicating drinks in any public dining-room, cafe, restaurant or cafeteria or in any public building, yard, park, street, alley, court, lane or place, in the city of Long Beach, is guilty of a misdemeanor.

SEC. 8. Every pharmacist, registered under the laws of the State of California, and having or being connected with an established drug business in the city of Long Beach, may sell alcohol for mechanical or scientific uses; *provided, however*, that every pharmacist who sells, gives away or delivers alcohol for such uses, without making, or causing to be made, in a well bound book kept exclusively for that purpose, an entry showing the amount of such sale, gift or delivery, the name and address of the person obtaining the same, the statement of such person of the use of such sale, gift or delivery, the name and address of the person obtaining the same, the statement of such person of the use for which such alcohol is required, the quantity thereof dispensed, the name of the dispenser and the signature of the person obtaining the same affixed to such entry, or who fails to keep said entry book always, during business hours, open to inspection by the police and by any person delegated thereto by the legislative body, or who fails to preserve every such entry, for at least five years after the making of the same, in the city of Long Beach, is guilty of a misdemeanor.

SEC. 9. Every person who, as principal, agent, employee or otherwise, solicits or takes orders for the sale or delivery of alcoholic liquor or other intoxicating drinks in the city of Long Beach is guilty of a misdemeanor.

SEC. 10. Every act in violation of any of the provisions of this article, shall, separately and for each day of its continuance, be deemed a separate offense; and every clerk, servant, agent or other person, committing any act in violation of any of the provisions of this article shall, separately and for each day of its continuance, be deemed a separate offense; and every clerk, servant, agent, or other person, committing any act in violation of any of the provisions of this article, shall be deemed guilty as principal.

SEC. 11. Every person who, in any manner, encourages, aids, abets or assists in the violation of any of the provisions of this article in the city of Long Beach, is guilty of a misdemeanor.

SEC. 12. It shall be the duty of the police department to place all persons suspected of violating any of the provisions of this article under police surveillance, and to use all legal means in detecting and convicting persons violating any of the provisions of this article, including the exercise of the right of search given by the laws of the State of California; and chapter III of part II of title XII of the Penal Code of the State of California, so far as the same may be applicable, is hereby made to apply and be in force in the city of Long Beach.

SEC. 13. The provisions of this article shall not be deemed to apply to, and shall not prevent or make unlawful, the keeping, furnishing or giving away of alcoholic liquor or other intoxicating drinks in a private residence in a reasonable amount as a means of entertainment or act of hospitality and without compensation; and a room, or suite of rooms, in a hotel, apartment house, rooming house or lodging-house occupied by any person as a regular place of residence, shall, for the purpose of this article be deemed to be a private residence of such person.

SEC. 14. Every person who violates any of the provisions of this article is guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the city jail of the city of Long Beach for not more than six months, or by both such fine and imprisonment.

SEC. 15. The legislative body of the city of Long Beach may, by ordinance, provide additional penalties, not inconsistent with law, for the violation of the provisions of this article, provided such further means of enforcement as will make this article effective and provide further regulations and restrictions relating to alcoholic liquor and other intoxicating drinks not inconsistent with this article.

ARTICLE XXIV.

INDUSTRIAL DISTRICTS.

(For whichever alternative proposition that may be adopted by the people.)

ARTICLE XXV.

MISCELLANEOUS.

SECTION 1. In all cases where lands in the city shall hereafter be subdivided and laid out into blocks or lots, streets or alleys, or when new streets, alleys or public places are laid out, opened, donated or granted to the public, the map or plat thereof shall be submitted to the legislative body and the city engineer for their approval, and if such legislative body and city engineer approve the same such approval shall be endorsed upon such map or plat, the approval of the legislative body being evidenced by the certificate of the clerk thereof, and no street, alley or public place hereafter opened and by such map or plat dedicated as such, shall become or be accepted by the legislative body as a public street, alley or place or be subject to any public improvement, without such approval or endorsement.

SEC. 2. No member of the legislative body or other officer or employee of the city shall be interested, directly or indirectly, in any contract to which the city is a party or which is made by any officer of the city in behalf of the city. And any such contract in which any such member of the legislative body, officer or employee is interested shall be void. Any violation of this section by any such member of the legislative body, officer or employee shall be a misdemeanor and be punishable as such, and upon conviction the office of such member of the legislative body, officer or employee shall be declared vacant by the legislative body. And such vacancy shall be filled as herein provided for the filling of other vacancies.

SEC. 3. In any action, suit or proceeding in any court concerning an assessment of property or levy of taxes authorized by this charter, or the collection of such taxes, or in the proceedings consequent thereon, such assessment, levy, consequent proceeding, and all proceedings connected therewith, shall be presumed to be regularly and duly done or taken until the contrary is shown, and when any proceeding, matter or thing is by this charter committed or left to the discretion of the legislative body, such discretion or judgment, when expressed or declared is final, and can not be reviewed or called in question elsewhere.

SEC. 4. All ordinances and resolutions of the city and all regulations or rules prescribed by, or for, the government of its departments, officers or employees which are in force at the time of the taking effect of this charter, and which are not inconsistent with this charter, shall continue in force until altered, amended or repealed.

SEC. 5. All rights, actions, proceedings, prosecutions, and contracts of the city or any of its departments or officers in progress, begun, or in existence at the time of the taking effect of this charter, and not inconsistent therewith, are hereby preserved, and shall continue to be valid and the same shall be enforced, continued or completed in all respects as though vested or begun hereunder.

SEC. 6. In all matters pertaining to municipal affairs, concerning which special provision is not made in this charter, the general laws of the state in force at the time are hereby declared to be, and shall be, a part of this charter so far as same are or may be applicable to the class of cities to which this municipality may belong.

SEC. 7. Whenever the word "city" occurs in this charter, it means the "City of Long Beach, California," and whenever the words "civil engineer" is used in this charter, it means "city engineer," and whenever any department, board or officer, is mentioned in this charter it means such department, board or officer, as the case may be, of the city of Long Beach.

SEC. 8. The officers of the city in office at the time of the approval of this charter by the legislature shall continue to hold office and discharge their duties until the first Monday after the first day of July, 1915, and until their successors are elected and qualified.

SEC. 9. The city council of the city of Long Beach, in office at the time this charter is approved by the legislature shall provide for the holding of the first election of officers under this charter, shall canvass the vote and declare the result.

SEC. 10. No person shall be appointed to, or removed from any office under this charter because of his political or religious opinions. In making appointments the appointive power shall consider only the good of the public service and the fitness of the appointee for and his ability to discharge the duties of the office to which he is appointed.

SEC. 11. No commissioner owning stock in a public utility corporation shall vote upon any ordinance or proposition affecting said corporation.

SEC. 12. In addition to the qualifications of officers provided for by this charter, the tax and license collector, the treasurer and the assessor shall have been bona fide residents and qualified electors of the city of Long Beach for at least four years at the time of their appointment. All other officers and employees authorized by this charter shall have been bona fide residents of the city for at least two years at the time of their appointment, laborers employed by the day excepted. The auditor shall not issue a warrant for the payment of any demand made upon the city by any officer or employee appointed or employed in violation of this section.

SEC. 13. *Penalty for collusion.* If at any time it shall be found that the person, firm or corporation to whom a contract has been awarded has, in presenting any bid or bids, colluded with any other party, or parties, then the contract so awarded shall be null and void, and the contractor and his bondsmen shall be liable to the city for all loss or damage which the city may suffer thereby, and the legislative body may advertise for a new contract for said work.

CERTIFICATE.

Whereas, the city of Long Beach, a city containing a population of more than three thousand five hundred inhabitants, did, on the twentieth day of April, A. D. nineteen hundred and fourteen, at a special election, and under and in accordance with the provisions of section 8, article 11 of the constitution of the State of California, elect the undersigned board of fifteen freeholders to prepare and propose a charter for the said city;

Be it known, that in pursuance of said provision of the constitution, and within a period of one hundred and twenty days after such election, the said board of freeholders has prepared and does propose the foregoing articles, signed in duplicate, as and for the charter of said city of Long Beach;

In addition to the foregoing charter, the board of freeholders, pursuant to said provision of the constitution, also present, with said charter, for the choice of the voters, and to be voted upon separately, without prejudice to the other provisions and sections of said charter, two alternative propositions, hereinafter stated and designated as "Alternative Proposition No. 1," and "Alternative Proposition No. 2" one only of which shall become a part of such charter:

ALTERNATIVE PROPOSITION NO. 1.

ARTICLE XXIV.

INDUSTRIAL DISTRICTS.

SECTION 1. There is hereby established two industrial districts in the city of Long Beach, as follows: Beginning at the intersection of Seaside boulevard and Alpine avenue; thence north and easterly on Alpine avenue to its intersection with Mendocino avenue; thence north on Mendocino avenue to Ocean avenue; thence east on Ocean avenue to the junction of Ocean avenue and Ocean Park avenue; thence westerly, northerly and easterly along Ocean Park avenue to its intersection with Shanock street; thence northerly on Shanock street to its intersection with the Southern Pacific Railroad right of way; thence along said railroad right of way to a point opposite the center of Riverside drive, where said Riverside drive intersects said railroad right of way; thence northerly across said railroad right of way and Wilmington boulevard to the junction of Wilmington boulevard and Fairbanks avenue; thence westerly and northerly along said Fairbanks avenue to the Cerritos slough; thence along the said Cerritos slough with its meanderings, to the southwest corner of property of the Soft Water Laundry Company, as said property is shown on map filed with the city clerk of the city of Long Beach for assessment purposes, March, 1911, by the Los Angeles Dock and Terminal Company; thence south 60 deg. 18 min. 40 sec. east, along the southerly boundary of said property of the Soft Water Laundry Company, 52.05 feet; thence north 37 deg. 8 min. east, along the easterly boundary of said property, 246.12 feet, thence north 208.9 feet to a point in the center line of Anaheim street; thence east on Anaheim street to Daisy avenue; thence north on Daisy avenue to the city limits.

That Industrial District No. 2, known as Zaferia Industrial District shall comprise all that portion of the city of Long Beach described as follows: Beginning at a point in the east line of Temple avenue, as said Temple avenue is shown on the map of the Alamitos Tract, recorded in Book 36, page 27, *et seq.*, miscellaneous records of Los Angeles county, said point being six hundred sixty (660) feet south of the center line of Anaheim street; thence north thirteen hundred twenty (1320) feet; thence east to the west line of Loma avenue; thence south to the south line of Anaheim street; thence east to the east line of Ximeno avenue; thence south six hundred twenty (620) feet; thence west to the point of beginning.

SEC. 2. That the boundaries of said industrial district hereinbefore in section 1 described shall not be increased or diminished, and no other or further industrial districts shall be created or established by the legislative body.

SEC. 3. That said industrial districts are hereby defined to be that portion of the city of Long Beach within which such buildings may be erected and such avocations and industries may be maintained as are prohibited in the remaining portions of the city of Long Beach.

SEC. 4. That it is hereby declared to be unlawful and a nuisance to erect, construct, repair or maintain any building, or structure, or to maintain any yard, or place for the purpose of conducting, carrying on, or maintaining any of the following avocations, industries or lines of business in the city of Long Beach, except within said industrial districts, to-wit: The manufacture of gas and electricity, the maintaining of a stone crusher, rolling mill, planing mill, lumber yard, coal or wood yard, feed yard, carpet beating establishment, fireworks, factory, warehouse, laundry, smelter, ship yard, foundry, grist mill, flour mill, glass factory, woolen mill, powder mill, turntable or freight yard, car barn or the manufacture of any kind of goods, wares or merchandise not hereinbefore mentioned wherein machinery is used, to propel which requires the use of steam, gas, gasoline, distillate or electric energy or any other motive or animal power or in the manufacture of which large volumes of smoke, excessive noise and obnoxious odors are produced, provided this section shall not apply to the maintenance of garages or to the maintenance of any lines of business which are in existence and being conducted in the city of Long Beach outside of said industrial district at the time of the taking effect of this charter except that no additions or extensions, or any improvements other than mere repairs of existing parts shall be permitted upon any of the buildings, structures or places where such restricted lines of business are now being conducted or upon any of the machinery or equipment therein.

SEC. 5. That any person, firm or corporation violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not exceeding $500.00, or by imprisonment in the city jail for a period of not exceeding six months, or by both such fine and imprisonment, each such person, firm or corporation shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this article is committed, continued or permitted by such person, firm or corporation and shall be punishable therefor as provided by this article.

ALTERNATIVE PROPOSITION NO. 2.

ARTICLE XXIV.

INDUSTRIAL DISTRICTS.

SECTION 1. The legislative body shall have the power to create by ordinance, industrial districts within the city of Long Beach; define what industries shall be confined to the industrial district; prohibit the erection, construction, maintaining and operation of such industries outside of the industrial district, regulate and control the establishment of industries, and fix a penalty for the violation of said ordinance.

Said alternative propositions shall be submitted for the choice of the voters at the same time at which the charter shall be submitted, and upon the ballot shall be printed:

"For Alternative Proposition No. 1, providing that industrial districts shall be bounded and established by this charter."

"For Alternative Proposition No. 2, providing that industrial districts shall be established and bounded by the legislative body of the city of Long Beach."

Voters shall be entitled to vote either for or against the charter, and also for one of the two alternative propositions, and the respective alternative proposition receiving the greatest number of votes shall be thereby adopted and become article XXIV of the charter;

Said charter, including this certificate, shall be published for ten days in the Long Beach Press, a daily newspaper printed and published and circulated in the city of Long Beach, and after said publication it shall be submitted to the qualified electors of said city, at a special election to be held therefor, at such time as the city council of said city may designate; and if a majority of the qualified electors of said city, voting at said election, shall ratify the same it shall be submitted to the legislature of the State of California for its approval or rejection:

If the legislature approve this charter, it shall thereupon become the charter and organic law of the city of Long Beach, except as herein provided;

The said city council of said city shall provide for the holding of the first election of officers under this charter, in accordance with the provisions of the charter and the general election laws of the state, and shall canvass the votes and declare the result;

In witness whereof, we have hereunto set our hands in the city of Long Beach, county of Los Angeles, State of California, this 19th day of August, A. D. one thousand nine hundred and fourteen.

BOARD OF FIFTEEN FREEHOLDERS.
FRANK S. CRAIG,
President.
G. A. MOHRENSTECHER,
Secretary.
E. E. BUFFUM.
D. M. CATE.
L. D. DAWLEY.
A. C. GRUBE.
STEPHEN G. LONG.
H. H. McCUTCHAN.
A. McDERMONT.
C. T. McGREW.
W. H. NEWMAN.
G. W. SCOTT.
B. F. TUCKER.
EDWARD H. WALLACE.
THOS. W. WILLIAMS.

In witness whereof, I have hereunto set my hand and affixed the corporate seal of the city of Long Beach this fifth day of January, 1915.

[SEAL.]

HARRY B. RILEY,
City Clerk of the City of Long Beach.

AND, WHEREAS, The said proposed charter and alternative proposition No. One, so ratified as hereinabove set forth, have been duly presented and submitted to the legislature of the State of California, for approval or rejection, without power of alteration or amendment, in accordance with Section 8 of Article XI of the Constitution of the State of California;

Now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring therein), that the said proposed charter, together with alternative proposition No. One, for the city of Long Beach, hereinabove set forth, as presented and as submitted to and adopted and ratified by the qualified electors of said city, be and the same is hereby approved as a whole as the charter of the city of Long Beach.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 10 adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

QUESTION OF PERSONAL PRIVILEGE.

Senator Cogswell arose to a question of personal privilege, and addressed the Senate as follows:

Mr. President, I desire to rise to a question of personal privilege.

Inasmuch as there appeared in the San Francisco Chronicle of January 23d an article which reads as follows:

"ROMINGER REFUSES TO BE WHIPPED INTO LINE. CHARGES THAT LONG BEACH CHARTER WAS TURNED DOWN BECAUSE OF STAND.

"SACRAMENTO, January 22. That he was deprived of the privilege of getting his bill approving the new charter of Long Beach ratified in the lower house, because he would not promise to vote for the administration non-partisan measure, is the charge made here tonight by Assemblyman Joseph A. Rominger of Los Angeles.

"The charter was approved by the Senate this morning, Rominger's Act being held up in the Assembly. Now the southern Assemblyman claims that an administration Senator notified him this afternoon that if he would pledge his support to non-partisanship, the Senate bill would be withdrawn and the Assembly Act would be permitted to go through and the honor of accomplishing legislative action on the charter would go to Rominger.

"Assemblyman Rominger tonight sent the following telegram to the Long Beach Telegram, with the request that it be published:

"'Have been pushing charter in regular channels as fast as possible, not for purpose of winning any honor, but to serve the citizens of Long Beach honestly. When it became apparent that same would pass House first, the whole Progressive machinery was worked overtime and prevented it, allowing same to pass Senate today. Proposition now comes to me to agree to support non-partisan measure and the Senate will withdraw and permit House bill to pass first.

"'You may say for me that when my soul is sold to such a dirty political machine, it will be when life is extinct.'"

And, inasmuch as there appeared in the Los Angeles Times of the same date an article which reads as follows:

"USUAL TACTICS. OFFER BRIBE TO ROMINGER. HOLD UP OF THE LONG BEACH CHARTER EXPLAINED. SOUTHERN ASSEMBLYMAN TOLD HE WOULD HAVE TO TAKE ORDERS IF HE EVER EXPECTS TO GET HIS BILL PASSED BY THE JOHNSON-FINN POLITICAL MACHINE.

(By direct wire—exclusive dispatch.)

"SACRAMENTO, January 22. 'You may say for me that when my soul is sold to such a dirty political machine it will be when life is extinct.'

"Such is Assemblyman Rominger's reply to what he asserts was a deliberate attempt on the part of the Johnson-Finn machine to buy his vote, the price offered being the ratification of the Long Beach city charter. Long Beach is Rominger's home and the heart of his district.

"Rominger has been working assiduously while here to secure the ratification of the Long Beach charter. Yesterday the bill was held up in the Assembly. About the same time Rominger received a friendly call from Senator Cogswell, a Progressive. Cogswell came back again this morning. Rominger asserts that Cogswell told him it was Rominger's attitude toward the Progressives that was holding back the charter.

"'He told me that if I would come into the non-partisan camp all opposition both in the Senate and the Assembly to my bill would promptly cease,' asserted Rominger tonight. 'I told him that my vote was not for sale.'

"After this Rominger attempted to get further action in the Assembly on his charter ratification. There was nothing doing.

"Cogswell introduced a bill in the Senate for the ratification of the Long Beach charter. It went through in record time. Rominger feels that he was unfairly discriminated against.

"The bill will come to the Assembly as Cogswell's bill for ratification and Rominger will be permitted to have no part in securing the ratification of the charter for his home town. Tonight he made public the details of the manner in which the Progressives tried to force him into the non-partisan camp by holding up the charter."

I desire to state that at no time since the introduction of the charter in Senate and Assembly have I held any conversation or interview with Mr Rominger except in the presence of Mr Riley or three members of the legislature from Los Angeles County; that no such proposition as mentioned herein was ever made by me to Mr. Rominger, or by any other person to my knowledge. Mr Rominger, this morning, upon the floor of the Assembly, has absolutely denied the truth of both the above articles, and states that no attempt was ever made to influence his vote upon any other measure by any person, in return for having his copy of the charter adopted.

I have this day moved the adoption of the Assembly Concurrent Resolution, because Long Beach is Mr Rominger's home city and not because of any difference or error in either copy of the charter, and in fulfillment of the intention which I expressed to Mr. Riley and several Senators, that I would do so, before the charter was introduced.

I desire now, in justice to Mr Rominger, to state that an article in the San Francisco Examiner containing the substance of an interview with me, and which states that Mr Rominger has always been the enemy of the charter is misstated in that I only intended to convey the fact that Mr Rominger had opposed the adoption of the charter in Long Beach. The inference that he was still opposed to the charter might readily have been conveyed owing to the fact that he had applied to the Attorney General for a ruling as to the validity of a certain feature of the charter. In justice to Mr Rominger I wish to make the above correction, but believe that no intentional misrepresentation was made by the reporter.

SENATOR STROBRIDGE IN THE CHAIR.

At twelve o'clock and twenty-five minutes p.m., Senator Strobridge of the Thirteenth District, in the chair.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, January 25, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Concurrent Resolution No. 12—Relative to the adjournment of the Legislature for the constitutional recess and to the reassembling of the Legislature after said recess and fixing the date for said adjournment and said reassembling, and report that the same has been correctly engrossed.

LUCE, Vice-Chairman.

Senate Concurrent Resolution No. 12 ordered transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

By consent of the Senate, the following bills were introduced out of the regular order:

By Senator Rush: Senate Bill No. 660—An Act to amend section five hundred twenty-nine of the Code of Civil Procedure of the State of California, relative to requiring counties and municipal corporations to give security on the granting of an injunction or restraining order to prevent the Reclamation Board of the State of California, or any reclamation district, levee district, swamp land district, drainage district, municipal corporation or public agency, from building, constructing or maintaining on land which it owns or over which it has an easement or right of way, any by-pass, weir, levee, dam, dike, embankment, canal, ditch or other work, approved by the Reclamation

Board, and which carries out or aids in carrying out, or is designed to carry out, the plans of the California Debris Commission, transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on the 27th day of June, 1911, with such modifications and amendments as may be adopted by the Reclamation Board.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 661—An Act to amend section three thousand four hundred twenty-three of the Civil Code of the State of California, relating to injunctions to prevent the Reclamation Board, or any reclamation district, levee district, swamp land district, drainage district, municipal corporation or public agency from constructing or maintaining on land which it owns or over which it has a right of way, any by-pass, weir, levee, dam, dike, embankment, canal, ditch, or other work, approved by the Reclamation Board, and which carry out, or aid in carrying out, or are designed to carry out the plans of the California Debris Commission transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on the 27th day of June, 1911, with such amendments and modifications as may be adopted by the Reclamation Board.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 662—An Act to amend section three hundred and ninety-four of the Code of Civil Procedure of the State of California, relating to the place of trial of actions, and providing where actions to prevent work, approved by the Reclamation Board, to carry out the plans of the California Debris Commission, transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, with such amendments and modifications as may be approved by the Reclamation Board, shall be commenced and tried, for the transfer of such actions, and making the Reclamation Board defendants on such actions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Beban: Senate Bill No. 663—An Act to add a new section to the Civil Code to be numbered section two thousand nine hundred fifty-three, providing for the redemption of real estate when the same is conveyed to secure the payment of money or the performance of an obligation and providing for the notice to be given for the sale of real estate under such conveyance and providing that contracts waiving such right of redemption or dispensing with such notice shall be void.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 664—An Act to amend section seven hundred *a* of the Code of Civil Procedure relating to sales of property under judgments and powers of sale provided in mortgages, deeds of trust and other instruments in writing and providing for the redemption of property from such sales and declaring void any provision waiving such right of redemption.

Bill read first time, and referred to Committee on Judiciary.

ADJOURNMENT.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Tuesday, January 26, 1915.

The Senate met at ten o'clock a m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Mullally, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry L. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 25, 1915, the further reading was dispensed with, on motion of Senator Rush.

PETITIONS.

The following communications were read and ordered printed in the Journal:

By Senator Duncan:

OROVILLE, CAL., January 24, 1915.

To the Honorable Body of Senators:

We, the Ladies' Aid Society of the Methodist Episcopal church of Oroville, do petition that you do not pass any law whereby the State shall tax the saloons or whereby the State shall receive revenue from the saloons.

Respectfully submitted.

MRS. MARTHA VOORHEES, President.

By Senator Breed:

To the Senate of the State of California:

Believing that the State which is only the organized people should not derive its revenue from the saloon or from any institution which tends to foster vice, crime and poverty in the people of every community in which it is allowed to exist, and which is the proven and acknowledged enemy of the human race, we do earnestly petition your honorable body that no law shall be passed which shall derive income or place a tax upon the saloons or liquor men of this State.

The above was endorsed by vote by a meeting of the Trinity Methodist Episcopal Church in the city of Berkeley, county of Alameda, State of California, held on January 24, 1915, and the undersigned was authorized to so attest.

ELBERT R. DILLE, Presiding.

Also:

By Senator Breed:

To the Senate of the State of California:

Believing that the State should not derive its revenue from any institution which tends to foster vice in its people, we do most earnestly petition your honorable body that no law shall be passed which shall place a tax upon the saloons or liquor men of this State.

The above was endorsed by vote of a meeting of the Wesley M. E. Church in the city of Berkeley, State of California, on January 24, 1915, and the undersigned was authorized to so attest.

H. K. HAMILTON.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 24—To amend an act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of State from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation." Approved April 1, 1911, as amended February 3, 1913, by amending sections two, three, four, five, eleven and thirty-five thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 24 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON PUBLIC MORALS.

SACRAMENTO, January 26, 1915.

MR. PRESIDENT: Your Committee on Public Morals to whom was referred Senate Bill No. 36—An Act to amend section fifty-nine of the Civil Code of the State of California, relating to marriages that are incestuous and void—have had the same under consideration, and respectfully recommend that it do pass as amended.

LUCE, Chairman.

Senate Bill No. 36 ordered on file for second reading.

ON FINANCE.

SACRAMENTO, January 25, 1915.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 451—An Act to appropriate money to pay the claim of the Petaluma and Santa Rosa Railway Company upon judgment rendered against the State of California—have had the same under consideration, and respectfully recommend that it do pass.

STROBRIDGE, Chairman.

Senate Bill No. 451 ordered on file for second reading.

Also:

SACRAMENTO, January 25, 1915.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 369—An Act to appropriate money to pay additional salaries at the Los Angeles State Normal School for the sixty-sixth fiscal year—have had the same under consideration, and respectfully recommend that it do pass.

STROBRIDGE, Chairman.

Senate Bill No. 369 ordered on file for second reading.

Also:

SACRAMENTO, January 25, 1915.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 370—An Act to appropriate money for additional support at the Los Angeles State Normal School for the sixty-sixth fiscal year—have had the same under consideration, and respectfully recommend that it do pass.

STROBRIDGE, Chairman.

Senate Bill No. 370 ordered on file for second reading.

ON JUDICIARY.

SACRAMENTO, January 26, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 186—An Act to amend section seven hundred fifty-one and one-half of the

Political Code, relating to appointment and salary of stenographer of the Clerk of the Supreme Court—have had the same under consideration, and respectfully recommend that it do pass and be rereferred to the Finance Committee.

KEHOE, Chairman.

Senate Bill No. 186 ordered rereferred to Committee on Finance.

ON PRISONS AND REFORMATORIES.

SACRAMENTO, January 26, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 356—An Act to appropriate money for the support and maintenance of the State prison at San Quentin for the sixty-sixth fiscal year—have had the same under consideration, and respectfully report the same back and recommend that it do pass and be rereferred to the Committee on Finance.

FINN, Chairman.

Senate Bill No. 356 ordered rereferred to Committee on Finance.

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 26, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Joint Resolution No. 2—Relative to national forests situated within the State of California and requesting the war department of the United States to station and maintain federal troops in such national forests during certain months—and report that the same has been correctly engrossed.

FLAHERTY, Chairman.

Senate Joint Resolution No. 2 ordered transmitted to Assembly.

REPORT OF STATE BOARD OF EDUCATION.

The following report from the State Board of Education pursuant to the provisions of Senate Concurrent Resolution No. 8 of the fortieth session of the Legislature, was read and ordered printed in the Journal:

To the Senate and Assembly of the State of California:

Pursuant to Senate Concurrent Resolution No. 8, fortieth session, relative to training and education of orphan children, the State Board of Education presents the following report:

We have secured from various sources information regarding orphan children who are receiving State aid, either in institutions or in homes, and find that the present tendency is strongly in the direction of placing these children in homes rather than in institutions. In 1904, there were 4,875 children receiving State aid in public institutions, and 2,407 in homes. In 1914, there were 2,451 in public institutions, and 4,977 in homes. Last year the State extended aid to orphan children to the amount of $170,833.84. It is true that this sum is expended in aid of orphans upon the theory that it is essential for their welfare and lodging and is not primarily expended for their education. These children, however, are wards of the State. The fact that they are orphans is an initial handicap to them and it would seem to be the duty of the State, therefore, to do whatever may be done in order to give them equal opportunity with the children more fortunately situated. If it be possible, they should be placed in the same position with other children who are commencing life's struggle; and the State should not permit any additional educational handicap to come to them by reason of their orphanage.

We find that in 38 orphan asylums receiving children of school age, the children are sent to the public schools in 19 and instructed in the institutions in the other 19. In the 19 institutions where children are taught by those in charge there is a wide range of efficiency and no uniform standard. In all these institutions the State textbooks are used in whole or in part, but in only four are certificated teachers employed even for a part of the instruction. In some instances, the teachers are well equipped and the instruction is on a par with that given in public schools; in other institutions the teachers are not well trained, some of them speaking with such a decidedly foreign accent that it is difficult for children of American parentage to understand them, and the instruction is more or less limited and perfunctory. In 20 institutions instruction is given in some form of vocational education, either supplementary to work in the public schools or independent of it.

Apparently, neither the State Board of Education nor any other educational authority is by law given jurisdiction over the educational affairs of the orphan asylums; and necessarily, therefore, we can only indulge in suggestions for improvement. That this improvement should be made, if possible, will be obvious to all of those who consider alone the interests of the children, and that this improvement should be such as not to send forth orphans for life's work with the additional handicap of educational advantages inferior to those of other children, should be so plain as not to require repetition. The problem presented is as to the suggestions for improvement. The constitution forbids the expenditure of public money for educational work in sectarian institutions. If these children could attend the public schools, they would at least receive what the more fortunate children under parental care have. If those in charge of the children do not desire that they shall attend the public schools, the educational advantages of those institutions should be brought to the standard of the educational advantages of our public schools. This, of course, could be accomplished most readily by the standards of the teachers in such institutions equaling the standards of the teachers in the employment of the State.

The provisions of the Political Code relating to orphans, if the Legislature thought it wise, could be amended so that this State aid would be dependent upon the educational advantages to be given to the orphans, and that these educational advantages might be equal to those of other children, a minimum requirement for education in orphan asylums could be fixed.

Clarke, E. P.,
Whitmon, Chas. A.,
DeMotte, Marshall,
Langdon, W. H.,
Barnum, M. G.,
Ray, Agnes,
Stone, George W.

CASE OF URGENCY.

The following resolution was offered:

By Senator Strobridge:

Resolved, That Senate Bills Nos. 369, 370 and 451 each present a case of urgency, as that term is used in section fifteen of article IV of the constitution, and the provision of that section requiring that bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that each of said bills be read the second, and third times, and placed upon their passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Noes—None.

Whereupon the President declared that section fifteen of article IV of the constitution had been suspended for the purpose of considering Senate Bills Nos. 369, 370 and 451.

Senate Bill 369—An Act to appropriate money to pay additional salaries at the Los Angeles State Normal School for the sixty-sixth fiscal year.

Bill read first time previously.

Read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 369 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill 370—An Act to appropriate money for additional support at the Los Angeles State Normal School for the sixty-sixth fiscal year.

Bill read first time previously.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 370 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 451—An Act to appropriate money to pay the claim of the Petaluma & Santa Rosa Railway Co. upon judgment rendered against the State of California.

Bill read first time previously.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 451 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

The resolution by Senator Thompson heretofore set as a special order for this time was taken up for consideration:

WHEREAS, There is no authorized system, approved by the Legislature, for the distribution of bills, constitutional amendments, resolutions, journals, histories and files, and

WHEREAS, The bill filing room, now under the jurisdiction of the Superintendent of State Printing, is called upon to supply a much greater number of bills, etc., than the stipulated amount ordered printed; therefore, be it

Resolved by the Senate of the State of California, That the following plan of distribution be followed: To Senators' and secretaries' files, accredited newspapers, committees, State officers, office files and exchange department of State Library, approximately nine hundred copies. For Senate public files, ten for each member, total four hundred. For general distribution and mailing, Senate members ten each, total four hundred; authors of bills, fifty each; and, be it further

Resolved, That the Superintendent of State Printing fill foregoing upon signed orders from members or Secretary of Senate; and, be it

Resolved, That when additional bills are requested by the public generally, that such requests be filled by the Superintendent of State Printing at his discretion, or be presented or referred to the members, or to the mailing committee of the Senate; and, be it further

Resolved, That members desiring additional bills will secure an order from the Secretary of Senate for such number as desired, and said bills will be reprinted before or during the legislative recess, and delivered to said members.

Resolution read, and on motion of Senator Thompson adopted.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Duncan: Senate Bill No. 665—An Act to amend section four thousand two hundred seventy-seven of the Political Code of the State of California relating to the salaries, fees and expenses of officers in counties of the forty-eighth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 666—An Act to amend section four thousand two hundred and forty-eight of the Political Code of the State of California relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Bill read first time, and referred to Committee on County Government.

By Senator Tyrrell: Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the constitution of the State, by amending section 16½ of article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks.

Constitutional Amendment referred to Committee on Banking.

By Senator Tyrrell: Senate Bill No. 667—An Act to amend sections two, three, twelve, sixteen and seventeen of an Act known as the "Weights and Measure Act," approved June 16, 1913.

Bill read first time, and referred to Committee on Judiciary

By Senator Hans: Senate Bill No. 668—An Act to amend that certain Act of the legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act" by amending sections 1, 3, 11, 15, 20, 25, 28, 32, 36, 43, 46, 47, 48, 49, 56, 61, 65, 67, 68, 80, 83, 96, 101, 127, 144 and 145 thereof and by adding a new section thereto to be numbered section 57 all relating to the definition and regulation of the business of banking.

Bill read first time, and referred to Committee on Banking

Also: Senate Bill No. 669—An Act to amend section three of an Act entitled "An Act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of commissioner of corporations, and making an appropriation therefor," approved May 28, 1913.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 670—An Act to amend section 290*a* of the Civil Code of the State of California relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary or trustee or to engage in the business of banking.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 671—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered one thousand two hundred seventy-three relating to escheated property.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 672—An Act to amend section one thousand two hundred seventy-eight of the Code of Civil Procedure of the State of California relating to hearing application for change of name, and remonstrance, and requiring production of the certificate of the Superintendent of Banks, by banking corporations, that name desired does not resemble so closely as to be likely to cause confusion, the name of any other bank previously formed under the laws of this State.

Bill read first time, and referred to Committee on Banking.

By Senator Gerdes: Senate Bill No. 673—An Act to amend section three thousand eight hundred nineteen of the Political Code relating to payment of taxes under protest.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 674—An Act to amend section three thousand eight hundred four of the Political Code relative to taxes erroneously collected.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Crowley: Senate Bill No. 675—An Act appropriating money for constructing a hospital building on site near Ferry Building in the city and county of San Francisco; arranging for its upkeep by said city and county.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Campbell: Senate Bill No. 676—An Act to amend sections six hundred thirty-three, six hundred thirty-four, six hundred thirty-five, six hundred thirty-six, six hundred thirty-seven, six hundred thirty-eight, six hundred thirty-nine, six hundred forty, six hundred forty-one, six hundred forty-two, six hundred forty-three, six hundred forty-four, six hundred forty-five, six hundred forty-six, six hundred forty-seven, six hundred forty-eight, of the Civil Code, and repealing section six hundred forty-eight *a*, of the Civil Code, all relating to land and building corporations.

Bill read first time, and referred to Committee on Corporations.

By Senator Flaherty: Senate Bill No. 677—An Act to amend an Act entitled "An Act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances, and providing the punishment for the violation thereof," approved April 22, 1911, by amending section 1 thereof.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 678—An Act to appropriate money to pay the claim of Martha O. Ullner against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 679—An Act to amend an Act entitled "An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, by adding three new sections thereto, to be numbered sections fifteen, sixteen and seventeen.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to article VI thereof, to be numbered section 4½, in relation to the power of courts to declare laws unconstitutional.

Constitutional Amendment referred to Committee on Judiciary.

By Senator Finn: Senate Bill No. 680—An Act authorizing the State Board of Prison Directors to fix the price, terms and conditions of sale at which jute bags should be sold for the State, providing for the prosecution and punishment for offenses under the same, and repealing an Act entitled "An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution and punishment for offenses under the same," approved June 16, 1913, and all Acts or parts of Acts in conflict herewith.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Flint: Senate Bill No. 681—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts, approved March 21st, 1911."

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 682—An Act to provide for the branding, marking, buying, selling, handling, breeding, importing, inspection, and general care of all kinds of cattle, horses, mules, hogs, sheep, and all other kinds of live stock now in or that may hereafter be brought into the State of California; to prevent the importation into the State of California of all or any of the aforesaid until the same have been inspected for diseases; to provide for certificates of inspection to be attached to waybills when such live stock are transported by train or other common carrier into this State, and for certificates of inspection to be given to and retained by any person driving or in any way transporting such live stock into this State other than by common carrier, and for such certificates of inspection to be given to and retained by any person driving or in any way transporting such live stock along or upon the public highways of this State; to provide for the payment of all fees of inspection and other acts to be performed under the terms of this Act; to provide for the various fines and punishments for the violation of any or all of the provisions of this Act; and, repealing all acts or parts of acts in any way in conflict herewith, which said acts and parts of acts are in this Act specifically mentioned.

Bill read first time, and referred to Committee on Agriculture.

By Senator Cohn: Senate Bill No. 683—An Act to amend section six hundred and thirty-four of the Civil Code of the State of California relating to building and loan associations, and to their installment or full paid investment certificates and security for investment certificate liabilities of the same.

Bill read first time, and referred to Committee on Banking.

By Senator Mott: Senate Bill No. 684—An Act to amend section forty-two hundred fifty-nine of the Political Code, relating to the salaries and fees of officers in counties of the thirtieth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 685—An Act to amend section seven hundred and sixty five of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 686—An Act to amend section eight hundred and sixty-three of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations."

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 687—An Act to provide for the survey, location and estimate of cost of a State highway from a point on the present located California State highway in Kern county, California, south of Bakersfield, southerly to the town of Nordhoff, Ventura county.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 688—An Act to amend section six hundred twenty-eight *b* of the Penal Code of the State of California relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Butler: Senate Bill No. 689—An Act to amend section four hundred forty-three of the Political Code, in regard to the State School Fund.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 690—An Act to amend section one thousand eight hundred thirty-nine of the Political Code, relating to district tax rates.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 691—An Act to amend the Political Code by adding a new section thereto to be numbered one thousand six hundred eighteen *a*, providing for the establishment of separate schools for the instruction of the feeble minded.

Bill read first time, and referred to Committee on Education.

By Senator Wolfe: Senate Bill No. 692—An Act to add a new section to the Political Code to be numbered thirty-seven hundred forty-nine *a*, relating to notice to nonresident owners of real property by tax collectors as to amount of taxes or assessment due and time and place for payment.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 693—An Act to amend section two hundred eighty *b*, of the Code of Civil Procedure, relating to licenses to practice law.

Bill read first time, and referred to Committee on Judiciary.

By Senator Benedict: Senate Bill No. 694—An Act to amend section sixteen hundred seventy-four of the Political Code, relating to the formation of union school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 695—An Act to amend section sixteen hundred ninety-six of the Political Code, relating to the duties of teachers in public schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 696—An Act to amend section fifteen hundred ninety-three of the Political Code, relating to the election of school trustees.

Bill read first time, and referred to Committee on Education.

By Senator Ballard (by request): Senate Bill No. 697—An Act to amend section one thousand nine hundred fifty-five of the Civil Code of the State of California, relating to the letting and hiring of personal property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Brown: Senate Bill No. 698—An Act to amend section eighteen hundred fifty-eight of the Political Code, relative to the apportionment of school money by the county superintendent of schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 699—An Act to amend section six hundred thirty-two of the Penal Code of the State of California, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 700—An Act to amend section eighteen hundred seventeen and eighteen hundred eighteen of the Political Code, relative to the levying of taxes for school purposes.

Bill read first time, and referred to Committee on Education.

By Senator Breed: Senate Bill No. 701—An Act to amend chapter three hundred ninety-seven of the laws of the session of the Legislature of California of 1911, approved April 7, 1911, known as the "Improvement Act of 1911," by amending sections sixty and sixty-three thereof.

Bill read first time and referred to Committee on Municipal Corporations.

By Senator King: Senate Bill No. 702—An Act making an appropriation for the conducting of experiments in the manufacture of by-products from citrus fruits at Citrus Experiment Station at Riverside, California.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 703—An Act to repeal section two hundred fifty-eight of the Penal Code relating to the publication of caricatures and cartoons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 704—An Act to repeal section two hundred fifty-nine of the Penal Code requiring certain newspaper articles to be signed.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 705—An Act to amend section six hundred thirty-four of the Penal Code of the State of California, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Thompson: Senate Bill No. 706—An Act to amend sections nine hundred thirty-nine, nine hundred forty and nine hundred forty-eight, of the Code of Civil Procedure, relating to the time for and manner of taking of appeals, and the justification of sureties on undertaking on appeal, and to repeal sections nine hundred forty-one *a*, nine hundred forty-one *b*, and nine hundred forty-one *c*, relating to an alternative method of appeal.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 707—An Act to amend section three thousand eight hundred sixty-six of the Political Code, relating to settlements of county treasurers with the State.

Bill read first time, and referred to Committee on County Government.

Also: Senate Concurrent Resolution No. 14—Approving the charter of the city of Alhambra, State of California, voted for and ratified by the qualified electors of said city of Alhambra at a special municipal election held therein for that purpose on the 14th day of October, 1914.

Resolution read, and referred to Committee on Municipal Corporations.

By Senator Shearer (by request): Senate Bill No. 708—An Act to amend section sixteen of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Cogswell: Senate Bill No. 709—An Act to amend section one thousand eight hundred thirty-seven of the Political Code, relating to the fixing of tax rates for school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 710—An Act to amend section one thousand seven hundred thirty-one of the Political Code, relating to the election or appointment of members of high school boards.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 711—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

Bill read first time, and referred to Committee on Education.

By Senator Stuckenbruck: Senate Bill No. 712—An Act to add a new article to chapter IV under title XI, part II, of the Code of Civil Procedure to be numbered "article IV," relating to garnishment.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 713—An Act to add a new chapter under title VII, part II, of the Code of Civil Procedure to be numbered "chapter VII," relating to garnishment.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 714—An Act regulating the use, speed, moving or operating of vehicles and other objects and contrivances over and upon the highways and bridges of the State and fixing the responsibility for injury to highways and bridges thereby, prescribing the procedure for the issuance of permits relating thereto by the appropriate public officers, and fixing the penalty for the violations of the provisions of this Act.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 715—An Act to amend section four hundred eighty-five of the Civil Code of the State of California, relating to damages in certain cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 716—An Act to amend section eight hundred sixty-eight of the Code of Civil Procedure of California, relating to writs of attachment.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 717—An Act to amend section three hundred ninety-six of the Code of Civil Procedure of California, relating to change of place of trial to the proper county.

Bill read first time, and referred to Committee on Judiciary.

By Senator Slater: Senate Bill No. 718—An Act to amend section seven hundred thirty-seven of the Political Code relating to the salary of superior judges.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 719—An Act to amend section one thousand two hundred forty-eight of the Code of Civil Procedure of the State of California relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under title VII, part III of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Concurrent Resolution No. 15—Relative to printing of report of the recreational inquiry committee.

Resolution read, and referred to Committee on Contingent Expenses.

Also: Senate Bill No. 720—An Act to amend section four thousand two hundred thirty-three of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Purkitt: Senate Bill No. 721—An Act to restrict fishing in the rivers and streams of the County of Mendocino, State of California.

Bill read first time, and referred to Committee on Fish and Game.

CONSIDERATION OF DAILY FILE—THIRD READING FILE.

Senate Concurrent Resolution No. 4—Approving eleven certain amendments to the charter of the city of Petaluma.

On motion of Senator Slater Senate Concurrent Resolution No. 4 was passed on file.

Senate Concurrent Resolution No. 7—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition.

On motion of Senator Finn Senate Concurrent Resolution No. 7 was passed on file.

ASSEMBLY CONCURRENT RESOLUTION NO. 8

Relative to approving the charter of the city of Napa, county of Napa, State of California, voted for and ratified by the qualified voters of the said city of Napa at a special municipal election held therein for that purpose on the 16th day of December, 1914.

WHEREAS, The city of Napa, a municipal corporation of the county of Napa, State of California, now is, and was at all the times herein mentioned, a city containing a population of more than three thousand five hundred, but less than ten thousand inhabitants; and

WHEREAS, At a special municipal election duly held in said city on the 25th day of June, 1914, under and in accordance with the law and the provisions of section 8 of article XI of the constitution of the State of California, a board of fifteen freeholders, duly qualified, was elected in and by said city by the qualified electors thereof to prepare and propose a charter for the government of said city; and

WHEREAS, Said board of freeholders did within one hundred and twenty days after the result of said election was declared, prepare and propose a charter for the government of said city of Napa; and

WHEREAS, Said charter was on the 27th day of October, 1914, signed in duplicate by a majority of said board of freeholders and was thereupon duly returned and filed, one copy with the city clerk of said city of Napa, and the other copy with the county recorder of said county of Napa; and

WHEREAS, Said proposed charter was thereafter published eleven times in the Napa Daily Journal, a daily newspaper of general circulation, printed, published and circulated in the city of Napa, the first publication thereof having been made within fifteen days after the filing of the copy thereof as aforesaid in the office of the said city clerk; and

WHEREAS, Said proposed charter was, not less than twenty days nor more than forty days after the completion of said publication, to wit: On the 16th day of December, 1914, submitted by the city council of the city of Napa to the qualified electors of said city at a special election duly called and held therein on said 16th day of December, 1914; and

WHEREAS, At said last mentioned special election a majority of said qualified electors of said city of Napa, voting at said special election, voted in favor of said ratification and duly ratified said charter as proposed as a whole; and

WHEREAS, Said city council, after canvassing the returns of said last mentioned special election duly found and declared that a majority of said qualified electors voting at said special election had voted for, and ratified said charter as above specified; and

WHEREAS, The same is now submitted to the legislature of the State of California for its approval and ratification as a whole without power of alteration or amendment in accordance with section 8 of article XI of the constitution of the State of California; and

WHEREAS, Said charter was ratified in the words and figures following, to wit:

CHARTER

Of the city of Napa prepared and proposed by the board of freeholders elected June 25, A.D. 1914, in pursuance of the provisions of section 8, article XI, of the constitution of the State of California.

NAME AND RIGHTS OF THE CITY.

Name of the city.

SECTION 1. The corporation now existing and known as the city of Napa shall continue and be a body politic and corporate, and by that name shall be known, and as such shall have perpetual succession.

Rights and liabilities.

SEC. 2. The city of Napa shall remain vested with, and continue to have, hold and enjoy all property, rights of property, and rights of action of every kind and description now pertaining to this municipality, and is hereby declared to be the successor of the same. It shall be subject to all the liabilities that now exist against this municipality.

Boundaries.

SEC. 3. The boundaries of the city of Napa shall be as follows: Commencing at a point formed by the intersection of the center line of Lincoln avenue with the western line of York (formerly Madison) street, as said streets are laid down and delineated upon a certain map entitled "Map of Spencer's Addition to Napa City," filed January 17th, 1872, in the office of the county recorder of Napa county, and running thence easterly, along the center line of said Lincoln avenue, to the center line of Trancas street; thence southerly, along the center line of Trancas street, to its intersection with the center line of Lawrence street; thence southeasterly, along the northwestern extension of the northeastern line of Lawrence street, and along the said northeastern line of Lawrence street to the northwestern line of Pearl street; thence at right angles northeasterly and along the aforesaid northwestern line of Pearl street to the center of Napa river; thence down the center of said Napa river to a point where the same is intersected by the northern line of Pearl street extended westerly, as said Pearl street is delineated on that certain map entitled "Map of part of East Napa, E. R. Sproul's Addition," filed September 7th, 1875, in the office of the county recorder of said Napa county; thence easterly, along said extended line of Pearl street and the north line of said Pearl street, to the most southern corner of block number twenty-one (21) of Sproul's Addition per map lastly hereinbefore referred to; thence northwesterly to the northwestern corner of said block number twenty-one (21); thence easterly, along the northern line of said block number twenty-one (21) and the extension thereof, to a point on the eastern line of the county road and on the western line of block number twenty-three (23) of Sproul's Addition, per map lastly hereinbefore referred to; thence southerly and southeasterly, following the eastern and northeastern line of said county road to the northwestern line of First street, as said First street is delineated on that certain map entitled "Map of the Subdivisions of Alta Heights Addition to the City of Napa," filed July 18th, 1906, in the office of the county recorder of said Napa county; thence easterly, along the northern line of First street and the extension thereof to the eastern line of East avenue, per said map lastly hereinbefore referred to; thence southerly and southwesterly, following the eastern and southeastern lines of said East avenue to the center line of the county road, some portions of which are sometimes known as Bell avenue; thence in a general southerly direction, following the center line of said county road, to a point where the same is intersected by the southern boundary of "East Napa" extended easterly, as the said "East Napa" is delineated upon a certain map entitled "Map of East Napa" filed February 23rd, 1886, in the office of the county recorder of said Napa county; thence westerly following the southern boundary line of said "East Napa" and the eastern and western extensions thereof, to the center of Napa river; thence down the center of said Napa river to the extension easterly of the southern boundary of "Napa Abajo" as the same is delineated upon that certain map entitled "Plan of the town of Napa Abajo, in Napa County" recorded April 22nd, 1857, in Liber D of Deeds, page 110, in the office of the county recorder of said Napa county; thence westerly, along the southern boundary of said "Napa Abajo" and the said extension thereof, to the southwestern corner of said "Napa Abajo" per map lastly hereinbefore referred to; thence northerly, along the western boundary of said "Napa Abajo," to the southeastern corner of a tract of land now or formerly belonging to one Eaton; thence westerly along the southern boundary of said lands now or formerly of said Eaton, and the extension thereof westerly, to the center of the southern extremity of Jefferson street; thence northerly, along the said center line of Jefferson street, sixty (60) feet, to a point where the same is intersected by the easterly extension of the northern line of the county road leading from Napa to Sonoma; thence westerly, along the said northern line of said county road and the aforesaid extension thereof, to the eastern line of Walnut street extended southerly, as said Walnut street is delineated on the map entitled "Map of West Napa," etc., filed September 20th, 1886, in the office of the county recorder of said Napa county; thence northerly, along the said eastern line of Walnut street and the extension thereof, to the southern line of Linn street, as said Linn street is delineated upon the map lastly hereinbefore referred to; thence easterly, along said southern line of Linn street, to a point where the same is intersected by the western line of block number fifty-nine (59) extended southerly, as said block number fifty-nine (59) is delineated upon that certain map entitled "Map of the Subdivisions of Blocks numbered 50 to 63 of the City of Napa, Cal." filed September 29th, 1905, in the office of the county recorder of said Napa county; thence northerly, following the said western line of said block number fifty-nine (59) and the northern and southern extensions thereof, to the northwestern corner of block number fifty-two (52) as said block is delineated on the map lastly hereinbefore referred to; thence easterly one hundred and seventy-four and 5/10 (174.5) feet to the northeastern corner of said block number fifty-two (52); thence in a direct line northerly, to a point in the center line of First street of the city of Napa where the same would be intersected by the extension southerly of the western line of Munroe street, as said street is delineated on the map entitled "Map of Hogans-Patchetts & Piatts and Chandons Additions to Napa City" filed April 10th, 1873, in the office of the county recorder of said Napa county; thence westerly, along the center line of First street, to the western boundary line of "Piatts Addition" extended southerly, per map lastly hereinbefore referred to; thence northerly, following the western boundary line of said "Piatts Addition" and the northern and southern extensions thereof, to the center of Napa creek; thence in a general easterly direction, down the center of said Napa creek, to a point where the same is intersected by the western boundary line of "Spencer's Addition" per map firstly hereinbefore referred to and thence northerly, westerly and northerly, following the western, southern and western boundaries of said "Spencer's Addition" to the point of commencement.

Powers of the city.

SEC. 4. The city of Napa shall have and may exercise all powers which now are, or may hereafter be conferred upon municipalities by the constitution and laws of the State of California, and which it would be lawful for this charter specifically to enumerate, as fully and completely as though such powers were specifically enumerated herein, and no enumeration of particular powers in and by this charter shall be held to be exclusive.

Corporate powers, by whom exercised.

SEC. 5. The corporate powers of the city of Napa shall be vested in a city council composed of a mayor and four councilmen. All the powers of the city, except as otherwise provided in this charter, are hereby vested in the city council, and except as otherwise prescribed herein, the city council may by ordinance prescribe the manner in which any power of the city may be exercised.

ELECTIVE OFFICERS.

Who are.

SEC. 6. The elective officers of the city of Napa shall be a mayor and four councilmen.

Officers elected at large.

SEC. 7. The mayor and councilmen shall be elected at the general municipal election on a general ticket from the city at large.

Term of office.

SEC. 8. The terms of all elective officers shall be for five years, commencing on the first day of June, at twelve o'clock noon, succeeding their election and until their successors have qualified.

When elected.

SEC. 9. Each office shall be filled by election at the general municipal election immediately preceding the date of the expiration of the term of said office, except at the first general municipal election under this charter.

Qualifications of elective officers.

SEC. 10. No person shall be eligible to hold any elective office in the city of Napa unless he is a resident and has been an elector therein for a period of two years immediately preceding the date of such election and he must continue a resident and elector of said city during the term of his office, and if he fails to so continue a resident and elector of said city, his office shall, by reason thereof, become vacant.

Vacancy—what constitutes.

SEC. 11. A vacancy shall exist in any elective office when the person elected thereto fails to qualify within ten days after the issuance of a certificate of election; dies, resigns, ceases to be a resident of the city of Napa; absents himself continuously therefrom for a period of more than thirty days without permission of the city council; fails to attend the meetings of the city council for a like period without being excused therefrom by said body; is convicted of a felony; is judicially determined to be insane or an incompetent person; forfeits his office under the provisions of this charter; is removed from office by judicial proceedings or when such vacancy is declared to exist therein in the manner in this charter provided.

Vacancies in elective offices, how filled.

SEC. 12. In case of a vacancy in any elective office, however created, the same shall be filled by appointment made by the advisory board, and the appointee shall hold office until the first Monday of June following the next general municipal election thereafter, at which election a person shall be elected to serve for the remainder of such unexpired term.

Oath of office.

SEC. 13. Every officer of the city of Napa, before entering upon the duties of his office, shall take the oath prescribed by the constitution of this state and file the same with the city clerk.

Official bonds.

SEC. 14. All officers, except the mayor, councilmen, members of the advisory board, members of the board of library trustees and city attorney, shall give bonds for the faithful performance of their duties, payable to the city of Napa, to be approved by the city council in such penal sum as shall have been prescribed by ordinance. If at any time, in the opinion of the city council, for any cause, such bonds shall become insufficient, it may require a new or additional bond to be given. The premium or charge for bonds given by surety companies for such officers shall be paid by the city.

Salaries.

SEC. 15. The members of the city council shall receive no compensation for their services, unless the qualified electors of the city of Napa shall, by initiative ordinance, provide therefor.

Administering oaths, subpenas.

SEC. 16. Every officer of the city of Napa and every member of any board provided for in this charter, shall in all matters of, or pertaining to the city or its business have the power of administering oaths and affirmations, and the city council and every such board shall have the power to issue subpenas to compel the production of books, papers and documents, and to take and hear testimony concerning any matter or thing pending before the city council or before any such board.

If any person so subpenaed neglects or refuses to appear or to produce any book, paper or document, as required by such subpena, or shall refuse to testify before the city council or before any board, or to answer any question which a majority of such city council or board shall decide to be proper and pertinent, he shall be deemed in contempt and the city council or any such board shall have power to take the proceedings in that behalf provided by the general laws of this state.

The chief of police must on the request of the city council, or of any member of any such board, detail a police officer or police officers to serve such subpena.

ELECTIONS.

General election.

SEC. 17. A municipal election shall be held in the city of Napa annually on the first Monday in the month of May and shall be known as the "General Municipal Election," and all other municipal elections which may be held by authority of this charter or by the constitution or laws of this state, shall be known as "Special Municipal Elections."

First election.

SEC. 18. At the first general election after the adoption of this charter, the mayor shall be elected for the full term of five years.

In order to distinguish the councilmen for the purpose of elections, they shall be classified and known under this charter as first councilman; second councilman; third councilman; and fourth councilman, and the persons elected to fill such respective classifications shall be determined at said first election in the following manner: The person receiving the highest number of votes as ascertained by the counting of the votes necessary to his election under the preferential system, as hereinafter provided, shall be first councilman, and shall be elected to hold and fill the said office for the short term of four years; the person receiving the second highest vote, so ascertained, shall be second councilman, and shall be elected to hold and fill the said office for the short term of three years; the person receiving the third highest vote, so ascertained, shall be third councilman, and shall be elected to hold and fill the said office for the short term of two years, and the person elected receiving the fourth highest number of votes, so ascertained, shall be fourth councilman, and shall be elected to hold and fill said office for the short term of one year.

Manner of electing for long and short terms.

SEC. 19. In case of the election of councilman, after the first general election, where a full term and one or more unexpired terms are to be filled, the person elected under the preferential system, hereinafter provided, who shall receive the highest number of first choice votes, shall be elected for the full term of five years, and the person so elected who shall receive the second highest number of first choice votes shall be elected to fill the unexpired term next longest, in point of duration, and so on, in like manner, shall each unexpired term longest in point of duration, be filled in the successive order of the highest first choice vote, as the case may be.

Precinct defined.

SEC. 20. The word "precinct," as used in this charter, shall include and embrace "consolidated precincts" or any subdivisions now, or hereafter created by the laws of this state, designating the election subdivisions of the city for the purpose of elections.

Consolidation of precincts.

SEC. 21. The city council may assign any number of precincts to any one polling place, and the qualified voters in said precincts shall have the right to vote at the polling place to which the precincts have been assigned.

Defining last and present registration and qualified elector.

SEC. 22. As each succeeding registration of voters may, under the laws of this state, now, or hereafter in force, be cancelled, or made to close, and a new registration is required, the registration so cancelled, or made to close, as distinguished from the new registration in progress, shall in this charter be known and referred to as the "last registration"; and the new registration made or in progress, shall in this charter be known and referred to as the "present registration."

The term "qualified elector," as used in this charter, means an elector qualified to vote at a municipal election whose name appears on the register as prescribed by sections 23 and 24 of this charter.

Register to be used.

SEC. 23. The register used at all elections under this charter shall consist of the original affidavits, or such other requirements of registration as may hereafter be provided by the laws of the State of California, shown upon the "present registration" when such election shall be held at any time between any biennial general state election held under the laws of the State of California, other than primary elections, and the cancellation, or closing of such "present registration," thereafter, and at all other times such register shall consist of the original affidavits, or other such requirements of registration as may hereafter be required by the laws of the State of California, which are shown on the "last registration" together with such original affidavits, or such other requirements, made and in progress under the then "present registration" up to within thirty (30) days immediately preceding the election to be held.

Duplication of registration.

SEC. 24. When the "last registration" and the "present registration" shall both be used, as heretofore provided, and a duplication of names or identity of persons, shall be shown, the registration of the "present registration," and such evidences as relate thereto, only, shall be used in determining such names or persons, and their right to vote at such election.

City register.

SEC. 25. For assisting in city elections the city council may require the city clerk to keep prepared a city register, consisting of the names of voters registered in the county clerk's office, which shall be complete at each election up to thirty (30) days immediately preceding the same, and which shall include a list of all the voters qualified to vote thereat.

Form of register.

SEC. 26. Such register may be printed, typewritten, or otherwise prepared, according to the order of the city council, and the city council may adopt, as a part of such register, the last printed index, or supplement thereto, or both, furnished by the county clerk for state elections, in which case the one prepared by the city clerk shall be supplemental up to within thirty (30) days immediately preceding such election. Such register shall preserve therein the precinct, showing the name, residence and number of the voter, or such other form as the city council may prescribe.

Purging register.

SEC. 27. Such register shall be purged from time to time in the manner provided by law for the purging of the registration by the county clerk.

Use of register.

SEC. 28. The election officers at each polling place shall be furnished with as many registers as shall provide five lists of registered voters of each precinct to be used thereat.

Evidence.

SEC. 29. In case the primary evidence of registration in the county clerk's office shall not be available at any municipal election, the city register may be used in lieu thereof.

Cancellation of register.

SEC. 30. Such register shall, from time to time, as the city council may direct, be cancelled and a new one prepared in lieu thereof.

Candidates.

SEC. 31. Any qualified elector of the city of Napa eligible to hold an elective office therein, may become a candidate for any elective office at any general municipal election in either of the following ways:

First. By filing with the city clerk not less than twenty-five nor more than sixty days next immediately prior to the day of holding said election, a written statement that he intends to be a candidate for such office.

Second. By filing with the city clerk not less than thirty nor more than sixty days next immediately prior to the day of said election of a proposal of nomination, in writing, signed by at least twenty-five and not more than one hundred qualified electors of the city, proposing the name of any such qualified elector as a candidate for the office named therein.

Upon the filing of said proposal the city clerk shall, within five days thereafter, forward a copy thereof to the person whose name is proposed, together with a notice that the same has been filed and that unless within five days thereafter the person so named declines in writing to be a candidate, that his name will be printed upon the official ballot as a candidate for said office. If within said period of five days after the giving of said notice said proposal is not declined, in writing, and filed with the city clerk by said person, he shall be a candidate therefor.

Withdrawal of candidates.

SEC. 32. Any person whose name has been presented as a candidate or who has filed notice of his intention to be a candidate, as prescribed in this charter, may, not later than twenty days before the day of election, cause his name to be withdrawn as such candidate by filing with the city clerk a verified request in writing therefor, and no name so withdrawn shall be printed upon the ballot. If, upon such withdrawal, the number of candidates remaining does not exceed the number to be elected, then other qualified persons may become candidates upon filing the statement of intention or proposal of nomination, prescribed in this charter, not less than fifteen days next immediately prior to such election, the proposal of such nomination being, however, accompanied by the acceptance of the same in writing by the person so proposed.

Election proclamation.

SEC. 33. Immediately after the close of nominations, the city clerk shall enter the names of the candidates in a list with the offices to be filled, and shall not later than twelve days before the election, certify such list to the city council, which shall cause said certified list of names and the offices to be filled to be published in the proclamation calling the election at least five successive days before the election in one or more daily newspapers of general circulation published in the city of Napa. Said election proclamation shall contain a statement of the time of election, the offices to be filled and the list of names of the candidates therefor, and shall be signed by the mayor and attested by the city clerk.

In case of special elections a like proclamation showing the purposes thereof shall be issued and published in like manner.

Requirement of ballots.

SEC. 34. The city council shall have general charge of all municipal elections, and shall provide and have printed at least five days immediately preceding any general or special municipal election the ballots to be voted thereat, without designation of party lines, of uniform size, quality and color of paper, kind of type and color of ink; with the names of all candidates printed thereon with the same kind and size of type and color of ink contained in books with stubs having a perforated line so that the ballots may be separated from the stubs for voting. The stub and ballot shall each have a corresponding number printed or stamped thereon, the number on the ballot being so placed as to appear on the outside when the ballot is folded for voting, and no other ballots shall be voted at such elections.

Each book shall consist of some multiple of ten and the numbers shall be consecutive from one to as many as there are ballots, and the names of the candidates thereon shall be printed in rotation so that each candidate for any given office shall in turn occupy each position thereon in numerical order, practically equal to the number of candidates for such office.

Form of ballots.

SEC. 35. All ballots shall be substantially in the following form:

GENERAL (OR SPECIAL) MUNICIPAL ELECTION, CITY OF NAPA.

(Insert date thereof.)

Instructions to voters. To vote, stamp a cross (×) opposite the name of the candidate for whom you desire to vote. Vote your first choice in the first column, your second choice in the second column and any other choice or choices in the third column. Vote only one first and only one second choice and do not vote more than one choice for any one person as only one choice will count for any candidate by this ballot. All distinguishing marks make this ballot void. If you wrongly mark, tear or deface this ballot, return it and obtain another.

Arrangement of ballots.

SEC. 36. The ballots shall be arranged with proper headings above each office or classification of offices, showing the same, the number to be voted for for each office or classification, the names of the candidates therefor arranged in alphabetical order, with sufficient voting squares opposite each name, properly designated "first choice," "second choice" and "third choice" for the several choices provided for in this charter, and with blank line or lines left below the printed names of candidates for each office to be voted for, equal to the number to be voted for, wherein the voter may write the name of any person or persons for whom he may wish to vote. If there are any charter amendments or other questions to be voted upon at such election, a column shall be provided on the right hand side of the ballot therefor.

Sample ballots.

SEC. 37. At least three and not to exceed ten days immediately preceding any municipal election, the clerk shall mail to each of the registered voters, entitled to vote thereat, a sample ballot, to be voted at such election, and no matter, not official, shall be mailed therewith.

Election supplies.

SEC. 38. The city council shall furnish for each polling place all the things required for a proper conduct of the election, counting of votes and returning of result.

Officers of elections and polling places.

SEC. 39. The city council shall appoint such officers as it shall deem necessary to conduct any election; fix the compensation of each, and designate the number and location of polling places, according as public convenience may require.

Preferential voting.

SEC. 40. Voting for elective offices shall be by the preferential system, that is to say: for each office to be filled at any election the voter may designate one first, one second and as many for his third choice as he may desire by stamping a "X" in the proper square designating such choice, and in case there be more than one councilman to be elected he may express his several choices for each of such offices.

Duties of election officers.

SEC. 41. It shall be the duty of the election officers to conduct the election, to receive and count the ballots cast thereat, and to make immediate returns thereof to the city clerk upon the tally lists, or papers provided for that purpose.

Counting ballots.

SEC. 42. In counting ballots the first, second and third choice for each candidate shall be separately tallied and accredited to the candidate receiving them.

Rejecting votes.

SEC. 43. Should the elector express any of said several choices for more candidates than there are offices to be filled in that particular classification, said choices, so expressed, shall not be counted, and should he express more than one of said several choices for any one candidate, only the first one of said choices, so expressed, shall be counted.

Canvass of returns.

SEC. 44. The city council, at its next regular meeting, shall canvass the returns of said election by totaling the first choice votes for each candidate and the candidate receiving the largest number of said first choice votes, if such votes constitute a majority of all ballots cast at such election, shall be elected to that office. If no candidate shall receive such a majority of the first choice votes for such office, a canvass shall then be made of the second choice votes received by each candidate and the said second choice votes shall then be added to the first choice votes received by each candidate for such office, and the candidate receiving the largest number of said first and second choice votes, if such votes constitute a majority of all ballots cast at such election, shall be elected thereto. If no candidate shall receive such a majority after adding the first and second choice votes, then a canvass shall be made of the third choice votes received by each candidate, and said third choice votes shall then be added to the first and second choice votes received by each candidate, and the candidate receiving the highest number of first, second and third choice votes shall be elected thereto.

Tie votes.

SEC. 45. In case of two or more candidates receiving an equal and sufficient number of votes to elect to any office, such election shall be determined in favor of the successful candidate receiving the highest number of first choice votes for such office, and in case such candidate shall receive an equal number of first choice votes for such office, or in case the first choice votes are to determine the order of priority, as provided in sections 18 and 19, and such candidates shall receive an equal number of first choice votes, such election or priority shall be determined in favor of the person who shall receive the greatest number of third choice votes for such office.

The unsuccessful candidate in such method of determining a tie vote shall, however, in the plan of electing candidates where there is more than one said office to be filled, be deemed to have received the highest vote cast for said office next succeeding the successful candidate, and so on with each succeeding highest vote shall all ties for said office be determined, and the candidate shall be credited with the vote received by him in the order of such determination.

If the successful candidate for any office can not be determined by the method hereinbefore provided, then the same shall be determined by lot, conducted by the city council.

Informalities in elections.

SEC. 46. No informalities in conducting any municipal election shall invalidate the same if it appear that such election has been conducted fairly and in substantial conformity with the requirements of this charter, and the laws of this state made applicable thereto.

General election regulations.

SEC. 47. The provisions of the laws of the State of California relating to the qualifications of electors, and to elections, not fully provided for in this charter, nor inconsistent therewith, or repugnant thereto, which can be made applicable, shall govern all municipal elections.

Additional regulations by ordinance.

SEC. 48. The city council may provide by ordinance such further regulations concerning the conduct and management of elections, counting of votes and making returns as may be further required to carry out the plan and system of voting provided by this charter.

DECLARING VACANCY.

Request for petition.

SEC. 49. At any time, not less than sixty nor more than one hundred and eighty days prior to any general municipal election, not less than five nor more than ten qualified electors of the city of Napa may file with the city clerk a written request that a petition may be opened for signatures for declaring that a vacancy shall occur in the office of one or more of the elective offices of the city of Napa. Said request shall be verified by the affidavit of one of the signers thereto that all of the signatures thereto are genuine.

Form of petition.

SEC. 50. It shall be the duty of the city clerk, upon receiving and filing such request, prepared, signed and verified as aforesaid, to prepare as many copies of the petition, as shall be necessary for the required number of signatures, as hereinafter provided, each headed substantially as follows:

PETITION TO DECLARE VACANCY.

"We, the undersigned electors of the city of Napa, hereby request that a vacancy be declared in the office of (mayor, first councilman, second councilman, etc., or for any or all of said councilmen, as the case may be), and if this petition be signed by less than sixty per cent of the whole number of the electors registered up to the third Monday of March next ensuing, but equal to or exceeding twenty-five per cent of such registered electors, that there be submitted to the electors at the next general municipal election the proposition of declaring a vacancy to exist therein."

Signed.

Name	Dated	Precinct

Signing of petition.

SEC. 51. The city clerk shall thereupon place said petition in a conspicuous place in his office, accessible to the public, and shall provide a convenient place therein where the qualified electors may, without interference or interruption, sign said petition and shall forthwith declare the said petition open for signing. He shall at all times thereafter keep the same in his office, and open for signatures during office hours until the third Monday in March, preceding the day of holding such next general municipal election at the hour of five o'clock p.m. thereon, when he shall declare the signing thereof closed; and immediately bind said petition together, and file the same in his office.

Soliciting prohibited.

SEC. 52. No person shall solicit for signers to said petition within the office of the city clerk, and said petition shall not in any manner or for any purpose be circulated or removed from said office, and it shall be unlawful for any person to sign the same except at said office.

Certificate of city clerk.

SEC. 53. Within ten days after the signing of such petition has been declared closed, the city clerk shall examine and ascertain from the records of registration whether or not said petition is signed by any electors not qualified to sign the same and shall thereupon attach to said petition his certificate showing the result of his said examination and also setting forth the whole number of the electors within the city of Napa registered up to the third Monday in March, the per centum of qualified electors who have signed the said petition, and shall present the same to the city council at the next regular meeting thereof.

Canvass by city council.

SEC. 54. The city council shall, at its next regular meeting, canvass the said petition and if it appears that it is signed by electors, registered and qualified to vote at the next general municipal election equal to or exceeding sixty per centum of the whole number of electors within the city of Napa registered up to the third Monday of March, the office or offices therein sought to be declared vacant shall, without further proceedings of any kind, become vacant, but if it appears that said petition is signed by a less number than sixty per centum, but a number equal or exceeding twenty-five per centum, of such registered electors, the city council shall thereupon direct that the question of determining whether such vacancy shall exist be submitted to the electors, at the next general municipal election. If it appears that a less number than twenty-five per centum of such registered electors have signed said petition no further action shall be had or taken thereon.

Submission of question.

SEC. 55. Whenever the city council shall direct the submission of the question of determining whether such vacancy shall exist, the city clerk shall place said question on the ballots at such general municipal election in substantially the following form: "Shall a vacancy be declared in the office of (naming the office) Yes." "Shall a vacancy be declared in the office of (naming the office) No."

Canvass of returns.

SEC. 56. The result of such submission shall be returned by the board of election, with the general election returns and canvass therewith by the city council and if a majority of the electors voting at said election shall vote in favor of declaring a vacancy or vacancies in such office or offices, the city council shall thereupon declare, and there shall thereupon occur a vacancy or vacancies therein, to be filled as in this charter provided for filling vacancies; *provided*, that the incumbent in such office so declared vacant, shall not be eligible for appointment to fill any of the offices so declared vacant, but this disqualification shall not render such person ineligible to be or become a candidate at any election either to fill the unexpired term of said office or for a full term.

THE MAYOR.

Expert.

SEC. 57. It shall be the duty of the mayor to employ annually, in the month of March, an expert accountant to examine all the books and accounts of the city and said expert shall report, in writing, the result of such examination to the city council.

Counting cash.

SEC. 58. The mayor together with the city attorney and the city auditor, at least once a month, shall count the cash in the treasury and thereupon make a report in writing of the result of such count to the city council.

Public functions.

SEC. 59. The mayor shall represent the city at all public functions.

THE CITY COUNCIL.

Meetings.

SEC. 60. At twelve o'clock noon on the first Monday in June following a general municipal election, the city council shall meet at the usual place for holding its meetings, at which time any newly elected mayor, or councilman shall assume the duties of his office. Thereafter the city council shall meet at such times and places as may be prescribed by ordinance or resolution except that it shall meet regularly at least once a week. The city council shall prescribe the manner in which special meetings may be called; *provided, however*, that no final action shall be taken in any matter concerning the department of an absent councilman unless such business has been made a special order of the day by action at a previous meeting of the city council or such action is taken at a regular meeting of the city council.

At all meetings of the city council a majority shall constitute a quorum to transact business; a smaller number may adjourn from day to day and may compel the attendance of absent members in such manner and under such penalties as the city council previously by ordinance may have prescribed. The mayor shall preside at all meetings of the city council and shall be entitled to vote upon all matters coming before the council. In the absence of the mayor at any meeting of the city council, if three members be present, they may choose one of their number as mayor pro tem., and if by reason of absence from the city, sickness or any other cause, the mayor is unable to perform the duties of his office, the city council shall appoint one of their number mayor pro tem. who shall have all the power and authority which the mayor would have possessed if personally present to attend such duties.

Rules and records.

SEC. 61. The city council shall determine its own rules and order of business and shall keep a journal of its proceedings in which shall be entered the "Ayes" and "Noes" on every question acted upon by it.

Ordinances.

SEC. 62. Each proposed ordinance shall be introduced in written or printed form. No ordinance, unless it be an emergency measure, adopted by an affirmative vote of four of the members of the city council, shall be passed until it has been read at two regular meetings.

An emergency measure is an ordinance for the immediate preservation of the public peace, property, health or safety; or one providing for the usual daily operation of a municipal department in which an emergency is set forth and defined in a preamble thereto.

Enacting clause of ordinances.

SEC. 63. The enacting clause of all ordinances passed by the city council shall be: "Be it ordained by the city council of the city of Napa as follows:". The enacting clause of all ordinances submitted to popular election by the initiative shall be: "Be it ordained by the people of the city of Napa as follows:".

When ordinances take effect.

SEC. 64. All ordinances passed by the city council shall be in effect from and after ten days from the date of their passage, except as otherwise in this charter provided.

Recording and publication of ordinances.

SEC. 65. Every ordinance upon its final passage shall be recorded in a book kept for that purpose, and shall be authenticated by the signatures of the mayor and the city clerk. Every ordinance of a general or permanent nature adopted by the city council shall be published once within ten days after its final passage in the manner herein provided. Said publication of said ordinance, as well as all other newspaper publications made by the city, shall be made in a newspaper or newspapers of general circulation in the municipality published therein, in the body type of the paper, and under headlines in eighteen point type, specifying the nature of the publication; and where legally permissible, such publication shall be made but once, and in one newspaper only.

The newspaper carrying such publication shall be paid a price per inch of space used, and the lowest and best rate offered, not exceeding that which it receives from regular commercial display advertisers for the quantity of space used. Whenever it may appear to the city council that the rates offered by such newspapers are unfair, such other means of securing due publicity may be employed in lieu of newspaper advertising as the city council may by resolution determine.

Financial reports.

SEC. 66. Annually in the month of April the city council shall publish a report of the financial proceedings of the city for the preceding fiscal year, and a copy thereof shall be mailed to each elector of the city with the sample ballot for the succeeding general municipal election.

Improvement on streets.

SEC. 67. Except as otherwise, in this charter, or by ordinance of the city, provided the general laws of the State of California, now in force, or which may hereafter be adopted by the legislature of this state, relative to the improvement of and work upon streets, lanes, alleys, courts, places and sidewalks, including the establishment of and change of the grade thereof; the construction of sewers, water, storm water or other mains, ditches, pipes or conduits therein; the laying out, opening, extending, widening, straightening or closing up, in whole or in part, of any thereof; the condemning and acquiring any or all land necessary and convenient therefor; the planting, maintenance and care of shade trees upon or along the same, and of hedges upon the lines thereof; the eradication of weeds within the city and the cleaning of weeds, grass, dirt, rubbish and rank growths from the streets and sidewalks therein, or any other work or improvement upon the same; the levying and collecting of assessments upon property for doing such improvement, or work, or carrying out all or any of such purposes, and for the issue of improvement bonds to represent such assessment, shall govern and control and all proceedings shall be in conformity therewith.

Exceptions to general street laws.

SEC. 68. Whenever a sewer is ordered constructed, the city of Napa shall pay all the costs thereof over fifty cents per lineal foot of the lots and lands fronting on such sewer.

The duties of commissioners, secretaries and attorneys under the general law in the matter of opening, extending, widening, straightening or closing streets, lanes, alleys, courts or places, and of such commissioners, secretaries and attorneys, under the general law in the matter of the establishment or change of grade, or of any other commissioners, secretaries or attorneys provided for by such general street law, shall be performed under the direction of the councilman in charge of the department of streets and public improvement and the city attorney, neither of whom shall receive compensation therefor.

Eminent domain.

SEC. 69. In all matters where the right of eminent domain is conferred by the laws of the State of California, the city of Napa is hereby vested with said right, to be exercised, in conformity to said laws, whether the property affected is within or without the corporate limits of said city of Napa.

Bonded indebtedness.

SEC. 70. Whenever the city council shall determine that the public interest or necessity demands the acquisition, construction or completion of any municipal improvement or other works, property or structures necessary or convenient to carry out the objects, purposes, or powers of the municipality, the costs of which will be too great to be paid out of the ordinary annual income and revenue of the municipality, the city of Napa may incur a bonded indebtedness therefor; and the general laws of the State of California relative to the procedure for authorizing the incurring of such bonded indebtedness and for the issuance and redemption of such bonds now in force, or which may hereafter be adopted, shall govern and control and all proceedings shall be in conformity therewith.

Creating certain liens.

SEC. 71. Whenever the owner or occupant of any land or building shall be required to remove weeds, grass, rank growths, dirt, or debris, from any such lands or buildings, or from the street in front thereof; or to remove from such lands or buildings garbage, ashes, animal and vegetable refuse, dead animals, animal offal, waste or other offensive matter; standing pools of water or anything injurious to health, in such manner and at such times and under such notice as the city council, by ordinance, shall prescribe, and such owner or occupant shall fail so to do, the city of Napa may remove the same or cause the removal thereof and the expense incurred therein shall become a lien upon said lands; or whenever the city of Napa shall furnish, supply or provide water, gas, electric power or electric current, or any commodity, service or accommodation to any owner or occupant of any land or building for use thereon or therein, or connected therewith, the charge therefor shall be and become a lien upon such land. All such liens shall be prior to all other liens, incumbrances, or exemptions, except state and county taxes, having the force and effect of a tax lien, and may be enforced in such manner as shall be prescribed by ordinance.

Advisory board.

SEC. 72. The city council, at its first meeting in June of each year, shall appoint from the qualified electors of the city an advisory board of fifteen members. The members of said board shall serve without compensation for a term ending on the first Monday in June thereafter, and until their successors are appointed and qualified, and their duties shall be to consult with and advise the said city council, board of library trustees and heads of departments, and make written recommendations which shall become a part of the records of the city. Said advisory board shall be, and is hereby vested with the power to fill vacancies occurring in the city council.

EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS.

The five municipal departments.

SEC. 73. The executive and administrative powers, authority and duties of the city, not otherwise in this charter provided for, shall be distributed among five departments as follows:

1. Department of public affairs and order.
2. Department of revenue and finance.
3. Department of streets and public improvement.
4. Department of public buildings, parks and utilities.
5. Department of public health and safety.

Assignment of departments.

SEC. 74. The city council shall at its first meeting in the month of June of each year, assign one of the departments named in the preceding section to each councilman, the department of public affairs and order, however, shall always be assigned to the mayor. Should the city council be unable to agree in the assignment of the other four of said departments as herein provided, then it shall be the duty of the mayor to assign each of said departments to a councilman and upon such assignment being made by the mayor, the councilman so appointed shall be and become the head of said department and responsible for all matters belonging to said department. The city council may change such assignments, except that of the department of public affairs and order, whenever it shall determine that the public service requires such change.

Appointive officers.

SEC. 75. The appointive officers of the city of Napa shall be a city treasurer, a city assessor, a city collector, a city clerk, a city attorney, a police judge, a city auditor, and a city engineer, all of whom shall be appointed by and hold office at the pleasure of the city council, a city superintendent of streets and such other officers as the city council may from time to time designate by ordinance, to be appointed and hold office in the manner in this charter provided. Upon their appointment and qualification, each of said officers shall become and remain a resident of the city of Napa during the time he is such officer.

Powers of heads of departments.

SEC. 76. The mayor or councilman, as the case may be, in charge of the department to which he is assigned, shall have the supervision and control of all the affairs and property belonging to such department, except as otherwise provided in this charter, subject to such rules and regulations as may be prescribed by the city council. The head of each department shall appoint such officers and employees in his department as in the judgment of the city council the needs of the service may require, who shall serve at the pleasure of the head of said department, subject to removal upon the vote of three councilmen. The city council shall, by ordinance, determine the number of officers and employees in each of the several departments, prescribe the powers, duties and qualifications of all such officers and employees and may assign any such officers or employees to two or more departments or require an officer or employee to perform duties in two or more departments.

Consolidation of offices.

SEC. 77. The city council shall have the power of consolidating any two or more appointive offices; *provided, however,* that the office of city auditor shall not be consolidated with any office receiving, holding or expending city funds.

Financial settlements.

SEC. 78. Every officer collecting or receiving any money belonging to, or for the use of the city of Napa, shall, on or before the first Monday in each month, or at more frequent intervals if directed by the city council, settle for the same with the city auditor, and immediately thereafter pay the same into the treasury on the order of the city auditor, and no warrant for said officer's salary shall be drawn by the city auditor until such payment is made.

Compensation of officers and employees.

SEC. 79. The city council shall fix the compensation of all officers and employees, except as in this charter otherwise provided, and no officer or employee shall be allowed any fee, perquisite, emolument, reward or compensation aside from the salary or compensation as fixed by the city council, and all fees received by him in connection with his official duties shall be paid by him into the city treasury.

Powers of department of public affairs and order.

SEC. 80. The department of public affairs and order shall have charge of and represent the city in all matters in which the city is brought into relations with the government of the United States of America, states, counties or municipalities, and shall include within its powers, full and complete charge and control of the police department, the preservation of public order and decorum and the enforcement of all ordinances of the city.

Powers of the department of revenue and finance.

SEC. 81. The department of revenue and finance shall have supervision of all financial matters of the city, including the recommendation to the city council of a budget; the examination of and recommendation of all claims presented against the city; the full supervision over the assessment and collection of revenue and taxes; the purchase of supplies; public printing, and shall have general supervision of all other financial matters not otherwise provided for in this charter.

Powers of the department of streets and public improvement.

SEC. 82. The department of streets and public improvement shall have supervision over all work done on streets and sewers; the laying of pipes and conduits; the erection of poles; the construction of tracks, and all other work, constructions and installations placed under, upon or above streets, including the construction, maintenance and repairs of all streets, sidewalks and sewers; the lighting, cleaning, sprinkling, oiling and paving of streets and sidewalks, and also the construction, maintenance and repair of all bridges, culverts, wharves and docks.

Powers of department of public buildings, parks and utilities.

SEC. 83. The department of public buildings, parks and utilities shall have supervision over the construction, maintenance, repair and management of all public buildings; the laying out, maintenance and management of all public parks; the construction, operation, maintenance and management of all public utilities owned by the city, and the supervision and regulation of all utilities not owned by the city.

Powers of the department of public health and safety.

SEC. 84. The department of public health and safety shall have the supervision over the health department of the city and of the enforcement of quarantine and all other health regulations, including the inspection of milk, water, meats, foods and animals; and of the disposal of garbage.

This department shall also have supervision over the fire department, with the duty to inspect buildings and enforce building regulations; enforce regulations for plumbing, electric and other wiring; inspect and enforce regulations respecting all public halls, theaters and other public places, and shall enforce all regulations respecting the handling and storage of explosives, and exercise complete supervision over all fire preventative and relief matters. This department shall have charge of and supervise the enforcement of all regulations of weights and measures, and shall exercise full and complete control over sanitation and sewage; the inspection, placing and supervision of fire hydrants; the abatement of nuisances of every description, and shall exercise and have entire supervision over public pound.

Redistribution of powers, authority or duties.

SEC. 85. The city council may, by ordinance, change any of such designations or the distribution of any such powers, authority or duties, except that distributed to the department of public affairs and order, or transfer any of such powers, authority or duties from any of such departments, except from the department of public affairs and order, to another department, or distribute additional powers, authority and duties of any of such departments whenever it shall determine that the public service requires such change or transfer; and may make such rules and regulations not inconsistent with the provisions of this charter as in its judgment may be necessary or convenient for the efficient and economical conduct of the business of the city.

City manager.

SEC. 86. Nothing contained in this charter shall be construed as preventing the electors of the city of Napa from vesting, and said electors may at any general municipal election thereof, by initiative ordinance adopted by a majority of all the votes cast at said election, vest in a city manager all the powers, authority and duties assigned to the mayor and councilmen as the heads of said departments, said ordinances to provide, however, that said city manager shall be appointed by, serve at the pleasure of, and under the direction and supervision of the city council, which shall designate and fix the salary of said city manager and prescribe by ordinances such other regulations concerning his appointment, qualifications and duties as it may deem advisable.

FINANCE AND TAXATION.

Fiscal year.

SEC. 87. The fiscal year shall commence at twelve o'clock m. of the first Monday in March of each year.

Tax system.

SEC. 88. The city council shall by ordinance provide a system, not inconsistent with the provisions of this charter, for the assessment, levy and collection of all city taxes. The city council shall have the power to avail itself, by ordinance, of any law of the State of California, now or hereafter in force, whereby assessments may be made by the assessor of the county in which the city of Napa is situated and taxes collected by the tax collector of said county. Other provisions of this charter concerning the assessment, levy and collection of taxes shall be subject to the provisions of any such ordinance while the same shall be in force.

Department estimates of annual requirements.

SEC. 89. On or before the first Monday in April in each year or on such date in each year as shall be fixed by the city council, the heads of departments, officers and boards shall send to the head of the department of finance and revenue a careful estimate in writing of the amounts, specifying in detail the objects thereof, required for the business and proper conduct of their respective departments, offices and boards for the current fiscal year.

Annual estimate of city's requirements and revenue.

SEC. 90. On or before the first Monday in May in each year, or on such date in each year as shall be fixed by the city council, the head of the department of finance and revenue shall submit to the city council an estimate of the probable expenditures of the city government for the current fiscal year, stating the amount required to meet the interest and sinking funds for the outstanding funded indebtedness of the city, and the wants of all the departments of the municipal government in detail, showing specifically the amount necessary to be provided for each fund and department; also an estimate of the amount of income from fines, licenses and other sources of revenue exclusive of taxes upon property, and the probable amount required to be levied and raised by taxation.

Annual budget.

SEC. 91. The city council shall meet annually, prior to fixing the tax levy, and make a budget of the estimated amounts required to pay expenses of conducting the business of the city government for the current fiscal year. The budget shall be prepared in such detail as to the aggregate sum and the items thereof allowed to each department, office or board, as the city council may deem advisable.

Board of equalization.

SEC. 92. The city council shall meet at their usual place of holding meetings on the first Monday in August of each year at ten o'clock in the forenoon of said day, and sit as a board of equalization, and shall continue in session from day to day for at least three days. They shall have power to hear complaints and to correct, modify, strike out, or to raise any assessment, provided that notice shall be given to the party whose assessment is to be raised.

Annual tax levy.

SEC. 93. Not later than the first Tuesday in September of each year, the city council must levy a tax upon the assessed valuation of the property of the city, subject to the provisions of this charter, designating the number of cents upon each one hundred dollars of the valuation thereof, sufficient to raise the amounts estimated in the annual budget, less the amounts estimated to be received from fines, licenses and other sources of revenue.

Computing tax.

SEC. 94. The assessment roll shall then be delivered to the auditor who shall compute and carry out the amount of the tax so levied upon each parcel of property contained in said assessment roll and total the same. The corrected list for each tax shall be the assessment roll of said tax for said year, and it shall be certified by the auditor as being the assessment roll of said tax.

Limit of tax levy.

SEC. 95. The tax levy authorized by the city council to meet the municipal expenses for each fiscal year shall not exceed, except as in this charter otherwise provided, the rate of one dollar on each one hundred dollars of the assessed value of all real and personal property within the city. The city council in passing the levy shall apportion not less than ten cents to the library fund, unless the estimate of the board of library trustees calls for a less amount.

Bonds and other special taxes.

SEC. 96. The city council shall have power to levy and collect taxes, in addition to the taxes herein authorized to be levied and collected, sufficient to pay the interest and maintain the sinking fund of the bonded indebtedness of the city, and to levy and collect special taxes, in addition to the annual tax hereinbefore provided for, whenever authorized by the people at any general municipal election, by a majority vote of the electors voting thereon. At any such election the city council may be authorized to levy a special tax each year, for a period of years not exceeding five years, in all, for any permanent municipal improvement.

Tax lien.

SEC. 97. All taxes and assessments levied together with any percentage imposed for delinquency and the cost of collection, shall constitute liens on the property assessed; every tax upon the personal property shall be a lien upon the real property of the owner thereof. The liens provided for in this section shall attach as of the first Monday in March in each year, and may be enforced by actions in any court of competent jurisdiction to foreclose such liens, or by a sale of the property affected and the execution and delivery of all necessary certificates and deeds therefor, under such regulations as may be prescribed by ordinance; *provided*, that when real estate is offered for sale for city taxes due thereon, the same shall be struck off and sold to the city, in like case and in like manner and with like effect and with like right of redemption, as it may be struck off and sold to the state when offered for sale for state or county taxes; and the city council shall have power to provide for the procedure to be followed in such sales to the city and redemption thereafter.

Tax deeds.

SEC. 98. All deeds made under any sale of property for taxes or special assessments, under the provision of this charter, shall have the same force and effect in evidence as is or may be provided hereafter by law for deeds for property sold for non-payment of state and county taxes.

Uniform accounts and reports.

SEC. 99. The city council shall prescribe uniform forms of accounts, which shall be observed by all officers and departments of the city which receive or disburse moneys.

CONTRACTS.

Form of contracts.

SEC. 100. All contracts shall be in writing executed in the name of the city of Napa by an officer or officers authorized to sign the same, and must be countersigned by the auditor who shall number and register the same in a book kept for that purpose. All contracts shall be approved, as to form, by the city attorney, and no contract made, the expense of the execution of which is not provided by law or ordinance, to be paid by assessment on the property benefited, shall be binding or of any force unless the auditor shall endorse thereon his certificate that there remains unexpended and unapplied, a balance of the appropriation or fund applicable thereto, sufficient to pay the estimated expense of executing such contract.

Public work to be done by contract.

SEC. 101. In the erection, improvement or repair of all public buildings and works, in all street and sewer work, and in all work in and about streams or water fronts, or, in or about embankments or other works for protection against overflow and erosion, and in furnishing any supplies or materials for the same, or for any other use by the city, when the expenditure required exceeds the sum of three hundred dollars, the same shall be done by contract and shall be let to the lowest responsible bidder after advertising for sealed proposals for the work contemplated, or supplies or materials required, for five consecutive days in some newspaper printed and published in the city of Napa, or after posting notice inviting sealed proposals therefor for five days on or near the council chamber door. Such notice shall distinctly and specifically state the work contemplated to be done or supplies or materials to be furnished; *provided, however*, the city council may reject any and all bids if deemed excessive, and readvertise for bids or provide for the work to be done by the proper city department, or the supplies or materials to be purchased in the open market; but in no case shall such supplies be bought at a price as high as the lowest bid received from the responsible bidder. In case no bid is received, the city council may likewise provide for the work to be done by the proper department or the supplies to be purchased in open market.

Progressive payment on contracts.

SEC. 102. Any contract may provide for progressive payments, provided no such payments can be authorized, which, with any prior payments, shall exceed seventy-five per cent of the value of the labor done and materials used; *and provided, further*, That no contract shall provide for or authorize or permit the payment of more than seventy-five per cent of the contract price before the completion of the work done under said contract and the acceptance thereof by the proper officer, department or board.

Officers not to be interested in contracts.

SEC. 103. No member of the city council nor any other officer or employee of the city, shall be interested, directly or indirectly, in any contract, job, work or service for the city, or with the profits or emoluments thereof or in the expenditure of any money on the part of the city other than his fixed compensation, and any contract with the city in which any such officer or employee is or becomes interested shall be void. No member of the city council or other officer or employee of the city shall knowingly accept any gift, frank, free ticket, pass, reduced price or reduced rate of service from any person, firm or corporation operating a public utility, or engaged in business of a public nature with the city or from any person known to him to have or to be endeavoring to secure a contract with the city. Any officer or employee violating any of the provisions of this section shall be guilty of malfeasance and shall be removed from office.

Collusion by bidder.

SEC. 104. If at any time it shall be found that the person to whom a contract has been awarded, has in presenting any bid or bids, colluded with any other party or parties for the purpose of preventing any other bids being made, then the contract so awarded shall be null and void and the city council shall advertise for a new contract for said work or provide for such public work to be done by the city.

Collusion with bidder.

SEC. 105. Any officer of the city or of any department thereof, who shall aid or assist a bidder in securing a contract to furnish labor, material or supplies at a higher price than that proposed by any other bidder, or who shall favor one bidder over another by giving or withholding information or who shall wilfully mislead any bidder in regard to the character of the materials or supplies called for, or who shall knowingly accept materials or supplies of a quality inferior to those called for by the contract, or who shall knowingly certify to a greater amount of labor to have been performed than has been actually performed, or to the receipt of a greater amount, or different kind of material or supplies than has been actually received shall be deemed guilty of malfeasance and shall be removed from office.

FRANCHISES.

No franchise to be exclusive.

SEC. 106. No grant, extension or renewal of any franchise shall be exclusive and no such grant shall be made by the city council in violation of any limitations contained in this charter.

Ordinance granting, renewing or extending franchises.

SEC. 107. No franchise shall be granted, renewed or extended except by ordinance. Such ordinance shall go into effect thirty days after its final passage and publication unless within such thirty days a referendum petition signed by qualified voters of the city in the manner provided for referendum elections in this charter be filed with the city clerk asking that such franchise ordinance be submitted to a vote of the electors for approval or rejection, and in case such petition is so filed, no such ordinance shall be of any force or effect whatever until it has been approved by the electors by a majority vote of those voting thereon at the referendum election.

Application and sale of franchise.

SEC. 108. Any person desiring to obtain a franchise shall file with the city clerk a written application therefor accompanied by a cash deposit of one hundred dollars as a fund out of which to pay all expenses connected with such application and the granting of such a franchise.

Return of deposit.

SEC. 109. In the event such franchise so applied for is not granted, the unexpended portion of such deposit shall be returned to the applicant, and if the said franchise be awarded to some one other than the applicant thereupon such deposit shall be returned to the applicant.

Conditions of grant to be determined.

SEC. 110. Upon the filing of the said application and the making of the deposit aforesaid, the city council shall, if it proposes to grant the same, proceed to determine the character of such franchise and the terms, restrictions, reservations, conditions, provisions and form of the ordinance to be adopted for the purpose of granting such franchise.

Advertising notice of sale.

SEC. 111. The city council shall thereupon advertise the fact of said application together with the statement that it proposes to grant the same in the form so determined in one or more newspapers published and circulated in the city of Napa once a day for five successive days, or as often during said period as such newspapers are published, and the full publication must be completed not less than twenty nor more than thirty days before any further action is taken thereon. Such advertisement must state the character of said franchise or privilege, and set forth, in full, the form of the ordinance proposed for the purpose of granting the same and that sealed bids therefor will be opened at a time and place stated, and that the franchise will be awarded to the highest and best bidder; *provided*, that no franchise or privilege shall be sold for less than five hundred dollars.

Bidding for the franchise.

SEC. 112. At the time of opening the sealed bids any responsible person, firm or corporation may bid for such franchise or privilege a sum not less than ten per cent above the highest sealed bid therefor and such bid so made may be raised and such bids may so continue until finally such franchise shall be struck off, sold and awarded by the city council to the person, firm or corporation offering the highest and best bid therefor; *provided*, that such bidder shall, before the making of such award, deposit with the city clerk at least ten per cent of the amount of such bid.

and if such successful bidder is not the applicant, the sum of one hundred dollars in addition as a fund out of which to pay all expenses connected with such application and the granting of said franchise, and in the case of a failure to make such deposits, such bid shall be rejected and that of the next highest bidder accepted upon the making of the deposit aforesaid; and in case the bidder shall fail to deposit with the treasurer the remaining ninety per centum of such bid within five days of its acceptance the award of said franchise shall be set aside and the deposit theretofore made thereon shall be forfeited and no further proceedings for the sale of said franchise shall be had without readvertising, and again offering it for sale in the manner hereinabove provided.

Bond required.

SEC. 113. The successful bidder for any franchise or privilege sold and awarded under this charter, shall file a bond running to the city of Napa, with at least two good and sufficient sureties, or other bond provided by law, to be approved by the city council, in a penal sum by it to be prescribed and set forth in the advertisement for bids, conditioned that such bidder shall well and truly observe, fulfill and perform each and every term and condition of such franchise, and that in case of any breach of condition of such bond, the whole amount of the penal sum therein named shall be taken and deemed to be liquidated damages and shall be recoverable from the principal and sureties upon said bond.

Said bond shall be filed with the city clerk within five days after such franchise is awarded and upon the filing and approval of such bond the said franchise shall be granted by the city council by ordinance to the person, firm or corporation to whom it has been struck off, sold and awarded, and in case the said bond shall not be so filed, the award of such franchise shall be set aside and any money paid therefor shall be forfeited and said franchise may, in the discretion of the city council, be readvertised and again offered for sale in the same manner and under the same restrictions as in this charter provided for original application, advertisement and sale of such franchise.

Free competition in bidding.

SEC. 114. No clause or condition of any kind shall be inserted in any franchise offered or sold under the terms of this charter which shall directly or indirectly restrict free and open competition in bidding therefor, and no clause or provision shall be inserted in any franchise offered for sale which shall in anywise favor one person, firm or corporation as against another in bidding for the purchase thereof.

Service and accommodation.

SEC. 115. The grant of every franchise, permit or privilege shall be subject to the right of the city whether reserved in such grant or not to make all regulations which shall be necessary to secure, in the most ample manner, the safety, welfare, and accommodation of the public, including among other things, the right to pass and enforce ordinances to protect the public from danger or inconvenience in the operation of any work or business authorized by the grant of the franchise, permit or privilege, and the right to make and enforce all such regulations as shall be reasonably necessary to secure adequate, sufficient and proper public service and accommodations.

Rates, regulations and reports.

SEC. 116. Every ordinance granting any franchise shall be subject to the right of the city, whether reserved therein or not, to prescribe and regulate the rates, fares, rentals or charges made for the service rendered under such franchise; to require such reports, accounts or special information about its affairs to be furnished, as the city council may prescribe, or deem necessary or convenient, for the purpose of fixing such rates, fares, rentals or charges, or for any other lawful purpose, to be made in such form, and verified by such persons as the city council shall prescribe; to have full and free access, at any and all reasonable time, to all books, records and papers of such utility, with the right of examining the same, and privilege of taking copies of the same or any part thereof.

Right of the city to purchase.

SEC. 117. Every ordinance granting any franchise shall reserve to the city the right to purchase or lease all the property of the utility used in or useful for the operation of the utility at a price either fixed in the ordinance making the grant or to be fixed in the manner provided by such ordinance, but in no case shall the value of the franchise of the grantee be considered or taken into account in fixing such valuation. Nothing in such ordinance shall prevent the city from acquiring such property by condemnation proceedings or in any other lawful mode. Upon the acquisition of such property by purchase, condemnation or otherwise, such franchises shall at once terminate.

Fire and police, alarm and telephone wires.

SEC. 118. Every grant of any franchise authorizing the grantee to use any street, highway or other public place for the purpose of constructing, erecting, laying down or maintaining any poles, towers or other structures above the surface, or any conduits, tunnels or other structures below the surface for the stringing, suspension or carriage of wires, shall be subject to the right of the city, whether reserved or not, to use such poles, towers, conduits, tunnels or other structures without cost for the stringing, suspension or carriage of the fire and police alarm and telephone wires of the city, and the right to attach alarm and call boxes to any of such poles or towers.

Other conditions may be imposed.

SEC. 119. Nothing in this charter contained, except as herein specifically provided, shall operate to limit the city council in the exercise of any of its lawful powers respecting public utilities or to prohibit the city council from inserting in any ordinance granting a franchise such further restrictions and provisions as it may deem to be in the public interest; *provided, only* that the same are not inconsistent with the provisions of this charter or the constitution of this state.

Lease or assignment of franchises.

SEC. 120. No franchise granted by the city shall be leased, assigned or otherwise alienated without the express consent of the city, and no dealing with the lessee or assignee, on the part of the city, to require the performance of any act or payment of any compensation by the lessee and assignee shall be deemed to operate as such consent; *provided*, that nothing herein shall be construed to prevent the grantees of such franchise from including it in a mortgage or trust deed executed for the purpose of obtaining money for corporate objects.

Forfeiture for non-compliance.

SEC. 121. Every ordinance granting a franchise or privilege shall provide for the termination or forfeiture thereof for any breach or failure to comply with any of the terms, limitations or conditions thereof and in all such cases the city council shall have the power to declare the termination and forfeiture of any such franchise or privilege the same as though in each instance such power was expressly reserved

Extensions.

SEC. 122. All grants of the right to make extensions of any public utility shall be subject, as far as practical, to the terms of the original grant and shall expire therewith.

Renewals of franchises.

SEC. 123. No ordinance granting a renewal of a franchise, shall be passed at a date earlier than two years before its expiration without the vote of at least four of the members of the city council, and no ordinance granting a renewal or extension of any franchise shall be passed until the city council shall first declare, by ordinance, its intention of considering a renewal or extension thereof, at a time and place fixed by such ordinance, not less than thirty days after such ordinance takes effect

Spur track permits.

SEC. 124. Revocable permits for laying spur or sidetracks along, upon or across any street, alley or public ground to connect a railroad operated with steam, electric or other motive power with any property in need of switching facilities, shall not be regarded as a franchise, within the meaning of this charter, but such permits may be granted in accordance with such terms, regulations and conditions as the city council may by ordinance prescribe from time to time, and all such permits shall be revocable at the pleasure of the city council.

Franchises for utilities not suburban.

SEC. 125. The city council may grant franchises for the construction, operation and maintenance of any public utility, including railroads, interurban railroads and electric light and power lines, extending in its operation to other communities not properly suburban to the city of Napa without advertising for bids therefor and the provisions of this charter regarding the right of the city to purchase, and concerning rates and regulations shall not apply to any such franchises, but nothing herein contained shall prohibit the city council from inserting in the ordinance granting any such franchise, such restrictions, conditions and requirements as it may deem to be for the public interest, including the provisions above referred to; *provided*, that the same are not inconsistent with any of the provisions of this charter or with the constitution of this state.

PUBLIC UTILITIES.

Power to acquire public utilities.

SEC. 126. The city shall have power to acquire, construct, maintain and operate any or all public utilities, either within or without the corporate limits of the city. The city may also acquire, lay, maintain and own all fixtures located in the streets and public places necessary for the operation of public utilities and may in like manner acquire, construct, maintain and own public utility plants whether for manufacture or distribution, or both, either within or without the corporate limits of the city.

Income of utilities owned.

SEC. 127. All income derived from the operation or management of any public utility by the city shall be devoted exclusively to the payment of expenses of operating, maintaining, improving or bettering such public utility and to the payment of any debts, and interest thereon which may have been incurred for the acquiring, improving, operating or maintaining of such utility.

GOODMAN LIBRARY.

Free public library and trustees thereof.

SEC. 128. The free public library, heretofore established and now maintained by the city, shall be known as the "Goodman Library," and shall be managed by a board of library trustees, consisting of five members, to be appointed by the city council. Such trustees shall hold office at the pleasure of the city council, providing that the members of the present board of library trustees shall hold office until the expiration of their present terms of office.

Meetings and records of library board.

SEC. 129. The board of library trustees shall meet at least once a month at such time and place as they may fix by resolution. Special meetings may be called at any time by three trustees, by written notice served upon each member at least three hours before the time specified for the proposed meeting. A majority of the board shall constitute a quorum for the transaction of business. The board shall appoint one of their number president, who shall serve for one year and until his successor is appointed, and in his absence shall select a president pro tem. The board shall cause a proper record of their proceedings to be kept.

Powers of library trustees.

SEC. 130. The board of library trustees shall have power:

First—To make and enforce all rules, regulations and by-laws necessary for the administration, government and protection of the Goodman Public Library, and all property belonging thereto.

Second—To administer any trust declared or created for such library, and to receive by gift, devise or bequest and hold in trust or otherwise, property situated in this state or elsewhere, and where not otherwise provided, dispose of the same for the benefit of such library.

Third—To prescribe the duties and powers of the librarian, secretary and other officers and employees of such library; to determine the number of and appoint all such officers and employees, and fix their compensation, which said officers and employees shall hold their offices or positions at the pleasure of the board.

Fourth—To purchase necessary books, journals, publications and other personal property.

Fifth—To purchase such real property, and erect or rent and equip such building or buildings, room or rooms, as may be necessary, when in their judgment a suitable building or portion thereof has not been provided by the legislative body of the municipality for such library.

Sixth—To require the secretary of state and other state officials to furnish such library with copies of any and all reports, laws and other publications of the state not otherwise disposed of by law.

Seventh—To borrow books from, lend books to and exchange the same with other libraries, and to allow non-residents to borrow books upon such conditions as they may prescribe.

Eighth—To do and perform any and all other acts and things necessary or proper to carry out the provisions of this charter.

Reports of library trustees.

SEC. 131. The board of library trustees shall, on or before the first Monday in March in each year, make a report to the legislative body of the municipality, giving the condition of the library on the first Monday in March, together with a statement of their proceedings for the year then ended, and forward a copy thereof to the state library at Sacramento.

Revenue for library.

SEC. 132. The city council shall, in making the annual tax levy and as a part thereof, if the maintenance of the library has not been otherwise provided for, levy a tax for the purpose of maintaining such library and purchasing property necessary therefor.

Library fund.

SEC. 133. The revenue derived from said tax, together with all money acquired by gift, devise, bequest, or otherwise, for the purposes of the library, shall be apportioned to a fund to be designated the "library fund," and be applied to the purpose herein authorized. If such payment into the treasury should be inconsistent with the terms of any such gift, devise or bequest, the board shall provide for the safety and preservation of the same, and the application thereof to the use of the library, in accordance with the terms and conditions of such gift, devise or bequest. Payments from said fund shall be ordered by the board of library trustees in the manner provided for the payment of other demands against the municipality.

Use of library.

SEC. 134. The Goodman Library shall be forever free to the inhabitants and non-resident taxpayers of the city, subject always to such rules, regulations and by-laws as may be established by the board of library trustees.

Contracts concerning books.

SEC. 135. The board of library trustees may contract for lending the books of such library to residents of counties or neighboring municipalities upon a reasonable compensation to be paid by such counties or neighboring municipalities.

Title to property of library.

SEC. 136. The title of all property acquired for the purposes of such library, when not inconsistent with the terms of its acquisition or otherwise designated, shall vest in the municipailty in which the library is, and in the name of the municipal corporation may be sued for and defended by action at law or otherwise.

POLICE COURT.

Police court created.

SEC. 137. There is hereby created in and for the city of Napa a court that shall be known as the police court of the city of Napa. Said court shall consist of one judge, who shall be appointed by the city council, shall serve during its pleasure, and receive such compensation as the city council shall determine.

General jurisdiction of police court.

SEC. 138. Said police court shall have exclusive jurisdiction:

1. In all prosecutions for violations of the provisions of this charter and of the ordinances of the city of Napa.

2. In all actions for the recovery of any fine, penalty, or forfeiture, and the enforcement of any obligation, or liability, prescribed, or created, by ordinance of the city of Napa, and in which the sum sued for does not amount to three hundred dollars.

Concurrent and coordinate jurisdiction of police court.

SEC. 139. Within the city limits of the city of Napa said court shall have concurrent and coordinate jurisdiction with township or city justice courts, or such other inferior courts as the legislature of this state may hereafter create, in all matters and things in which said justice or other courts, now or may hereafter, have jurisdiction, and the judge of said police court of the city of Napa shall have the authority, power, and jurisdiction as the justice or judges of said justice or other courts. He shall also have the power and perform the duties of a magistrate, may administer and certify oaths and affirmations, and take and certify acknowledgments, and he shall charge for his services such fees as are now, or may hereafter be, allowed by law to justices of the peace for like services.

Appeals from police court.

SEC. 140. Appeals may be taken from the police court of the city of Napa to the superior court of the State of California, in and for the county of Napa, from the judgments and orders of said police court in all cases in which appeals now are, or may hereafter be, provided by law to be taken to said superior court from justice and other inferior courts.

Procedure in police court.

SEC. 141. In all proceedings in and appeals from said police court the pleadings, practice, procedure, and laws now applicable, or that may hereafter be made applicable, to justice, police or other inferior courts, are hereby adopted and made applicable to said police court.

Fees, moneys, etc., in police court.

SEC. 142. All fines, fees and other moneys received, or collected by the judge of said police court for and on account of any cause, civil or criminal, shall immediately be paid into the city treasury by such police judge.

Records of police court.

SEC. 143. The judge of the said police court shall keep a record of the proceedings of the police court in all matters and proceedings before such police court. Separate dockets shall be kept for civil and criminal cases. Said police judge shall charge and collect in all civil cases such fees as are now, or may hereafter be, charged, allowed, or provided for in justices or other inferior courts of the county of Napa.

City council's duty to police court.

SEC. 144. The city council shall furnish for said police court the necessary dockets and all blanks and other books and stationery necessary for the transaction of its business, and the said court shall always be open for the transaction of business, except on Sundays, and other non-judicial days.

Duties of police officers in police court.

SEC. 145. The chief of police or any other police officer of the city of Napa shall execute and return all processes issued from the police court of the city of Napa, and all orders of the police judge, and said chief of police shall attend, or assign a police officer for attendance, on said police court to preserve order therein and to enforce the orders of said police court.

Disqualifications of police judge.

SEC. 146. In all cases in which the police judge is a party, or in which he is interested, or when he is related to either party by consanguinity, or affinity, within the third degree, or is otherwise disqualified, or in case of sickness or inability to act, the police judge may call in any justice of the peace or judge of other inferior court, residing in the county of Napa to act in his place and stead; *provided*, such justice or judge is not disqualified as herein provided.

INITIATIVE.

Power of electors.

SEC. 147. The qualified electors of the city of Napa shall have power to propose by petition and to adopt at the polls any ordinance which may be enacted under this charter.

Proposals of ordinance.

SEC. 148. Such initiative ordinance may be proposed by filing with the city clerk a copy of the proposed ordinance, accompanied by an affidavit to be made by one of the proponents, setting forth that the proponents desire to propose the annexed ordinance for adoption by the city council and do designate five persons therein named, each of whom is a qualified elector of the city of Napa, selected by the proponents as a committee on initiative, who have accepted such appointment and consented to act as such.

Notice of hearing before council.

SEC. 149. The city clerk shall file said affidavit and ordinance and shall thereupon submit the same to the city attorney who shall, if he deems it necessary redraft the said ordinance so that it may conform to legal requirements, and thereupon and within ten days after the receipt thereof shall present the same to the city council with the draft so prepared, if any. The city council shall thereupon direct notice to be given to the committee named in said affidavit that at the next regular meeting of the city council the said ordinance, and if a redraft thereof has been prepared by the city attorney, such redraft, if the committee shall elect to adopt the same, will be considered by the city council and that a copy of said redraft of said ordinance, if one there be, is on file with the city clerk and open to inspection.

Hearing of proposal.

SEC. 150. The said committee on initiative or a majority thereof, shall elect in writing, whether the original ordinance or the redraft thereof, if any, shall be considered, and at the regular meeting of the city council, specified in said notice, the ordinance selected shall be considered by the city council. The committee on initiative may appear as proponents of said ordinance and any other person or persons may appear and favor or oppose said ordinance and may freely discuss the subject matter thereof.

Action by city council.

SEC. 151. After a full hearing thereon and within ten days thereafter the city council may adopt or refuse to adopt such ordinance, or may direct that the same be submitted to a vote at the next general municipal election.

Notice of intention to submit to electors.

SEC. 152. If the city council shall not adopt such ordinance, and shall not direct that the same be submitted to a vote at the next general municipal election the committee on initiative may elect in writing, to have the same submitted to the electors of the city of Napa for approval or rejection without alteration, in which case they shall file with the clerk a statement of their intention to secure the submission of said ordinance to a vote of the electors by initiative petition.

Form of initiative petition.

SEC. 153. Thereupon the city clerk shall immediately prepare a petition in substantially the following form:

INITIATIVE PETITION NO. ———.

"We, the undersigned qualified electors of the city of Napa, registered in the precinct set opposite our names, respectively, having read the proposed ordinance entitled '———.' (here insert title), and being in favor of its adoption, do hereby respectfully petition that the same be submitted to the qualified electors at the next ensuing general municipal election."

(Signed.)

Names	Date	Precinct

All such petitions shall be numbered in the order of the receipt of such requests by the city clerk, who shall have prepared as many copies of said petition as may be required, conformable to the necessary numbers of signers, hereinafter specified, and shall forthwith give notice, in writing, to the committee on initiative that said petition has been prepared and that the same is open in his office as a public document for signatures thereto, and will remain therein until the third Monday in March next immediately prior to the day of holding the next general municipal election.

Signing initiative petitions.

SEC. 154. The city clerk shall, at the time of giving such notice, place said petition in a conspicuous place in his office accessible to the public and shall provide a convenient place therein where the qualified electors may, without interference or interruption, examine the said petition and such ordinance, and sign said petition and thereafter keep the same in his office in the manner aforesaid and open for examination and signatures during office hours until the third Monday in March preceding the day of holding such next general municipal election, at the hour of five o'clock p.m. thereon when he shall declare the signing thereof closed and immediately bind said petition together and file the same in his office.

Soliciting the signing of initiative petitions.

SEC. 155. No person shall solicit for signers to said petitions within the office of the city clerk and said petitions shall not in any manner or for any purpose be removed from the office of the city clerk or circulated, and it shall be unlawful to sign the same except at the office of the city clerk.

Examination by, and certificate of city clerk.

SEC. 156. Within ten days after the signing of such petition has been declared closed, the city clerk shall examine and ascertain from the records of registration whether or not said petition is signed by electors not qualified to sign the same, and shall thereupon attach to said petition his certificate showing the result of his said examination, and setting forth the whole number of the electors within the city of Napa, registered up to the said third Monday in the month of March, the per centum of qualified electors who have signed the said petition, and shall present the same at the next regular meeting of the city council.

Canvass by city council.

SEC. 157. The city council shall, at its next regular meeting, proceed to canvass the same and if the petition shall have received twenty-five per cent or more of the qualified electors registered up to the third Monday in March, and qualified to vote at the next general municipal election shall submit said proposition to a vote of the electors at the next general municipal election.

Ballots.

SEC. 158. Upon the ballot used at said general municipal election shall be printed in full the title of the proposed ordinance and shall contain words "For the Ordinance," and "Against the Ordinance."

Measure to be mailed to voters.

SEC. 159. Whenever any ordinance is required under the initiative provisions of this charter to be submitted to the voters of the city, the city council shall cause the ordinance so required to be submitted to be printed, and it shall be the duty of the city clerk to inclose a printed copy thereof in the envelope with the sample ballots and mail the same to each voter therewith. The city council may, in its discretion, cause said ordinance to be printed in a newspaper or newspapers of general circulation published in the city of Napa prior to the day of holding such election.

Canvass of returns.

SEC. 160. The city council shall canvass the returns made by the election officers and if the ordinance shall receive a majority of the votes cast upon such proposition, such ordinance shall thereupon without any other procedure take effect and be in force five days after the declaration of the official canvass, unless the said ordinance, shall provide for a later time at which it shall take effect, in which case it shall take effect and be in force as of the time so provided.

Repeal.

SEC. 161. No ordinance approved by the electorate under the provisions of the initiative in this charter contained shall be amended or repealed except by vote of the electorate unless such ordinance shall otherwise provide.

REFERENDUM.

Request for a referendum petition.

SEC. 162. At any time within thirty days after the final passage of any ordinance, order, resolution or proposition by the city council granting any franchise or privilege, or involving the sale or lease of any public utility, or authorizing the lease, sale or purchase of any lands, or creating any vested rights against the city of Napa or out of which vested rights may accrue against the city of Napa, any ten qualified electors of the city of Napa may file with the city clerk a written request that a petition be opened for signatures for submitting such ordinance, order, resolution or proposition to a vote of the qualified electors of the city of Napa. Said request shall be verified by the affidavit of one of the signers thereto that all of the signatures thereto are genuine. No such ordinance, order, resolution or proposition shall go into effect until the expiration of thirty days from the date of its final passage, but upon the expiration of said period of thirty days such ordinance, order, resolution or proposition shall be in force and effect unless within said period there shall have been filed with the city council the referendum petition signed by qualified registered electors, in the manner hereinafter provided, equal to or exceeding ten per centum of the whole number of qualified registered electors of the city of Napa, on the day when the signing of said petition shall close, as hereinafter provided, and if said petition is so signed as aforesaid, such ordinance, order, resolution, or proposition shall not go into force or be in effect until approved by a majority of the voters voting thereon in a general or special election as in this charter prescribed.

Form of petition.

SEC. 163. It shall be the duty of the city clerk upon receiving and filing such request, prepared, signed and verified, as aforesaid, to prepare forthwith as many copies of a petition as shall be necessary for the required number of signatures, as hereinafter provided each headed substantially as follows:

REFERENDUM PETITION NO. —.

"We, the undersigned qualified electors of the city of Napa and registered in the precinct set opposite our names, respectively, do hereby respectfully petition that (ordinance number ——— entitled, here insert title, or the order, resolution or proposition as the case may be describing it) finally adopted by the city council, ——— be submitted to the referendum vote of the qualified electors of the said city of Napa."

(Signed.)

Names	Date	Precinct

All such petitions shall be numbered in the order of the receipt of such requests by the city clerk who shall thereupon prepare as many copies of such petition as may be required conformable to the necessary number of signers hereinafter specified, and shall without delay give notice, in writing, to the signers of said requests of the fact that the said petition has been prepared and that the same is open in his office as a public document for signatures thereto, and will remain therein for a period not exceeding thirty days after the final passage of such ordinance, order, resolution or proposition.

The procedure for signing the said petition, canvassing and declaring the result thereof shall be conducted as in the case of initiative proceedings in this charter set out, and if within the said time the said petition shall receive the signatures of qualified electors equal to or exceeding ten per centum of the number of electors residing in the city of Napa, registered as of the day when the signing of said petition shall close, said ordinance, order, resolution or proposition shall be suspended and shall be submitted to the qualified electors at the next general municipal election, *provided, however,* that in case any person shall advance to the city of Napa and pay to the treasurer thereof the amount required to pay the cost and expenses of a special election, to be fixed and determined by the city council, the city council shall call a special election for that purpose, at which the said proposition shall be submitted and determined as provided for at the general municipal election and any unexpended balance of the money so advanced shall be refunded to the person advancing the same.

Ballots.

Sec. 164. There shall be printed upon the ballots used at such referendum election called, as aforesaid, the words, "Shall the (ordinance stating the title of the ordinance, or order, resolution or proposition, stating it) be adopted" and opposite such proposition to be voted on and to the right thereof the words "Yes" and "No" shall be printed on separate lines with voting squares.

Measure to be mailed to voters.

Sec. 165. Whenever any ordinance, order, resolution or proposition is to be submitted to the electors of the city at any election pursuant to such referendum petition, the city council shall cause the same to be printed, and it shall be the duty of the city clerk to inclose a printed copy thereof in the envelope with sample ballots and mail the same to each voter therewith.

Canvass of returns.

Sec. 166. Upon the canvass of the returns, if the ordinance, order, resolution or proposition shall receive a majority of the votes cast upon such proposition, it shall without further proceedings take effect immediately and be in force thereafter in like manner as if such referendum proceeding had not been taken, but in case it does not receive such majority, it shall be defeated and the same proposition shall not again, within the period of two years, be considered or adopted by the city council, *provided, however,* that the same proposition may at any time be proposed by the initiative.

MISCELLANEOUS.

When this charter takes effect.

Sec. 167. For the purpose of nominating and electing candidates for mayor and councilmen, in accordance with this charter, this charter shall take effect from the time of the approval of the same by the legislature, and for all other purposes it shall take effect on the first Monday in June, A. D. 1915, at twelve o'clock noon.

Existing ordinances continued in force.

Sec. 168. All ordinances, resolutions, and regulations in force at the time that this charter takes effect, and not inconsistent with the provisions thereof, are hereby continued in force until the same shall be amended or repealed.

Terms of incumbents in office.

Sec. 169. The mayor and the five members of the city council, in office at the time of the approval of this charter, by the legislature, shall continue to hold office and discharge their duties until the first Monday in June, A. D. 1915, at 12 o'clock noon, and until the election and qualification of the mayor and councilmen elected under this charter, and each public library trustee shall continue to hold office until the expiration of his term and the appointment and qualification of his successor. The term of each of the other officers in office at the time this charter takes effect shall cease and terminate when the city council elected hereunder, shall by resolution so declare, but the powers and duties of their office shall be such as shall be prescribed in this charter, or by ordinance passed pursuant thereto.

Violations of charter and ordinances.

SEC. 170. The city council shall prescribe fines, forfeitures and penalties for the violation of any of the provisions of this charter, or of any ordinance of the city; which violations shall be deemed misdemeanors and the same may be prosecuted by the authorities of the city of Napa in the name of the people of the State of California, and may be redressed by civil action at the option of the said authorities. Any prisoner sentenced to imprisonment for the violation of the provisions of this charter or of any ordinance may be imprisoned in the city jail or, if the city council by ordinance shall so prescribe, in the county jail of the county in which the city of Napa is situated, in which case the expenses of such imprisonment shall be a charge in favor of said county against the city of Napa.

Be it known, that the city of Napa, in the State of California, containing a population of more than three thousand five hundred inhabitants, as ascertained and established by the last preceding census, taken under the direction of the Congress of the United States, did on the 25th day of June, A. D. 1914, at a special election held under and in accordance with the provisions of section 8 of article XI of the constitution of the State of California, elect the undersigned, a board of fifteen freeholders, to prepare and propose a charter for said city; and we, the members of said board, in pursuance of said provision of the constitution and within a period of one hundred and twenty days after the result of said election, was declared by the city council of said city of Napa, have prepared and do propose the foregoing, signed by us in duplicate, as and for the charter of the said city of Napa.

In witness whereof, We have hereunto set our hands in duplicate this 27th day of October, A. D. 1914.

E. J. DRUSSEL, Chairman.
F. L. COOMBS.
C. E. TROWER.
JOHN T. YORK.
J. E. BEARD.
A. L. VOORHEES.
P. S. KING.
E. W. CHURCHILL.
O. T. SCHULZE.
JOS. A. MIGLIAVACCA.
F. G. NOYES.
H. H. SAWYER.
E. G. MANASSE.
WM. SHWARZ.
F. M. SILVA, Secretary.

(Endorsed. Filed October 27th, 1914.)
DAVID C. SCRIBNER, City Clerk.

STATE OF CALIFORNIA, }
County of Napa, } ss.
City of Napa. }

I, E. J. Drussel, mayor of the city of Napa in the county of Napa, State of California, do hereby certify that I now am, and was at all times herein mentioned, the duly elected, qualified and acting mayor of the city of Napa in said county of Napa, State of California; that on the 2nd day of June, 1914, the city council of the city of Napa by a unanimous vote duly passed and adopted, and the mayor of said city approved, Ordinance No. 515, declaring that the public interest required the election of a board of fifteen freeholders for the purpose of preparing and proposing a charter for said city, and calling a special municipal election in and for said city to be held on the 25th day of June, 1914, for the purpose of electing a board of fifteen freeholders to prepare, propose, and frame a charter for the government of said city; that on said 25th day of June, 1914, a special municipal election was held in and for said city of Napa and at said election E. J. Drussel, F. L. Coombs, C. E. Trower, John T. York, J. E. Beard, A. L. Voorhees, P. S. King, E. W. Churchill, O. T. Schulze, Jos. A. Migliavacca, F. G. Noyes, H. H. Sawyer, E. G. Manassee, Wm. Shwarz and F. M. Silva, and each of them was elected by the qualified electors of said city of Napa as a board of fifteen freeholders to prepare, propose and frame a charter for the government of said city of Napa; that on the 7th day of July, 1914, the city council of the city of Napa duly canvassed the returns of said special municipal election and declared the result thereof; that within one hundred and twenty days from said 7th day of July, 1914, said board of fifteen freeholders prepared, proposed and framed a charter for said city of Napa which said charter was signed in duplicate by all of the members of said board of fifteen freeholders and thereafter, to wit, on October 27, 1914, one copy thereof was filed in the office of the city clerk of said city of Napa and the other in the office of the county recorder of the county of Napa, the county in which said city of Napa is situated; that thereafter the city council of the city of Napa, caused said proposed charter to be published in the Napa Daily Journal, a daily newspaper of general circulation, printed, published and circulated in said city, for a period of eleven days, the first publication of which said proposed charter was made on the 10th day of November, 1914, and the last publication of which was made on the 22nd day of November, 1914; that on November 17th, 1914, the city council of said city of Napa duly passed and adopted and on said date the mayor of the city of Napa approved Ordinance No. 526, calling a special municipal election in and for said city on the 16th day of December, 1914, for the purpose of submitting to the qualified electors of said city, said charter so prepared, proposed and framed by said board of fifteen freeholders, which said ordinance specified the purpose and time of such election, established the election precincts, designated the polling places therein and the names of the election officers for each such precinct; that said ordinance so calling said special election was published in said Napa Daily Journal more than ten times prior to the day fixed for said special election; that on said 16th day of December, 1914, said special municipal election in and for said city was held and said charter so prepared, proposed and framed by said board of fifteen freeholders was submitted to the qualified electors of said city for ratification; that at said special municipal election so held on December 16, 1914, a majority of the qualified electors voting thereon voted in favor of said proposed charter and ratified the same, that on January 5th, 1915, the returns of said election were duly canvassed by said city council of the city of Napa and the mayor thereof, and the result thereof declared, and said city council declared and adjudged that a majority of the votes of the qualified electors voting at said election to ratify said proposed charter were in favor of ratifying the same, and that the same had been so ratified; that in all matters and things pertaining to the election of said board of fifteen freeholders, the preparation and filing of said proposed charter, the publication of said proposed charter, the calling of said special election to submit said proposed charter to the qualified electors of said city and the canvassing of said returns of said elections, all provisions of said section 8 of article XI of said constitution of the State of California, and all provisoins of the laws of the State of California have been fully complied with in every particular.

In witness whereof, I have hereunto set my hand and caused the corporate seal of the city of Napa to be fixed this 11th day of January, 1915.

[SEAL]

E. J. DRUSSEL,
Mayor of the City of Napa.

Attest: DAVID C. SCRIBNER,
City Clerk of the City of Napa.

AND WHEREAS, Said proposed charter has been duly presented and submitted to the legislature of the State of California for approval or rejection without power of alteration or amendment, in accordance with section 8 or article XI of the constitution of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring (a majority of all the members elected to each house voting for the adoption of this resolution and concurring therein), That said charter of the city of Napa as presented to, adopted and ratified by the qualified electors of said city be, and the same is hereby approved as a whole as and for the charter of the said city of Napa.

The question being on the adoption of the resolution.

The roll was called and Assembly Concurrent Resolution No. 8 adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Concurrent Resolution No. 5—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition.

COMMITTEE AMENDMENTS.

During consideration of Resolution, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out of lines one and two, page two, of the printed resolution as amended in the Assembly January 20, 1915, the words "and president of the senate."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out of page two of the printed resolution as amended in the Assembly January 20, 1915, the semicolon following the word "state" in line nine on said page, all the remainder of said line and all of lines ten to thirteen, inclusive, and insert in lieu thereof a period.

Amendment adopted.

RUSH ORDER TO PRINTER.

On motion of Senator Finn, the Secretary was directed to issue a rush order for printing Assembly Concurrent Resolution No. 5

SECOND-READING FILE.

Senate Bill No. 235—An Act to amend section five hundred forty-two *a* of the Code of Civil Procedure of the State of California, relating to attachment liens.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 196—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 9—An Act relating to the sale and carrying of dangerous weapons.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, section 1, line 1 strike out all of section 1 and insert in lieu thereof the following:

"Section 1. No person shall carry in any city and county or municipal corporation of this State, any pistol, revolver, or other firearm concealed upon his person or of a size which may be concealed upon his person, without a license or permit therefor, theretofore issued to him by a police magistrate of such city and county or municipal corporation or in such manner as may be prescribed by ordinance of such city and county or municipal corporation."

This section, however, shall not apply to sheriffs and their deputies, constables, police officers, or other duly appointed peace officers. Any person violating the provisions of this section is guilty of a misdemeanor.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, section 2, line 14 of the printed bill strike out the comma after the word "knuckles" and insert in lieu thereof—"; or who carries a"

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, section 2, line 14 of the printed bill, after the word "dirk" insert the word "or"

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, section 2, line 14 of the printed bill, after the word "dagger" strike out "or" and insert in lieu thereof the following: "; or who carries a"

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 200—An Act to amend section six hundred one of the Code of Civil Procedure of the State of California, relating to challenge of jurors.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4 of the printed bill, strike out the following: "Challenges. Each party entitled to four peremptory challenges."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 18 of the printed bill strike out the period and insert in lieu thereof the following:

"; *provided*, that where two or more defendants, the court shall direct the order in which the defendants' challenges shall be taken."

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No 5 Relative to approving a certain amendment to the charter of the city of Santa Monica, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Santa Monica at a special municipal election held therein on the first day of December, 1914.

L. B. MALLORY, Chief Clerk of the Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 5 ordered to enrollment.

RECESS.

At eleven o'clock and twenty minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until eleven o'clock and thirty minutes a.m.

RECONVENED.

At eleven o'clock and thirty minutes a.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of the special order heretofore set for this day, being the consideration of Senate Concurrent Resolution No. 13, the same was taken up for consideration.

SENATE CONCURRENT RESOLUTION NUMBER THIRTEEN.

Relative to a measure pending in Congress known as House Joint Resolution 344, Sixty-third Congress, second session, providing for the appointment of a National Marketing Commission, and memorializing Congress to adopt the resolution so that it may immediately go into effect.

WHEREAS, Representative Godwin, of Arkansas, introduced on September 10, 1914, House Joint Resolution 344, which was referred to the Committee on Agriculture and ordered to be printed, and

WHEREAS, House Joint Resolution 344 expresses the sentiment of a majority of the State legislature of the State of California, said resolution in full being as follows:

"WHEREAS, It is patent that there are defects in the economic system of the United States which affect adversely the producers and the consumers of agricultural products; and

"WHEREAS, These defects have been accentuated by the European war, and to a degree justifying the recent utterances of the President of the United States in the matter of the high cost of living; and

"WHEREAS, Various attempts have been made from time to time to overcome these defects, mainly through non governmental agencies, and recently under governmental agency under the Bureau of Marketing of the Department of Agriculture; and

"WHEREAS, Experience has, however, proven that the solution of this question is not to be found in non-governmental agencies nor is it to be found in a governmental agency. It is to be found in a semiofficial governmental agency, as is here proposed, as witness the success in the European countries of such a system, a system which has swept aside the trusts in food products and which renders the trust an impossibility; and

"WHEREAS, The present abnormally high prices for food products not alone offers an opportune time for the establishment of a semiofficial governmental agency as a means for the temporary solution of this problem but also for the organization of the agricultural forces of the United States on the lines indicated as a means for the permanent solution of this problem;" Now therefore, be it

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President be authorized and requested to appoint a National Marketing Commission to be composed of twenty nine members, fifteen of whom shall be farmers and fourteen of whom shall be selected with reference to their eminence in commerce, law, finance, and transportation.

"Sec. 2. That such National Marketing Commission shall meet in the city of Washington at a time designated by the President and organize by the election of officers, and adopt a plan of action for the effective organization of the states, counties, and localities of the United States for the economic distribution of the products of the farm, with power to act in so far only as affecting individuals and organizations that shall elect to become a part of this national marketing system." and

WHEREAS, It is generally recognized that there is imperative need of a more scientific system of marketing the farm products of the United States, and

WHEREAS, The above resolution, if carried out, will undoubtedly lead to an improvement in our marketing conditions, be it, therefore

Resolved, That the Senate of the State of California, the Assembly concurring, respectfully requests and urges the Congress of the United States to adopt House Joint Resolution 344, and be it further

Resolved, That copies of this resolution be sent to the California Senators and Representatives, and to the President of the United States, who are hereby requested by this resolution to work in the interest of the passage of House Joint Resolution 344.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 13 adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones King, Luce, Maddux, Mott, Owens, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON CONTINGENT EXPENSES.

SACRAMENTO, January 26, 1915.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred Senate Concurrent Resolution No. 15—Relative to printing of report of the Recreational Inquiry Committee—have had the same under consideration, and respectfully report the same back and recommend that the same be adopted.

BEBAN, Chairman.

ON COUNTY GOVERNMENT.

SACRAMENTO, January 26, 1915.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Concurrent Resolution No. 9—Relative to approving one certain amendment to the charter of the county of San Bernardino, State of California, voted for and ratified by the electors of said county of San Bernardino, at a general election held on the third day of November, 1914—have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

BREED, Chairman.

Senate Concurrent Resolution No. 9 ordered on file.

INTRODUCTION AND FIRST READING OF BILL, ETC.—(OUT OF ORDER).

By consent of the Senate, the following bill was introduced out of the regular order:

By Senator Benson: Senate Bill No. 722—An Act to amend sections one, three, five, six, seven, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen and one half, seventeen and eighteen of an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27th, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24th, 1911, as amended by an Act approved May 26th, 1913, and to add thirteen new sections to said Act to be numbered twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, and thirty-two, relating to the organization, powers and duties of said reclamation board, and creating a revolving fund and appropriating money therefor.

Bill read first time, and referred to Committee on Drainage Swamp and Overflowed Lands.

RECESS.

At eleven o'clock and fifty minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until twelve o'clock m.

RECONVENED.

At twelve o'clock m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Jones asked for and was granted unanimous consent to take up for consideration at this time Senate Concurrent Resolution No. 15.

SENATE CONCURRENT RESOLUTION NUMBER FIFTEEN.

WHEREAS, At the fortieth session of the Legislature of the State of California a resolution, known as Senate Concurrent Resolution No. 29, was adopted by both Houses of said Legislature, providing for the appointment of a Recreational Inquiry Committee for studying, investigating and reporting, with recommendations upon recreation for both old and young in California, including recreation in rural communities as well as in small and large towns and cities; and

WHEREAS, The members of said Recreational Inquiry Committee were duly appointed as provided by said Concurrent Resolution No. 29; and

WHEREAS, Said Recreational Inquiry Committee, pursuant to said resolution, conducted its inquiries, investigations and studies and has embodied the results thereof in a report which in accordance with the requirements of said resolution, has been presented to the Governor of this State, and is to be transmitted by the Governor to the Legislature; therefore be it

Resolved, That five thousand copies of said report be printed and the State Printer directed to print the same, said copies to be distributed by said Recreational Inquiry Committee; and be it further

Resolved, That the expense incurred for the said printing be paid as follows: one half from the contingent fund of the Assembly; and one half from the contingent fund of the Senate.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 15 adopted by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benson, Birdsall, Breed, Brown, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—35.

NOES—None.

Senate Concurrent Resolution No. 15 ordered to engrossment

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 26, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 72—An Act to add a new section to the Civil Code to be numbered two thousand nine hundred forty and one half relative to presumption on payment of mortgages ten years after maturity of the obligations secured thereby;

Also: No. 127—An Act to amend section three thousand eight hundred twenty-three of the Political Code relating to the collection of taxes by the Assessor,

and report that the same have been correctly engrossed.

FLAHERTY, Chairman.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Thompson asked for and was granted unanimous consent to call up for consideration at this time Senate Bill No. 127.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 127 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At twelve o'clock and fifteen minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Wednesday, January 27, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry I. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 26, 1915, the further reading was dispensed with, on motion of Senator Rush.

PETITIONS.

The following communications were read and ordered printed in the Journal:

OROVILLE, BUTTE COUNTY, CAL., January 24, 1915.

To the Honorable Members of the State Senate, Sacramento, California:

GENTLEMEN—At a meeting of the undersigned body, the following resolution was unanimously adopted:

"*Resolved*, That we stand opposed to any legislation which would tend to place a State license tax upon saloons for the purpose of revenue; or taking control of the liquor traffic away from city and county authorities and placing the same in the hands of a State commission, or under State control entirely.

Very truly yours,

FIRST METHODIST EPISCOPAL CHURCH OF OROVILLE.
MRS. MARY E. VAUGHAN, Secretary.

OROVILLE, CALIFORNIA, January 25, 1915.

To the Members of the Senate, California Legislature:

GENTLEMEN—The following resolution has been adopted by the Oroville Anti-Saloon League and I have been instructed to forward same to you:

"We the members of the Oroville Anti Saloon League, hereby protest against the legislation which has for its object the taxing of saloons for the purpose of providing State revenue."

W. B. HENGY, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SACRAMENTO, January 26, 1915.

MR. PRESIDENT: Your Committee on County Government to whom was referred Senate Bill No. 454—An Act to amend sections 4263 and 4263*a* of the Political Code relating to the salaries of officers and fees of jurors in counties of the thirty-fourth class—has had the same under consideration, and respectfully report the same back and recommend that it do pass.

BREED, Chairman.

Senate Bill No. 454 ordered on file for second reading.

ON JUDICIARY.

SACRAMENTO, January 27, 1915.

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate Bill No. 353—An Act to amend section four thousand three hundred [illegible] of the Political Code, relating to the fees to be charged by recorders;

Also, Senate Bill No. 280—An Act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of section three thousand six hundred eighty-two and three thousand seven hundred thirty-two of the Political Code, and to confirm, validate and legalize all certificates of sale, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes;

Also, Senate Bill No. 316—An Act to amend section three hundred twenty-nine of the Civil Code, relating to lost, destroyed or stolen bonds of a corporation;

has had the same under consideration, and respectfully recommend that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 353, 280 and 316 ordered on file for second reading

Also:

SACRAMENTO, January 27, 1915.

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of said state, by adding to article six thereof a new section to be numbered ten and one-half, relative to the length of time a person appointed to fill a vacancy in the office of Justice of the Supreme Court, Justice of the District Court of Appeal or Judge of a Superior Court shall hold office—has had the same under consideration, and respectfully recommend that it be adopted as amended.

KEHOE, Chairman.

Senate Constitutional Amendment No. 11 ordered on file.

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 27, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Concurrent Resolution No. 10—relative to the earthquake and loss of life in Italy—and report that the same has been correctly enrolled, and presented the same to the Governor on this 27th day of January, 1915, at 9 o'clock and 45 minutes a.m.

FLAHERTY, Chairman.

Also:

SACRAMENTO, January 26, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, by amending sections three, nineteen, twenty-one, and twenty-six of said Act;

Also: Senate Bill No. 196—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty;

Also: Senate Bill No. 235—An Act to amend section five hundred forty-two *a* of the Code of Civil Procedure of the State of California, relating to attachment liens; And report that the same has been correctly engrossed.

FLAHERTY, Chairman.

Senate Bills Nos. 105, 196, and 235 ordered on file for third reading.

ON FINANCE.

SACRAMENTO, January 26, 1915.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 356—An Act to appropriate money for the support and maintenance of the state prison at San Quentin for the sixty-sixth fiscal year;

Also: Senate Bill No. 463—An Act to appropriate money to pay the deficiency in the appropriation for printing and distributing constitutional amendments for the sixty-fifth and sixty-sixth fiscal years;

Has had the same under consideration, and respectfully recommend that they do pass.

STROBRIDGE, Chairman.

Senate Bill No. 356 ordered on file for second reading.

CASE OF URGENCY.

The following resolution was offered:

By Senator Strobridge:

Resolved, That Senate Bill No. 463 presents a case of urgency, as that term is used in section fifteen of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Wolfe—34.

NOES—None.

Whereupon the President declared that section fifteen of article IV of the constitution had been suspended for the purpose of considering Senate Bill No. 463.

Senate Bill No. 463—An Act to appropriate money to pay the deficiency in the appropriation for printing and distributing constitutional amendments for the sixty-fifth and sixty-sixth fiscal years.

Bill read first time previously.

Read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 463 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Wilson F. Hobbs, of Oakland.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Chandler: Senate Bill No. 723—An Act amending an Act entitled "An Act establishing a legislative counsel bureau and making an appropriation therefor," approved May 26, 1913, by amending section 2 thereof.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 724—An Act to amend section four hundred seventy of the Political Code of the State of California relating to the duties of the Attorney General.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 725—An Act to add a new section to the Political Code to be numbered eleven hundred ninety-seven *a*, relating to titles and summaries for initiative and referendum measures.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 726—An Act to add a new section to the Penal Code to be numbered four hundred seventy-two *a*, relating to signing to any initiative, referendum, or recall petition a fictitious name or the name of another.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 727—An Act to add a new section to the Penal Code of the State of California to be known as section sixty-four *b*, relating to prohibiting misrepresentation or fraud in relation to certain initiative, referendum or recall petitions, and prescribing a penalty therefor.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 728—An Act to amend section eleven hundred ninety-five of the Political Code, relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments, and to the printing and distribution of such constitutional amendments.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 729—An Act providing for the formation and conduct of oil protection districts, qualification of voters, election of trustees, their powers and duties, establishment of office, levying tax, disposition of funds, and specifying duties of land or well owners and further providing for dissolution of districts.

Bill read first time, and referred to Committee on Oil Industries.

By Senator Chandler: Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by amending section one of article XXIII providing for the recall by the electors of public officials.

Constitutional amendment referred to Committee on Elections.

Also: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by amending section one of article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the constitution and to enact the same at the polls, independent of the legislature and also reserving to the people of the State of California the power to approve or reject at the polls any Act or section or part of any Act of the Legislature.

Constitutional amendment referred to Committee on Elections.

By Senator Anderson: Senate Bill No. 730—An Act to amend section four thousand two hundred forty-three of the Political Code relating to the compensation of officers of counties of the fourteenth class.

Bill read first time, and referred to Committee on County Government.

By Senator Shearer: Senate Bill No. 731—An Act creating and establishing a commission to codify, revise and perfect the law of the State concerning roads, streets, highways and bridges; prescribing the powers and duties of said commission; providing for the expense of said commission and appropriating money therefor.

Bill read first time, and referred to Committee on Judiciary.

By Senator Flaherty: Senate Bill No. 732—An Act to amend sections seven and eight of an Act entitled "An Act to regulate the building and occupancy of hotels and lodging-houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913.

Bill read first time, and referred to Commmittee on Public Health and Quarantine.

Also: Senate Bill No. 733—An Act to amend section one thousand five hundred eighty-seven of the Penal Code, relating to the treatment of prisoners in State prisons.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 734—An Act to amend section one thousand six hundred seventy-four of the Civil Code, in relation to contracts in restraint of trade.

Bill read first time, and referred to Committee on Judiciary.

By Senator Flaherty: Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to article VI thereof, to be numbered section four *a*, in relation to the judicial department.

Constitutional amendment referred to Committee on Judiciary.

By Senator Strobridge: Senate Bill No. 735—An Act to amend sections one, four, five and six of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by an Act approved March 20, 1905, and as amended by an Act approved March 4, 1907, and as amended by an Act approved April 21, 1911.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 736—An Act to amend section one thousand six hundred nineteen of the Political Code, relating to rights and privileges in school districts.

Bill read first time, and referred to Committee on Education.

By Senator Cohn: Senate Bill No. 737—An Act to amend an Act entitled "An Act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, by amending sections three, four, seven and nine thereof, and by adding a new section there to to be known and numbered section eleven and one half, all relating to the licensing of stallions and jacks, and providing for the reporting of the collection of fees to the State Controller and the creation of a fund to be known as the stallion registration board contingent fund.

Bill read first time, and referred to Committee on Agriculture.

By Senator Duncan (by request): Senate Bill No. 738—An Act to amend section thirty-eight of subdivision twenty-five of act eight hundred thirty-seven of the general laws of the State of California, relating to a uniform system of county and township government.

Bill read first time, and referred to Committee on County Government.

By Senator Gerdes: Senate Bill No. 739—An Act to amend section one thousand two hundred twelve of the Political Code of the State of California, relating to the right of employees to vote at any general or special election in this State.

Bill read first time, and referred to Committee on Elections.

Also Senate Bill No. 740—An Act to amend sections nine and fourteen of an Act entitled "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor," approved June 16, 1913.

Bill read first time, and referred to Committee on Civil Service.

Also: Senate Bill No. 741—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred twenty-eight *h* relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 742—An Act to amend section six hundred twenty-six *n* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 743—An Act to amend section six hundred twenty-six j of the Penal Code of the State of California, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Benson (by request): Senate Bill No. 744—An Act to provide for the protection of breeders and growers of live stock from theft, for registration of brands, butchers and slaughter houses, and the inspection of live stock and the hides thereof.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 745—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27th, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24th, 1911, (as heretofore amended by an Act approved May 26, 1913) by amending section four of said Act, altering and extending the boundaries of the Sacramento and San Joaquin Drainage District.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 746—An Act to authorize the immediate use and expenditure, in such manner and to such extent as the Governor may direct, of the sum of two hundred thousand dollars appropriated by that certain Act entitled "An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Debris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, Chief of Engineers, C. H. McKinstry, Major, corps of engineers, and Thomas H. Jackson, Captain, corps of engineers, of the United States army, and printed with the annual report of the Chief of Engineers of the United States army, for the fiscal year ending June 30, 1907, and making an appropriation for such work," approved June 7, 1913.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 747—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27th, 1911, directing the approval of plans of reclamation along the Sacramento river or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of said examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911 (as heretofore amended by an Act approved May 26, 1913), by adding a new section thereto to be designated as section thirty-three, relating to and providing for the issuance and disposal of bonds of the Sacramento and San Joaquin Drainage District and testing the validity of such bonds.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 748—An Act to add a new section to the Code of Civil Procedure to be numbered eleven hundred ninety-three *a*, relating to the procedure of liens of mechanics and others upon real property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Maddux (by request): Senate Bill No. 749—An Act to amend section one thousand one hundred sixty-seven of the Code of Civil Procedure relating to service of summons in unlawful detainer.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 750—An Act to amend section four thousand two hundred eighty-six of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 751—An Act to amend section two thousand two hundred and eighty-seven of the Civil Code of the State of California relating to appointment of trustees.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 752—An Act to amend section four thousand two hundred eighteen of the Political Code, relating to the duties of county surveyors and the furnishing of assessors' maps and block books.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 753—An Act to recognize and declare valid all proceedings in Oakdale Irrigation District.

Bill read first time, and referred to Committee on Irrigation.

By Senator Flint: Senate Bill No. 754—An Act making an appropriation for University Extension work for the University of California.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 755—An Act to amend section six hundred thirty-five of the Penal Code of the State of California, relating to the pollution of the streams and public waters.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 756—An Act to amend section six hundred twenty-six *m* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 757—An Act to amend section six hundred twenty-six of the Penal Code of the State of California relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Jones: Senate Bill No. 758—An Act to prevent blindness from ophthalmia neonatorum; to vest certain powers and duties in the State Board of Health and health officers to impose certain duties upon physicians, midwives, nurses, and other persons; and to provide for the enforcement of this Act, and the repeal of chapter XIV statutes of 1897, entitled "An Act to regulate medical practice, to prevent blindness in infants," and other acts in conflict herewith.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Breed: Senate Bill No. 759—An Act appropriating money for the construction of a dormitory building at the California School for the Deaf and the Blind.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 760—An Act to establish a State training high school, to prescribe the functions thereof, to provide for its organization and management, to authorize the high school district where the same is located to appropriate moneys for the partial payment of its expenses and to provide for its housing, and to make a State appropriation therefor.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 761—An Act to provide for the establishment and maintenance by fire insurance companies of guaranty surplus funds and special reserve funds and thereby limiting liability.

Bill read first time, and referred to Committee on Insurance.

By Senator Mott: Senate Bill No. 762—An Act to amend section four thousand two hundred forty-six of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class.

Bill read first time, and referred to Committee on County Government.

By Senator Brown: Senate Bill No. 763—An Act to amend section sixteen hundred eighty-seven of the Political Code in relation to teachers in elementary schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 764—An Act to amend section one thousand seven hundred thirty of the Political Code fixing the date when the term of office of members of high school boards shall expire.

Bill read first time, and referred to Committee on Education.

By Senator Lyon: Senate Bill No. 765—An Act to forbid managers, superintendents, foremen and other persons having authority from their respective employers to hire, employ, or direct the service of other persons in such employment, to demand or receive any fee, gift or other remuneration in consideration of any such hiring, employment or permission to continue to perform work or services in such employment; and to provide for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Scott: Senate Bill No. 766—An Act to amend seventeen hundred and fourteen of the Political Code of the State of California relating to the library fund in cities, or cities and counties, not divided into school districts.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 767—An Act to amend section one thousand five hundred nineteen of the Political Code of the State of California relating to certification of teachers in special subjects.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 768—An Act to amend section six hundred twenty-eight of the Penal Code of the State of California relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 769—An Act to amend section six hundred twenty-six *a* of the Penal Code of the State of California relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 770—An Act to amend section one thousand eight hundred fifty-eight of the Political Code of the State of California relating to the attendance of children in the public schools of the State.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 771—Making an appropriation for the purchase of lands in Sacramento County, State of California, for the use of the National Guard of California, for target and range purposes.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 772—An Act to amend sections one thousand nine hundred twenty-five, one thousand nine hundred twenty-seven, one thousand nine hundred twenty-eight, one thousand nine hundred twenty-eight *a*, one thousand nine hundred twenty-eight *b*, one thousand nine hundred twenty-eight *d*, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one, one thousand nine hundred thirty-four, one thousand nine hundred fifty-one, one thousand nine hundred fifty-four, one thousand nine hundred fifty-seven, one thousand nine hundred sixty-three, one thousand nine hundred eighty-five, two thousand six, two thousand eighty-one, one thousand nine hundred eight, two thousand seventy-nine, two thousand eighty-six, two thousand one hundred seven, one thousand nine hundred sixty-two, one thousand nine hundred sixty-seven, one thousand nine hundred eighty-one, one thousand nine hundred eighty-four, two thousand eighty, two thousand one hundred eleven, two thousand one hundred twelve of the Political Code of the State of California, and to add one new section to said Code to be known as section one thousand nine hundred and sixty-three *a*, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 773—An Act making available and reappropriating certain moneys for the expenses of the National Guard in case of insurrection, invasion, tumult, riot or imminent danger thereof.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 774—An Act making an appropriation to pay the expenses of an encampment of California High School Cadets in the vicinity of San Francisco during the Panama-Pacific International Exposition.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 775—An Act making an appropriation for the entertainment of the delegates to the convention of the National Guard Association of the United States, at its meeting in the city of San Francisco, California, during the year 1915.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 776—An Act making an appropriation for the attendance of certain members of the High School Cadets organizations of the State of California at the student camp under the supervision of the Secretary of War of the United States, to be held in the State of California, during the summer of 1915.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 777—An Act making an appropriation for the subsistence, supplies, transportation and other expenses incidental to the encampment of the troops of the National Guard of California, upon the occasion of the Panama-Pacific International Exposition.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 778—An Act appropriating money to provide a cash revolving fund for the use of the State Armory Board for operating the State Armory at San Francisco.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 779—An Act to amend section one thousand seventy-two of the Penal Code of the State of California, relating to general causes of challenge.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Joint Resolution No. 6—Relative to the cadets of the United States Military Academy.

Resolution read, and referred to Committee on Federal Relations.

Also: Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California, an amendment to the constitution of the State, by adding a new section to article I thereof to be known as section twenty-six, declaring the right of the State of California and each municipal corporation therein to engage in industrial pursuits.

Constitutional Amendment referred to Committee on Municipal Corporations.

Also: Senate Joint Resolution No. 7—Relative to recommending the establishment of additional life-saving stations for the better protection of commerce on the Pacific Coast.

Bill read first time, and referred to Committee on Federal Relations.

By Senator Crowley: Senate Bill No. 780—An Act to authorize the creation of the office of public defender in the respective counties, cities and counties, and municipalities of the State of California, to provide for the appointment or election of such officers, and prescribing their duties and compensation.

Bill read first time, and referred to Committee on Judiciary.

By Senator Tyrrell: Senate Bill No. 781—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911, as amended by an Act approved May 24, 1913, by amending sections one, two and three thereof and by repealing section seven of said Act.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 782—An Act to provide two additional judges of the superior court of the county of Alameda.

Bill read first time, and referred to Committee on Judiciary.

By Senator Finn: Senate Bill No. 783—An Act to amend section six hundred eighty-one of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crime.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 784—An Act making an appropriation to pay the claim of Mrs. Richard D. Barton against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 785—An Act to amend sections one thousand two hundred forty-six, one thousand two hundred forty-seven, one thousand two hundred forty-seven *a* and one thousand two hundred forty-seven *c*, of the Penal Code of the State of California, relating to the duty of the clerk upon appeal, and to the preparation of records to be used on appeal from judgments, orders or proceedings of the superior courts to the supreme court or the district court of appeal in criminal cases.

Bill read first time, and referred to Committee on Judiciary.

By Senator Purkitt: Senate Bill No. 786—An Act amending section three thousand four hundred sixty-six and one half of the Political Code of the State of California relating to invalid assessments in reclamation districts, and providing for the reassessments of said lands

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 787—An Act to amend section four thousand two hundred fifty-three of the Political Code of the State of California, relating to the compensation of officers in counties of the twenty-fourth class.

Bill read first time, and referred to Committee on County Government

Also: Senate Bill No. 788—An Act to provide for the deposit of the funds in the county treasury, for the presentation to, and approval by, the Board of Supervisors, registration, interest upon, time of payment and receipt in payment of assessment of warrants, of Reclamation District No. 108, created by that certain Act of the Legislature of the State of California, approved April 23, 1913, and entitled, "An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the Counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all acts and parts of acts inconsistent therewith," and situated in Colusa and Yolo counties, and providing that the Board of Supervisors of the County of Colusa shall have jurisdiction of all matters concerning said district, and all funds of said district shall be deposited with the county treasurer of the County of Colusa.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 789—An Act to amend section forty-two hundred seventy-five of the Political Code of the State of California, relative to the salary of officers in counties of the forty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Owens: Senate Bill No. 790—An Act legalizing and validating the formation and organization of Marin municipal water district in the County of Marin, State of California; declaring the same created; fixing, defining and establishing the boundaries thereof; providing for its management and control subject to the provisions of the laws of the State of California relative to municipal water districts; and repealing all acts and parts of acts inconsistent therewith.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Beban: Senate Bill No. 791—An Act to require physical culture and health and development supervision in the public schools and to repeal section sixteen hundred sixty-eight of the Political Code, and all acts or parts of acts in conflict with this Act.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 792—An Act to amend sections one and twenty-four of an Act entitled "An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts, for motor vehicles, or for work or repair done thereon; to provide penalties for violation of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition or registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all acts or parts of acts either in conformity or in conflict with this Act," approved May 31, 1913.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Benedict: Senate Bill No. 793—An Act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 794—An Act to amend twenty-three hundred two of the Political Code of the State of California relating to the salary of the State Librarian.

Bill read first time, and referred to Committee on Finance.

By Senator Campbell (by request): Senate Bill No. 795—An Act to provide in what manner any private corporation or individual, or association of individuals, owning or controlling real property, or any right appertaining thereto, which by reason of its location is suitable, convenient and useful for the use of one or more private or public corporations serving the public, may subject itself to the control and regulation by the Railroad Commission of the State of California.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 796—An Act to amend an Act entitled "An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale or food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, by amending sections 1 and 2, both relating to cold storage.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Gerdes: Senate Bill No. 797—An Act to amend section four hundred ten of the Political Code relating to the distribution of the laws, resolutions and journals of legislature; of reports of supreme court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 798—An Act providing for the organization of the State Board of Health, prescribing its duties and powers and providing for the protection and preservation of the public health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 799—An Act to add a new section to the Political Code of the State of California to be numbered section three thousand six hundred seventy-three *a*, relating to powers of county boards of equalization.

Bill read first time, and referred to Committee on County Government.

By Senator Flaherty: Senate Bill No. 800—An Act to amend sections twelve, fourteen, fifteen, forty-nine and fifty of the Act known and designated as the "Workmen's Compensation, Insurance and Safety Act," approved May 26, 1913.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 801—An Act providing for the establishment by the Commission of Immigration and Housing of California of zones or areas on docks where immigrants are landed; prescribing the powers and duties of the said commission with regard thereto; and providing a penalty for violation of the provisions hereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Luce: Senate Bill No. 802—An Act to add to the Civil Code of the State of California seven new sections to be known and numbered sections four hundred twenty-three, four hundred twenty-three *a*, four hundred twenty-three *b*, four hundred twenty-three *c*, four hundred twenty-three *d*, four hundred twenty-three *e* and four hundred twenty-three *f*, all relating to insurance and the investment of the funds of life insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 803—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section one thousand two hundred eighteen *a*, providing for a jury trial in certain cases of contempt.

Bill read first time, and referred to Committee on Judiciary.

By Senator Scott: Senate Bill No. 804—An Act to reimburse Russell T. Joy for money paid by him to the State of California in the purchase of certain certificates of indemnity or scrip, on account of his becoming subsequently disqualified to purchase State lands by reason of removal from the State of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 27, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 15—Relative to printing of report of the Recreational Inquiry Committee—and report that the same has been correctly engrossed.

FLAHERTY, Chairman.

Resolution ordered transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

By Senator Thompson: Senate Bill No. 805—An Act authorizing the State Board of Equalization to destroy by fire certain reports and other documents.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 806—An Act to repeal sections three thousand six hundred sixty-four, three thousand six hundred sixty-five, three thousand six hundred sixty-six, three thousand six hundred sixty-seven, three thousand six hundred sixty-eight, three thousand six hundred sixty-nine, three thousand six hundred seventy and three thousand six hundred seventy-one of the Political Code, relating to revenue and taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 807—An Act to amend section forty of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'State compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 808—An Act to amend sections three thousand six hundred seven, three thousand six hundred eight, three thousand six hundred seventeen, three thousand six hundred twenty-seven, three thousand six hundred twenty-eight, three thousand six hundred twenty-nine, three thousand six hundred forty-one, three thousand six hundred forty-three, three thousand six hundred fifty, three thousand six hundred sixty-three, three thousand six hundred seventy-eight, three thousand six hundred seventy-nine, three thousand seven hundred one, three thousand seven hundred twenty-eight, three thousand seven hundred thirty-four and three thousand seven hundred fifty-three of the Political Code, and to repeal sections three thousand six hundred nine, three thousand six hundred ten, three thousand seven hundred nineteen, three thousand seven hundred fifty-seven and three thousand seven hundred sixty-nine *a*, of said Code, and to add to said Code a new section to be numbered three thousand seven hundred fourteen *a*, all relating to revenue and taxation.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 809 (by request)—An Act to amend section one thousand six hundred seventeen *c* of the Political Code, relating to kindergartens.

Bill read first time, and referred to Committee on Education.

Also (by request): Senate Bill No. 810—An Act to add a new section to the Political Code to be numbered one thousand eight hundred thirty-eight, relating to the powers and duties of the governing boards of school districts in levying taxes for building purposes.

Bill read first time, and referred to Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Concurrent Resolution No. 4—Approving eleven certain amendments to the charter of the city of Petaluma.

On motion of Senator Slater, Senate Concurrent Resolution No. 4 was passed on file.

Senate Concurrent Resolution No. 7—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition.

On motion of Senator Finn, Senate Concurrent Resolution No. 7 was passed on file.

Senate Concurrent Resolution No. 9—Relative to approving one certain amendment to the charter of the county of San Bernardino, State of California, voted for and ratified by the electors of said county of San Bernardino, at a general election held on the third day of November, 1914.

On motion of Senator King, Senate Concurrent Resolution No. 9 was passed on file.

SECOND-READING FILE.

Senate Bill No. 36—An Act to amend section fifty-nine of the Civil Code of the State of California, relating to marriages that are incestuous and void.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, section 59, line 3, after the word "and" insert the word "their"; in line 4 after the first "and" insert the word "their"; in line 6 after the first "and" insert the word "their" and after the second "and" insert the word "their."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 3, strike out the word "section."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

By consent of the Senate, the following bills were introduced out of the regular order:

By Senator Rush: Senate Bill No. 811—An Act to amend section one thousand seven hundred forty-one of the Political Code relating to the powers and duties of high school boards.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 812—An Act to amend an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, by amending section twenty-one thereof, relating to the establishment of a guaranty by the dealer from the wholesaler.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Finn: Senate Bill No. 813—An Act to carry into effect the provisions of subdivisions six and seven of section eight and one half of article eleven of the Constitution of the State of California as the said section of said article was amended on the third day of November in the year one thousand nine hundred and fourteen; and also to provide for the alteration of the boundaries of and for the annexation of territory to consolidated cities and counties, for the incorporation of such annexed territory in and as a part thereof, and for the government of such annexed territory as an integral part of such cities and counties.

Bill read first time, and referred to Committee on County Government.

By Senator Cogswell: Senate Bill No. 814—An Act to provide for the licensing of motor vehicles engaged in the carrying of passengers for hire upon the public highways in the State of California.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 815—An Act to add a new section to the Political Code, to be numbered section thirty-eight hundred and four *b*, relating to the cancellation of erroneous assessments.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 816—An Act to amend section two thousand three hundred nineteen of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said Commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 817—An Act to amend an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, by amending sections nine and twenty two thereof, relating to the State laboratory for the analysis and examination of foods and drugs.

Bill read first time, and referred to Committee on Public Health and Quarantine.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER.)

The following reports of standing committees were received and read:

ON PRISONS AND REFORMATORIES.

SACRAMENTO, January 27, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whom was referred Senate Bill No. 544—An Act to appropriate money to supplement the support appropriation of the Whittier State School for the sixty-sixth fiscal year—has had the same under consideration, and respectfully report the same back and recommend that it do pass.

FINN, Chairman.

Senate Bill No. 544 ordered rereferred to Committee on Finance.

ON FINANCE.

SACRAMENTO, January 26, 1915.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 544—An Act to appropriate money to supplement the support appropriation of the Whittier State School for the sixty-sixth fiscal year—has had the same under consideration, and respectfully recommend that it do pass.

STROBRIDGE, Chairman.

CASE OF URGENCY.

The following resolution was offered:

By Senator Strobridge:

Resolved, That Senate Bill No. 544 presents a case of urgency, as that term is used in section fifteen of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Gates, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Whereupon the President declared that section fifteen of article IV of the constitution had been suspended for the purpose of considering Senate Bill No. 544.

Senate Bill No. 544—An Act to appropriate money to supplement the support appropriation of the Whittier State School for the sixty-sixth fiscal year.

Bill read first time previously.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 544 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—33.

NOES—None.

Title read and approved.

MOTION.

On motion of Senator Strobridge, Senate Bill No. 544 was ordered transmitted immediately to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

By consent of the Senate, the following bills were introduced out of the regular order:

By Senator Gerdes: Senate Bill No. 818—An Act to add a new section to the Penal Code of the State of California, to be known as section six hundred and fifty-four *b*, relating to the protection of the purchasers of real estate against fraud and deception.

Bill read first time, and referred to Committee on Judiciary.

By Senator Thompson: Senate Bill No. 819—An Act to add a new section to the Political Code of the State of California to be numbered seventeen hundred sixty-four, relating to the County High School fund, and repealing sections seventeen hundred fifty-eight and seventeen hundred fifty-nine of the Political Code.

Bill read first time, and referred to Committee on Education.

By Senator Anderson: Senate Bill No. 820—An Act to add a new section to the Political Code to be numbered section one thousand seven hundred forty-three *a*, relating to reports of high school principals.

Bill read first time, and referred to Committee on Education.

By Senator Benedict: Senate Bill No. 821—An Act to amend sections two and three of an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof,' " approved June 12, 1913.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Stuckenbruck: Senate Bill No. 822—An Act to amend the Political Code of the State of California by adding thereto a new article to be designated and numbered article X *a*, of chapter III, of title III of part III of said Code, relating to elementary and secondary schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 823—An Act to amend section six hundred two of the Penal Code relating to trespass.

Bill read first time, and referred to Committee on Judiciary.

By Senator Beban: Senate Bill No. 824—An Act to add a new section to an Act entitled "An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for their care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, Statutes of California of 1913, page six hundred eight, to be known as section ten *a*, relating to the translation of contracts and other documents.

Bill read first time, and referred to Committee on Judiciary.

RECESS.

At eleven o'clock and ten minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

President pro tem. Thompson in the chair.

CONSIDERATION OF DAILY FILE—(RESUMED).

ASSEMBLY CONCURRENT RESOLUTION No. 5.

Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition.

WHEREAS, The Panama Pacific International Exposition is an institution organized under the laws of California, and is in part created and maintained from the public moneys of the State of California and is in every way typical and representative of the resources and productions of the State of California as well as the progress and advancement of the world; and

WHEREAS, The Panama California Exposition at San Diego is also an institution organized under the laws of the State of California and supported and maintained from public and private moneys and typifies the progress and achievements of this commonwealth from the time civilization was first planted on its shores; and

WHEREAS, The President of the United States has signified his intention to make a visit in his official capacity to the Panama-Pacific International Exposition at San Francisco, and the Panama-California Exposition at San Diego; be it

Resolved by the Assembly, the Senate concurring, That a commission, to be composed of the Governor of the State of California, the Lieutenant-Governor, the Speaker of the Assembly, five Senators to be named by the President of the Senate and seven members of the Assembly to be named by the Speaker of the Assembly be and the same is hereby created and appointed to meet the President of the United States upon his entrance to the State of California and to extend to him the greetings of the Legislature of the State of California and a cordial welcome in behalf of the people of this State.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 5 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.
NOES—None.

Resolution ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SACRAMENTO, January 27, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations to whom was referred Senate Concurrent Resolution No. 14—Approving the charter of the City of Alhambra, State of California, voted for and ratified by the qualified electors of said City of Alhambra at a special municipal election held therein for that purpose on the 14th day of October, 1914—has had the same under consideration, and respectfully report the same back and recommend that it be adopted.

TYRRELL, Chairman.

CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Tyrrell asked for and was granted unanimous consent to take up for consideration at this time Senate Concurrent Resolution No. 14.

SENATE CONCURRENT RESOLUTION No. 14.

Approving the charter of the city of Alhambra, State of California, voted for and ratified by the qualified electors of said city of Alhambra at a special municipal election held therein for that purpose on the 14th day of October, 1914.

WHEREAS, the city of Alhambra, a municipal corporation, of the county of Los Angeles, State of California, now is, and was at all times herein referred to, a city containing a population of more than three thousand five hundred inhabitants; and

WHEREAS, At a general municipal election held in said city on the 13th day of April, 1914, under and in accordance with law and the provisions of section 8 of article XI of the constitution of the State of California, a board of fifteen freeholders, duly qualified, was elected in and by said city by the qualified electors thereof to prepare and propose a charter for the government of said city; and

WHEREAS, Said board of freeholders did, within one hundred twenty days after the result of said election was declared, prepare and propose a charter for the government of said city of Alhambra; and

WHEREAS, Said charter was on the 14th day of August, 1914, signed in duplicate by a majority of said board of freeholders and was thereupon duly returned and filed, one copy with the city clerk of said city of Alhambra in the office of said city clerk, and the other copy with the county recorder of said county of Los Angeles, in the office of said county recorder; and

WHEREAS, Said proposed charter was thereafter published ten times in the "Alhambra Advocate," a daily newspaper of general circulation printed, published and circulated in the city of Alhambra on the following days of publication, to wit: August 26th, August 27th, August 28th, August 29th, August 31st, September 1st, September 2nd, September 3rd, September 4th and September 5th; all of said dates being in the year 1914, the first publication thereof having been made within fifteen days after the filing of the copy thereof as aforesaid in the office of said city clerk; and

WHEREAS, Said proposed charter, with the alternative proposition accompanying the same, was not less than twenty days nor more than forty days after the completion of said publication, to wit: On the 14th day of October, 1914, submitted by the board of trustees of the city of Alhambra to the qualified electors of said city at a special election duly called and held therein on the 14th day of October, 1914; and

WHEREAS, At said last mentioned special election a majority of said qualified electors of said city of Alhambra, voting at said special election, voted in favor of said ratification and duly ratified said charter as proposed as a whole; and voted against and refused to ratify and approve the alternative proposition submitted therewith and voted upon separately at said special election; and

WHEREAS, Said board of trustees, after canvassing the return of said last mentioned special election, duly found and declared that a majority of said qualified electors voting at said special election had voted for and ratified said charter as above specified as a whole and had voted against and had failed to ratify and approve said alternative proposition; and

WHEREAS, Said charter is now submitted to the legislature of the State of California for its approval and ratification as a whole without power of alteration or amendment in accordance with section 8 of article XI of the constitution of the State of California; and

WHEREAS, Said charter was ratified in the words and figures following, to wit:

CHARTER OF THE CITY OF ALHAMBRA

Prepared and Proposed by a board of freeholders elected April 13, 1914, in pursuance of the provisions of section 8, article XI, of the constitution of the State of California.

CHARTER OF THE CITY OF ALHAMBRA

ARTICLE	I	Name and rights of city.
ARTICLE	II	Boundaries and districts of the city.
ARTICLE	III	General provisions relating to officers.
ARTICLE	IV	The president of the commission.
ARTICLE	V	Executive and administrative departments.
ARTICLE	VI	The commission.
ARTICLE	VII	Powers of the city and of the commission.
ARTICLE	VIII	City auditor and ex officio city clerk.
ARTICLE	IX	City attorney.
ARTICLE	X	City treasurer and ex officio assessor and tax and license collector.
ARTICLE	XI	Police Court.
ARTICLE	XII	City manager.
ARTICLE	XIII	Police, fire and health divisions.
ARTICLE	XIV	Board of education.
ARTICLE	XV	Public library.
ARTICLE	XVI	Alcoholic liquors.
ARTICLE	XVII	Elections.
ARTICLE	XVIII	Finance.
ARTICLE	XIX	Contracts.
ARTICLE	XX	Streets and sewers.
ARTICLE	XXI	Franchises.
ARTICLE	XXII	Recall.
ARTICLE	XXIII	Initiative.
ARTICLE	XXIV	Referendum.
ARTICLE	XXV	Miscellaneous.

ARTICLE I.

NAME AND RIGHTS OF CITY.

SECTION 1. The municipal corporation now existing and known as the city of Alhambra shall remain and continue a body politic and corporate in name and in fact by the name of "City of Alhambra," and by such name shall have perpetual succession.

SEC. 2. The city of Alhambra shall remain vested with and continue to have, hold and enjoy all property, rights of property and rights of action of every nature and description now pertaining to this municipality, and is hereby declared to be the successor of the same. It shall be subject to all the liabilities that now exist against this municipality.

ARTICLE II.

BOUNDARIES AND DISTRICTS OF THE CITY.

SEC. 3. The boundaries of the city of Alhambra shall continue as now established until changed in some manner authorized by law.

SEC. 4. For municipal purposes the city of Alhambra is hereby divided into four districts, which shall be designated respectively, the first district, the second district, the third district and the fourth district and be constituted and described as follows:

First district—All that portion of the city lying east of the center line of Wilson avenue and north of the center line of Main street.

Second district—All that portion of the city lying east of the center line of Wilson avenue and south of the center line of Main street.

Third district—All that portion of the city lying west of the center line of Wilson avenue and north of the center line of Main street.

Fourth district—All that portion of the city lying west of the center line of Wilson avenue and south of the center line of Main street.

SEC. 5. The boundary line of any of said districts may be changed hereafter by ordinance passed by a fourth-fifths (4/5) vote of the commission; *provided*, that said districts shall be kept as nearly equal in population as possible; *and provided further*, that except where the city boundary is changed either by annexation or exclusion of territory, such change of district lines shall not be made oftener than once in two years nor within a period of ninety days prior to any general municipal election.

SEC. 6. Whenever any territory shall hereafter be annexed to the city of Alhambra, upon the completion of such annexation, the commission shall, by ordinance, assign such annexed territory to one or more districts contiguous thereto, so as to retain, as nearly as possible, such equality of population.

ARTICLE III.

GENERAL PROVISIONS RELATING TO OFFICERS.

SEC. 7. The elective officers of the city of Alhambra shall be five commissioners, one of whom shall be elected as president of the commission; a city auditor, who shall be ex officio city clerk and clerk of the board of equalization; a city treasurer, who shall be ex officio city assessor and city tax and license collector; a city attorney, and five members of the board of education, all of whom shall be elected at the general municipal election on a general ticket from the city at large; *provided*, that all qualified electors of Alhambra city school district shall also have the right to vote at such elections for members of the board of education; *and provided also*, that of the four commissioners, other than the president of the commission, one shall be nominated by the qualified electors of each district, of which the commissioner so nominated must have been a resident not less than four months preceding the date of his election. The office of commissioner of each district shall constitute a separate office.

SEC. 8. The chief appointive officers shall be as hereinafter named, and shall be under the jurisdiction of the respective departments to which they are severally assigned, to wit: city engineer and street superintendent hereby assigned to the department of public works; building inspector, plumbing inspector, electrical inspector, police judge, chief of police, chief of fire division and health officer hereby assigned to the department of public safety. Each such chief appointive officer shall be appointed by the head of such respective department to which he is assigned, subject to confirmatiion of each appointment by the commission.

SEC. 9. Other appointive officers shall be five library trustees hereby assigned to the department of public affairs, to be appointed as hereinafter provided, and such other officers as the commission shall under this charter have power to create, which last named officers shall be appointed by the head of the respective department to which the same shall be assigned by the commission or by this charter.

SEC. 10. The commission shall consist of five commissioners, each of whom, including the president, shall have a vote on all questions coming before the commission.

To be eligible to the office of commissioner a person must be a qualified elector of the city of Alhambra and shall have resided in said city for at least three years next preceding the date of his election or appointment.

To be eligible to the office of auditor, treasurer or attorney, a person must be a qualified elector of the city of Alhambra and shall have resided in said city for at least one year next preceding the date of his election or appointment.

SEC. 11. The president of the commission, auditor, treasurer and attorney shall each hold office for a term of two years from and after the first day of July following their election and until their successors are respectively elected and qualified; *provided*, that the auditor and treasurer elected at the first election held under this charter shall hold office until the first day of July, 1918, and thereafter their successors shall hold office for terms of two years each. Members of the commission, except the president thereof, shall each hold office for a term of four years from and after the first day of July following their election and until their successors are elected and qualified; *provided* that the commissioner first elected under this charter from the first district shall hold office for one year, the commissioner first elected under this charter from the second district shall hold office for two years, the commissioner first elected under this charter from the third district shall hold office for three years and the commissioner first elected under this charter from the fourth district shall hold office for four years respectively from the first day of July following such first election.

SEC. 12. In case any commissioner shall change his residence from the district in which he resided at the time of his election or appointment, his office shall immediately become vacant and be filled as directed in this charter; *provided, however*, that in case the boundaries of any district are changed, no commissioner whose residence is thereby included within a different district from that in which he resided at the time of his election or appointment shall lose his office by reason of such change; *and provided also*, that the president of the commission shall not forfeit his office by reason of any change of his residence within the city limits.

An elective office becomes vacant when the incumbent thereof fails to qualify within ten days from the time he receives his certificate of election or appointment, dies, resigns, is removed from office, is adjudged incompetent, convicted of a felony, or of an offense involving a violation of his official duties or forfeits his office under any provision of this charter, or ceases to be a resident of the city or district as required by the preceding paragraph of this section; or shall have been absent from the city without leave of the commission, for more than thirty consecutive days or, if a member of the commission or a board, fails to attend the meetings of the commission or board of which he is a member for a like period, without being excused therefrom by the commission, or, if any other officer than a member of the commission or a board, shall absent himself from his office for more than fifteen days consecutively, without such leave.

SEC. 13. If a vacancy shall occur in the office of commissioner, auditor, treasurer or city attorney, the commission shall appoint a person to fill such vacancy, but such appointee, if a commissioner other than the president thereof, must be a resident and qualified elector of the district in which the former commissioner resided at the time of his election or appointment, and such appointee shall hold office, subject to the provisions of this charter, only until the next general municipal election.

SEC. 14. Officers and employees of the city before entering upon the discharge of their official duties, shall give and execute to the city such official bonds as may be required by general law, this charter, or ordinance. All such official bonds must be given by some lawfully authorized and approved surety company, and the city shall pay the premium therefor; *provided*, that the premium paid shall not exceed one half of one per cent per annum; *and provided*, further, that if the commission deems the premium charged to be excessive, then, in that event, the commission may accept bonds, with approved personal sureties.

SEC. 15. Every bond shall contain the condition that the principal will well, truly, honestly and faithfully perform the duties of his office, and all bonds must be approved by the commission, after first being approved as to form by the city attorney.

Approval of such official bond must be endorsed thereon and signed by the officers approving the same. Each bond, when so approved, shall be filed with the auditor, except the bond of the auditor, which shall be filed with the president of the commission. All provisions of any law of this state, relating to official bonds, not inconsistent with this charter, shall be complied with.

SEC. 16. The commission may at any time, by ordinance, change the penal sum of any official bond.

SEC. 17. Every officer of the city, before entering upon the duties of his office, shall take the oath of office, as provided for in the constitution of this state, and shall file the same with the city clerk.

SEC. 18. Each commissioner shall receive an annual salary of $3000.00, payable in equal monthly installments. Except where such power to fix is otherwise given by this charter, the commission shall fix, by ordinance, the salary of all other officers herein created or hereafter created by ordinance whose salaries are not herein fixed or otherwise provided for.

SEC. 19. The salary of an elective officer may be changed by ordinance of the commission, but such ordinance must be adopted at least ninety days previous to an election at which an incumbent of such office is to be elected and shall not take effect until such incumbent takes office after such election.

SEC. 20. Whoever, being a city officer or being in nomination for, or while seeking nomination or appointment for any city office, shall use or promise to use, whether directly or indirectly, any official authority or influence, whether then possessed or merely anticipated, to aid any other person to secure any office or appointment in the service of the city or any nomination or increase of salary, upon the condition that his vote or political influence shall be given or used in behalf of any candidate, officer or political party or association, or upon any corrupt condition, shall be deemed guilty of a misdemeanor, and every person found guilty of such misdemeanor, as aforesaid shall, upon conviction thereof, be liable to be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or to be imprisoned not less than ten days nor more than six months, or to both said fine and said imprisonment in the discretion of the court. If the person convicted be a public officer, he shall, in addition to any other punishment imposed, be deprived of his office and be forever debarred and disqualified from holding any position in the service of the city.

SEC. 21. No officer or employee of the city shall become a party worker or solicitor in any city election, except in his own behalf. A violation of any of the provisions of this section shall be sufficient cause for his removal from office.

SEC. 22. All officers and members of the commission or any board provided for in this charter shall have power to administer oaths and affirmations, and every such officer, commission or board shall have power to issue subpenas, to compel by subpena attendance of witnesses, production of books, papers and documents, and take and hear testimony concerning any matter or thing pending before such officer, commission or board. If any person so subpenaed neglect or refuse to appear, or to produce any book, paper or document as required by such subpena, or shall refuse to testify before any such officer, commission or board or to answer any question which any officer, or a majority of such commission or board shall decide to be proper and pertinent, he shall be deemed in contempt, and any such officer, commission or board shall have power to take the proceedings in that behalf provided by the general laws of this state. The chief of police must, on request of such officer, or of any member of such commission or board serve such subpena or cause the same to be served.

ARTICLE IV.

THE PRESIDENT OF THE COMMISSION.

SEC. 23. The president of the commission shall see that all city ordinances are duly enforced. He shall, subject to the provisions of this charter, be charged with the general oversight of the several departments of the municipal government, and shall see that all contracts made with the city are faithfully performed.

The president shall be the presiding officer of the commission. He may call special meetings of the commission, and must do so upon request in writing of a majority of its members. He shall sign the minutes of each of its meetings after they have been entered in the journal by the city clerk and approved by the commission, and he shall have the right to be present at the meetings of all of its standing and special committees; he shall sign all conveyances made by the city and all contracts to which it is a party, except as otherwise herein provided, and shall acknowledge execution of all instruments executed by the city which require acknowledgment.

SEC. 24. During the temporary absence or disability of the president, the vice-president of the commission shall act as president pro tempore. In case of the temporary absence or disability of both the president and vice president, the commission shall elect one of its members to be president pro tempore. In case of vacancy in the office of the president, the vice president of the commission shall act as president until such vacancy can be filled as provided in this charter.

SEC. 25. The president shall annually and from time to time give the commission information relative to the affairs of the city, and recommend to its consideration such matters as he may deem expedient.

SEC. 26. The president shall keep himself fully informed as to the compliance by all public utility companies in all respects with law or ordinance, and he shall see that all provisions of all franchises, permits and privileges granted by the city are faithfully observed.

The president or the commission may, and, on written request of the city manager, the commission shall cause to be instituted on behalf of the city, such actions or proceedings as may be necessary to prosecute persons, firms or corporations owning, controlling or operating public utilities, for violations of law or ordinances, and as may be necessary to revoke, cancel, annul or regulate the exercise of any franchises, permits or privileges that may have been granted by the city to any person, firm or corporation, which have become forfeitable in whole or in part or which for any reason are illegal or void or voidable or negligently exercised. The city attorney, on direction of the president or of the commission, must institute and prosecute the necessary actions to enforce the provisions of this section.

SEC. 27. The president shall exercise such other powers and perform such other duties as may be prescribed by law or ordinance.

ARTICLE V.

EXECUTIVE AND ADMINISTRATIVE DEPARTMENTS.

SEC. 28. The executive and administrative powers, authority and duties of the city, not otherwise provided for, shall be distributed among and assigned to five departments as follows:

1. Department of public affairs.
2. Department of finance.
3. Department of public works.
4. Department of public safety.
5. Department of supplies.

And the department of public affairs shall be under the supervision of the president of the commission, subject to the provisions of this charter, and each of the other departments shall be under the supervision of one of the other commissioners, according and subject to the provisions of this charter.

SEC. 29. The commission, at its first meeting in July of each year, or within ten days thereafter, shall designate and assign by a majority vote, one commissioner to be commissioner of the department of finance; one to be commissioner of the department of public works; one to be commissioner of the department of public safety, and one to be commissioner of the department of supplies. If within ten days after such meeting, the commission is so unable to agree on any such assignment, then the president shall have the authority to, and shall make such designation and assignment. Upon such assignment, each commissioner shall immediately assume supervision over the department to which he is assigned. The commission may change such designation and assignment by ordinance whenever it may deem such change for the benefit of the public service. Each commissioner, including the president, during any vacancy in the office of city manager, as in this charter provided, shall take the active management and control of the affairs of his respective department and be vested with all powers and perform all duties of city manager as to such respective department, but immediately upon the induction into office of such city manager, all management, control and exercise of power and duties vested in and held by such commissioner during such vacancy shall cease and the same and all thereof shall be vested in and exercised by said city manager subject to the provisions of this charter, and such commissioner shall then act only in an advisory capacity in all matters arising in his respective department (except where such matters are herein excepted from the supervision and control of the city manager), and each commissioner shall keep himself informed of all conditions of such respective department and report the same to the commission.

Sec. 30. Of such powers, authority and duties of the city, there are hereby distributed among and assigned to such respective departments, as follows:

Department of public affairs shall have charge and supervision of:

1. The relations of the city with the government of the United States, and states of the union, counties and other municipalities.

2. All civic functions, celebrations, receptions and courtesies.

3. All matters pertaining to the public library.

The above powers, authority and duties, assigned to the department of public affairs shall not be subject to the supervision and control of the city manager.

4. Construction and operation of all public utilities other than those owned or operated by the city.

Department of finance shall have charge and supervision of:

1. All financial matters of the city, except as otherwise provided by this charter.

Department of public works shall have charge and supervision of:

1. All parks, playgrounds and public buildings and grounds other than school buildings and grounds.

2. All public streets, highways, alleys and other public places, other than school grounds, including all construction thereon or therein and improvements thereof.

3. All municipally owned or operated public utilities.

Such supervision shall include supervision of all construction, maintenance, repair and operation.

Department of public safety shall have charge and supervision of:

1. Enforcement of all police, health, safety and sanitary ordinances and regulations.

2. The police, fire and health divisions.

3. Construction and maintenance of all works necessary for the disposition or destruction of garbage, the disposition and treatment of sewage and refuse matter.

4. The public pound.

Department of supplies shall have charge and supervision of:

1. The purchasing of all supplies and materials used in or required by the several departments of the city, subject to the limitations prescribed by this charter and to the general laws of the State of California.

All of the powers, authority and duties of the city hereby or hereafter assigned to the several departments of the city, except as in this section specified and except as otherwise provided for, shall be under the supervision and control of the city manager.

The commission shall, by ordinance, assign to the several departments, and may change such assignment of, any of the powers, authority and duties of the city not by this charter distributed or assigned, but no such assignment or change shall operate to take the same or any thereof from the supervision or control of the city manager, except where so specifically provided by this charter.

Except by this charter or otherwise provided, the commission shall have power by ordinance to create such offices, and employments other than those provided by this charter and prescribe the duties thereof as they may deem necessary and when created shall assign the same to some department; shall prescribe the powers and duties of all officers and employees, upon request of the city manager may assign particular officers and employees to one or more departments and require the performance by such officer or employee of duties in such departments, and upon his request, may by ordinance consolidate and place in charge of one officer the functions and duties of two or more of such officers; and make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city.

Sec. 31. If a vacancy shall occur in the office of commissioner, other than president, then the president, during such vacancy, shall be commissioner of the department of which such commissioner, whose office so becomes vacant, was commissioner.

Sec. 32. The commission shall employ, for a stipulated compensation, a competent public accountant who shall examine, at least once each year, the books, records and reports of all officers and employees who receive or disburse city moneys, and the books, records and reports of such officers, boards and departments as the commission may direct, and make duplicate reports of such examination and file one with the president of the commission, and the other with the city clerk. One of said yearly examinations shall be made and completed just prior to the expiration of each fiscal year. Such accountant shall have unlimited privilege of investigation, to examine under oath or otherwise, all officers, clerks and employees of the city, and every such officer, clerk and employee shall give all required assistance and information to such accountant, and submit to him for examination such books and papers of his office as may be requested, and failure to do so shall be deemed and held to be a forfeiture and abandonment of his office.

SEC. 33. Each department and board shall annually, on such date as may be fixed by the commission, render to the president of the commission a full report of all the operations of such department or board for the year.

SEC. 34. The commission may provide for the publication, in pamphlet form or otherwise, of the annual reports of the president of the commission and of the several departments and boards.

SEC. 35. Except the commissioner of the department of supplies, who may be purchasing agent of the city, no member of the commission shall hold at the same time any other municipal office, the compensation of which is paid out of the municipal moneys; or be elected or appointed to any office created or the compensation of which is increased by the commission while he was a member thereof, until one year after the expiration of the term for which he was elected.

SEC. 36. No commissioner or other city officer shall be interested, directely or indirectly, in any contract to which the city is a party, or made by any officer of the city in its behalf. Any violation of this section shall be a misdemeanor, and upon conviction thereof, besides the penalties that may be imposed by a court of competent jurisdiction, the commission shall declare the office vacant, and any person convicted of a violation of this section shall be forever disqualified from holding any office under this charter. Nor shall any officer of the city be a surety on any bond given to the city, or to any person for the benefit of the city.

ARTICLE VI.

THE COMMISSION.

SEC. 37. All powers herein granted to and vested in the city of Alhambra shall, except as otherwise provided, be exercised by a commission to be designated the commission of the city of Alhambra. Said commission shall be the governing body of the city, and, subject to the express limitations of this charter, shall be vested with all powers of legislation in municipal affairs, adequate to a complete system of local government consistent with the constitution of the state, which power shall be exercised by ordinance, except when otherwise provided by law.

SEC. 38. The president of the commission shall preside at its meetings. The commission shall elect one of its number to be vice-president.

SEC. 39. The commission shall, by ordinance, provide for the time and place of holding its meetings and the manner in which its special meetings may be called.

SEC. 40. All legislative sessions of the commission, whether regular or special, shall be open to the public.

SEC. 41. A majority of the commission shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time.

SEC. 42. The commission shall judge the qualifications of its members and of all election returns and determine contested elections of all city officers, and shall also determine its own rules of procedure, may punish its members for disorderly conduct and compel their attendance at any meeting.

SEC. 43. The commission shall act in legislative matters only by ordinance or resolution; other action of the commission may be by resolution or order upon motion.

SEC. 44. The ayes and noes shall be taken upon the passage of all ordinances and resolutions; on final action upon appointment or removal of officers, making of contracts, ordering supplies furnished, disposing of city property, or incurring of a debt by the city, and the record thereof entered upon the journal of proceedings of the commission. Upon request of any member, the ayes and noes shall be taken and recorded on any vote. Every member, when present, must vote.

SEC. 45. No ordinance or resolution shall be passed or become effective without receiving the affirmative votes of at least three members of the commission.

SEC. 46. Every ordinance shall be preceded by a brief title which shall indicate the subject and purpose thereof.

SEC. 47. The enacting clause of all ordinances adopted by the commission shall be, "The commission of the city of Alhambra do ordain as follows:", and the enacting clause of all ordinances adopted in accordance with the provisions of article XXIII shall be "The people of the city of Alhambra do ordain as follows:".

SEC. 48. No ordinance for any purpose shall be passed by the commission on the day of its introduction, nor within five days thereafter nor at any other than a regular or an adjourned regular meeting.

No resolution or order for the payment of money shall be passed at any other time than at a regular meeting or an adjourned regular meeting.

No resolution or ordinance granting any franchise shall be put upon its final passage within thirty days after its introduction, and no franchise shall be renewed before one year prior to its expiration.

SEC. 49. No action providing for any specific improvement or the appropriation or expenditure of any public money, except a sum not exceeding one thousand dollars; for the appropriation, acquisition, sale or lease of public property; for levying any tax or assessment; granting any franchise; for establishing or changing fire limits or districts, or increasing any penalty, shall be taken except by ordinance, except in cases where the commission takes action in pursuance of a general law of the state.

SEC. 50. When any ordinance is put upon its final passage and fails to pass, and a motion is made to reconsider, the vote upon such motion shall not be taken unless by unanimous consent of all the commission or at a meeting of the commission, held not less than one week after the meeting at which such motion was made.

SEC. 51. All resolutions and ordinances shall be signed by the president of the commission and attested by the city clerk and before taking effect, all ordinances shall be published at least once in a newspaper published in said city, or posted in at least three public places therein for a period of ten days.

SEC. 52. No ordinance shall be revised, reenacted or amended by reference to its title only; but the revised ordinance or the amended section or sections thereof, or the new section or sections to be added thereto, shall be set forth and adopted in the method provided in this article for the adoption of ordinances.

SEC. 53. No ordinance or section thereof shall be repealed except by ordinance adopted in the manner provided in this article.

SEC. 54. A true and correct copy of all ordinances shall be kept and certified to by the city clerk in a book marked "city ordinances." Such record copy, with such certificate, or the original ordinance shall be prima facie evidence of the contents of the ordinance and of the due passage and publication or posting of the same, and shall be admissible as such in any court or proceeding. Such records shall not be filed in any case, but shall be returned to the custody of the city clerk. Nothing herein contained shall be construed to prevent the proof of the passage and publication or posting of an ordinance in the usual way.

SEC. 55. No final action shall be taken in any matter concerning the department assigned to any absent commissioner unless such business has been made a special order of the meeting by action at a previous meeting of the commission, or such action is taken at a regular meeting of the commission.

SEC. 56. The commission shall not create, audit, allow or permit to accrue any debt or liability in excess of the available money in the treasury that may be legally apportioned and appropriated for such purpose, except in the manner provided in this charter, for incurring indebtedness. No warrant shall be drawn or evidence of indebtedness be issued unless there is at the time sufficient money in the treasury legally applicable to the payment of the same, except as in this charter provided.

SEC. 57. The commission shall cause all ordinances to be properly recorded and indexed and kept at the city hall, in a form readily accessible to all persons interested therein, and may from time to time cause the charter of the city and the ordinances in force, either together or separately, to be published in book form.

SEC. 58. The commission shall cause to be prepared and published within thirty days after the end of each fiscal year a report showing the financial transactions and financial condition of the city for such year.

SEC. 58*a*. The commission shall from time to time provide for the appointment of such deputies as may be necessary in the offices of the city auditor, city treasurer and city attorney and fix their compensation. Except as otherwise provided by law, ordinance, or this charter, any such deputy shall have and exercise in the name of his principal, all of the powers of such principal, including those exercised by the principal in any ex officio capacity, and shall be appointed by said principal, subject to the approval of the city manager and thereafter of the commission.

ARTICLE VII

POWERS OF THE CITY AND OF THE COMMISSION.

SEC. 59. The city of Alhambra, in addition to any other powers now held by or that may hereafter be granted to it under the constitution or laws of the state, shall have the right and power:

1. To have perpetual succession.

2. To exercise the right of eminent domain for the purpose of acquiring real or personal property of every kind for public use.

3. To acquire private property by excess condemnation when the same shall be permitted by the constitution or laws of the state.

4. To erect and maintain buildings for municipal purposes, and provide by purchase, lease, condemnation, construction or otherwise, and to establish, own, equip, maintain, conduct and operate libraries, reading rooms, art galleries, assembly halls, museums, schools, kindergartens, parks, playgrounds, gymnasiums, places of recreation, baths, public toilets and comfort stations, markets, market houses, abattoirs, dairies, municipal tenements, dispensaries, infirmaries, hospitals, police and fire stations, jails, houses of correction and farm schools, work houses, detention homes, morgues, cemeteries, crematories, garbage collection, garbage disposal and garbage reduction works, street cleaning, street paving and sprinkling plants, quarries and any and all buildings, establishments, institutions and places, whether situated inside or outside of the city limits, which are necessary or convenient for the transaction of public business, or for promoting the health, morals, education or welfare of the inhabitants of the city or for their benefit.

5. To acquire by purchase, condemnation or otherwise, and to establish, maintain, equip, own and operate water works, gas works, electric light, heat and power works, or any other works for the production of a public utility, within or without the city, and to supply therefrom or purchase and supply the city and its inhabitants and also persons, firms and corporations outside the city, with water, gas and electricity, and the product of any other public utility.

6. To acquire by purchase, lease, condemnation, construction or otherwise, and to establish, own, equip, maintain and operate telephone and telegraph systems, cable, electric, steam, or other railways, and transportation service of any kind within or without the city.

7. To acquire by purchase, condemnation, construction, lease or otherwise, and to establish, maintain, equip and operate tunnels and conduits through or under any street, right of way or any public property, for carrying wires, pipes or other means of conduct for public utilities, and to use or lease or rent to persons the use of such tunnels and conduits; *provided, however*, that the exclusive use of any tunnel or conduit shall never be leased or rented to any one person, firm or corporation.

8. To sell, within or without the city, gas, water, electric current and any form of light, heat or power and all products of, or service by, any public utility conducted or operated by the city.

9. To acquire by purchase, condemnation or otherwise, such lands or other property within or without the city, as may be necessary or convenient for the establishment, maintenance and operation of any public utility or to provide for and effectuate any other public purpose, and to hold, use, improve, operate, control, lease, convey or otherwise dispose of the same for the benefit of the city.

10. To lease to persons, firms or corporations for the purpose of maintenance, operation or use, any public utility owned or controlled by the city, and to provide for the leasing of any lands now or hereafter owned by the city, except lands donated, purchased or used as public parks, *provided* that any such lease shall be made only by ordinance to the highest bidder, for a term not exceeding ten years, *and provided further*, that the commission may, at its discretion, reject any and all bids.

11. To join with one or more other municipal or public corporations for the purpose of the acquisition, development, construction and joint ownership, operation, control or use, whether within or without, or partly within and partly without the city limits, of parks and public utilities of every kind, including a source or sources of water supply, water, or the use of water; works, property or appliances for the disposition or destruction of garbage, the disposition and treatment of sewage or refuse matter, or the disposition of storm water, upon the terms and conditions and to the extent provided by general law or by ordinance; to enter into contracts or agreements of any nature with persons, firms or corporations, to effectuate the purposes hereof; to incur bonded indebtedness for any of such purposes, *provided* that the city shall not so join for any of such purposes without the assent of a majority of the qualified electors of the city voting on the question at a general or special election at which such question shall be submitted.

12. To acquire by purchase or lease from any municipal corporation contiguous thereto, water or the use of water, electricity or the use of electricity for light, heat, or power, upon such terms and conditions, for such compensation and during such period of time as is now or may hereafter be prescribed by charters or laws then in force; to enter into contracts or agreements of any nature to effectuate the acquisition of or right to use water or electricity for any of said purposes, and the distribution, sale or disposal of such water or electricity; to acquire or construct, equip, maintain, operate and use a distributing system and works necessary to supply therefrom the city and its inhabitants and also persons, firms and corporations outside the city with water or electricity for light, heat or power; and to incur bonded indebtedness for any of said purposes.

13. To receive bequests, gifts and donations of lands in fee simple, in trust, or otherwise, and of all other kinds of property, for charitable or other uses, and to manage, sell, lease or otherwise dispose of the same absolutely or in accordance with the terms of such bequest, gift, donation or trust, and to do whatever may be necessary to fulfill the purpose thereof.

14. To create, subject to the restrictions and limitations of the constitution and general laws of the State of California and of this charter, indebtedness not to exceed in all fifteen per cent of the assessed valuation of all the real and personal property of the city, to pay the costs of municipal improvements, the acquisition of public utilities, or for any lawful purpose whatever, requiring an expenditure greater than the amount which can be appropriated for such purpose out of the annual tax levy.

15. To levy and collect taxes upon all property subject to taxation, for municipal purposes, subject to the provisions of this charter, and to levy taxes exceeding the limit fixed by this charter, *provided* the proposition to make such levy shall have been authorized by two thirds of the qualified electors voting thereon at a general or special election. At such election the commission may be authorized in cases where public necessity requires the expenditure of any sum so voted before the next succeeding tax levy, to borrow such sum and provide in the next succeeding tax levy for its repayment with interest at not exceeding five per cent per annum. Or the commission may be authorized to levy a special tax each year for a period of years not exceeding three years in all, for any permanent municipal improvement and the money so raised may be expended for such permanent municipal improvement each year after the same is collected and available.

16. To levy and collect, or cause to be levied and collected, assessments upon property according to frontage, or upon property in districts according to benefits, to pay for the opening, widening, vacating or improvement of streets, or for the construction in any public street, alley or other public place, or in any right of way owned by the city, of sewers, drains, water or gas mains, and lines and conduits for transmitting electric current, and other pipes, mains, lines and conduits, or for other public improvement.

17. To sue and defend in all courts and places and in all actions and proceedings.

SEC. 60. The qualified electors of the city shall have power through the initiative or otherwise, as provided by this charter and the general laws of the state, to enact appropriate legislation to carry out and enforce any of the general powers of the city or any of the specified powers of the commission.

SEC. 61. Except as herein otherwise expressly provided, the commission shall exercise all the general powers of the city herein set forth, and all powers now held by or that may hereafter be given to the city under the constitution or laws of the state; but only in the manner and under the conditions of this charter, and subject to all its provisions.

In addition to all such powers, the commission, subject to the provisions and restrictions of this charter, shall have power:

1. To make and pass all ordinances, resolutions and orders not repugnant to the constitution of the United States or the State of California, or to the provisions of this charter, necessary for the municipal government and the management of the affairs of the city, for the execution of the powers vested in the city, and for carrying into effect the provisions of this charter, and shall exercise all municipal powers necessary to the complete and efficient management and control of the municipal property, and for the efficient administration of the municipal government, whether such powers be expressly enumerated herein or not.

2. To make and enforce within its limits, such local, police, sanitary and other regulations as are deemed expedient to maintain the public peace, protect property, promote the public morals and preserve the health of its inhabitants.

3. To provide a corporate seal, with appropriate device, to be affixed to all instruments or writings needing authentication.

4. To provide for the holding of municipal elections, give notice thereof, establish and alter election precincts, as provided in this charter, and appoint necessary election officers.

5. To prescribe fines, forfeitures and penalties for the violation of any provision of this charter or of any ordinance; to make the violation of any of the city ordinances a misdemeanor and to prescribe the punishment thereof, by fine or imprisonment, or by both fine and imprisonment; but no such penalty or punishment shall exceed for each offense, five hundred dollars or six months imprisonment or both.

6. To cause persons imprisoned for violation of any ordinance or of any provision of this charter, to labor on the streets or other public property or works within or without the city.

7. To declare what shall constitute a nuisance and to provide for the summary abatement of the same at the expense of the person or persons creating, causing, committing or maintaining such nuisance, and all remedies which are or may be given by law, for the prevention and abatement of nuisances, shall apply thereto, to make such expense a lien and charge upon the property whereon such nuisance exists, and to make provision for the enforcement of such lien by the sale of such property or otherwise.

8. To organize, provide, maintain and operate police, fire and health divisions; erect necessary buildings and acquire all implements and apparatus necessary therefor, subject to the provisions of this charter.

9. To establish, operate and maintain a fire alarm and police telegraph or telephone system, and to manage and control the same, with the right to use the poles placed in the streets by public utility companies, whether such right has been set forth and reserved in their franchise or not.

10. To regulate or prohibit the manufacture, keeping, storage and use of gun cotton, nitro glycerine, powder, dynamite, fireworks and other explosive materials and substances within the limits of the city, or any specified part thereof.

11. To regulate the storage of hay, straw, gasoline, benzine, oil and other inflammable and combustible materials.

12. To regulate the use of steam engines, gas engines, steam boilers, electric motors and all other means of generating heat or power, and to prohibit their use in localities where in the judgment of the commission the public health, comfort, or safety would be endangered, and to provide for the examination and licensing of all persons engaged in operating the same.

13. To prescribe fire limits and determine the character and height of buildings that may be erected therein and the nature of the materials to be used in the construction, alteration or repair of such buildings or in the repair or alteration of existing buildings within such fire limits.

14. To regulate the construction of and the materials used in all buildings, chimneys, stacks, scaffolding, staging, false work, and other structures; to prevent the erection and maintenance of insecure or unsafe buildings, walls, chimneys,

stacks or other structures, and to provide for their summary abatement or destruction; to regulate the materials used in and the method of construction of foundations and foundation walls, the manner of construction and location of drains and sewers, the materials and methods used in wiring buildings or other structures for the use of electricity for lighting, power, heat, and other purposes, and materials and methods used for piping buildings or other structures for the purpose of supplying the same with water, steam, oil or gas, and the manner of so doing; to regulate and prescribe all methods and materials used for the plumbing of all buildings and to prohibit the construction of buildings and structures which do not conform to such regulations.

15. To require the owners and lessees of buildings or other structures to place upon them or in them fire escapes and appliances for protection against fire and for the extinguishment of fires.

16. To prevent the construction and to cause the removal of dangerous chimneys, fireplaces, hearths, stoves, stove pipes, ovens, boilers, apparatus and machinery used or existing in any building or place in the city; to regulate the carrying on of manufactories liable to cause fire; to prevent the depositing of ashes, the accumulation of shavings, rubbish, or any combustible or explosive material in unsafe places, and to make other provisions to guard against fires.

17. To regulate the size, position and construction of entrance to and exits from, and the size and position of aisles, open places and stairways in all theatres, lecture rooms, halls, schools, churches and other places for public gatherings of every kind, and to prohibit the placing of seats, chairs, benches or other obstructions in the hallways, aisles or open places therein.

18. To regulate the speed of railroad trains, engines and cars, street, interurban and other railroad cars in or passing through the city, and to require persons, firms or corporations operating street, interurban or other railroads in the city to station flagmen, install gates and maintain bells, signals or other safety devices or appliances, and construct and use bridges, viaducts, tunnels or subways at street crossings and at railroad crossings as the commission may deem proper. To require street cars and all local trains to be provided with fenders or other appliances for the better protection of the public. To prohibit the making up of railroad trains on any of the streets, street crossings or street intersections of the city, and to prohibit cars standing on any street and to prohibit the making of any flying switch upon or across any street, alley, or other public place within the city. To regulate the speed with which and the manner in which persons may ride or drive or propel bicycles, automobiles or other vehicles along or upon any of the streets or highways of the city.

19. To provide for the naming of streets and the numbering of houses; to regulate or prohibit the exhibition, posting or carrying of banners, placards, or advertisements, and the distribution of handbills in the streets, sidewalks, or other public places; regulate or prohibit the flying of banners, flags or signs across the street or from buildings; to regulate or prohibit traffic and sales in the streets and public places; to prevent encroachments upon or obstructions in the streets and to require their removal; to regulate street speaking and gatherings; to regulate all public meetings and gatherings, parades and processions in the streets or parks, and to determine what public meetings, gatherings, parades or processions upon the streets or parks shall be unlawful and to declare the same nuisances.

20. To require owners of real property in the city to remove grass, weeds, rubbish or other obstructions from the public sidewalks, parkings, streets and alleys in front thereof, or upon which said property abuts, and upon their default, to cause such work to be done, and the cost thereof to be made a lien and charge upon any such real property, and to make provision for the enforcement of such lien by the sale of such property or otherwise.

21. To require or provide by ordinance for the removal from property, lands or lots, of all weeds, rubbish or any other material which may endanger or injure neighboring property, or the health, safety or welfare of the residents of the vicinity, and to make the cost thereof a lien and charge upon such property, lots or lands, and to make provision for the enforcement of such lien by the sale of such property, lots or lands, or otherwise.

22. To require by ordinance the owners of real property fronting upon any street, lane, alley, or other public place in which there are, or in which it is proposed to construct sewers, water or gas mains, or other mains or conduits, to connect their several premises therewith, or to cause such connection to be made and to make the cost thereof a lien and charge upon the property so connected, and to make provision for the enforcement of such lien by sale of such property, or otherwise.

23. Except as otherwise provided in this charter or in the constitution of the State of California, to regulate and control for any and every purpose, the use of streets, lanes, alleys, courts, and sidewalks, and other public places, in the city.

24 To regulate, license or prohibit the construction and use of billboards and signs, on public or private property

25. To regulate and prevent the running at large of any animals; to provide for the destruction of vicious dogs; to require the payment of license fees by owners or persons having possession of dogs; to impose penalties upon such persons for refusing to pay such license fees, and to establish and maintain a pound and authorize the destruction or other disposition of any animals running at large.

26. To prohibit and punish cruelty to animals and to require the places where they are kept to be maintained in clean and healthful condition.

27. To provide for the care of the sick, the indigent and the helpless; to make and enforce all regulations which may be necessary or expedient for the preservation of health; the suppression of diseases, and the prevention of the introduction into or spreading through the city, of contagious, malignant, infectious or other diseases; to make and enforce quarantine laws and regulations; to regulate, control and prevent the entry into or spreading throughout the city, of persons, baggage, merchandise, or other property infected with any contagious or communicable disease, or coming from places where infectious or contagious diseases are epidemic or endemic.

28. To regulate the maintenance of chemical works, slaughter-houses, wash-houses, laundries, stables, tanneries, glue factories, garages, planing mills, foundries, boiler shops, undertaking establishments and business of every description that may endanger the public safety, health or comfort, and to restrict the conduct thereof to such fixed limits as may seem proper, or to exclude such works and business from the city; to make and enforce regulations for the suppression of disagreeable or offensive noises or odors, and to provide for the punishment of all persons violating such regulations, and of all persons who knowingly permit the same to be violated in any building or upon any premises owned or controlled by them.

29. To provide for and regulate the inspection of all things used for food and drink or for human consumption, stored, manufactured, sold, given away or exchanged in the city and to provide for taking and summarily destroying any such products as are unsound, spoiled, adulterated or unwholesome, and to regulate and prevent bringing into the city or having or keeping within the city any such unsound, spoiled, adulterated or unwholesome products.

30. To provide for and regulate the inspection of all dairies, and other places where a cow or cows are kept, either within or without the city limits, that offer for sale or sell any of their products in the city; also to provide for the inspection of slaughter houses, vegetable and fruit gardens whose products are sold in the city.

31. To regulate hotels, lodging, tenement and apartment houses, and to prevent the overcrowding of the same, and to require that they be put and kept in proper sanitary condition.

32. To regulate or prohibit the construction, repair and use of sewers, sinks, gutters, wells, cesspools, and vaults, and to compel the connecting, draining, cleaning or emptying of the same, and to designate the time and manner in which the work of draining, cleaning or emptying the same shall be done.

33. To provide for the collection and disposal of garbage, ashes, animal and vegetable refuse, dead animals, animal offal, rubbish and waste matter.

34. To license for purposes of regulation and revenue all and every kind of business not prohibited by law, ordinance or this charter, to be transacted or carried on in the city; to fix the rates of licenses upon the same, and to provide for the collection thereof by suit or otherwise.

35. To establish stands for hacks, public carriages, automobiles, express wagons, and other public vehicles for hire, and regulate the charges of such hacks, public carriages, automobiles, express wagons, and other public vehicles, and to require schedules of such charges to be conspicuously posted in or upon such public vehicles, and to provide penalties for collecting charges in excess of such schedules.

36. To provide for the inspection and sealing of all weights and measures used in the city, and to enforce the keeping and use by dealers of proper weights and measures duly tested and sealed; and to provide for the summary seizure and destruction of all false weights and measures found in use within the city; and to regulate the sale and quality of all oils and gasoline offered for sale within said city, and provide for the testing thereof.

37. To regulate the use, distribution, quality, pressure, and sale of water, gas, electric light, heat, power and other light, heat and power within the city; to fix and determine the price thereof, and to provide for the inspection and correction of all meters used in the measurements of said commodities.

38. To license, regulate, restrain or prohibit all exhibitions, public shows, games and amusements; to prevent and prohibit all descriptions of gambling or fraudulent devices, and practices; all playing of cards, dice, or other games of chance for the purpose of gambling; the keeping or operating of card machines, slot machines, or other contrivances upon or into which money is staked, hazarded, deposited, or paid upon chance, and the selling of pools on races, and to authorize the confiscation and destruction of all instruments used for the purpose of gambling.

39. To restrain and punish vagrants, mendicants, lewd persons and prostitutes; to prevent and punish drunkenness, prize fights, vagrancy, mendicancy, prostitution, and all offensive, immoral, indecent and disorderly conduct and practices in the city.

40. To levy and collect taxes upon all real and personal property within the city, subject to the limitations elsewhere in this charter provided.

41. To provide for the repayment by the treasurer of any taxes, percentages or costs erroneously or illegally collected.

42. To fix the fees and charges for all official services not otherwise provided for in this charter.

43. To provide an urgent necessity fund not exceeding five hundred dollars a year, to be expended by or under the direction of the president of the commission.

44. To provide for the purchase of property levied upon or sold under execution in favor of the city, but the amount bid on such purchase shall not exceed the amount of judgment, interest, if any, and costs.

45. To provide for the sale at public auction upon five days' published notice, of personal property unfit or unnecessary for the use of the city.

46. To provide for the execution of all trusts confided to the city.

47. To offer rewards not exceeding two hundred fifty dollars in any one instance for the apprehension and conviction of any person who commits a felony in the city, and to authorize the payment thereof.

48. To provide by ordinance for the planting, maintenance, or care of shade and ornamental trees in streets and other public places, and for the removal of unsightly and dead trees therefrom; to make the cost thereof a lien and charge upon the abutting property, and to make provision for the enforcement of such lien, and upon a petition of the owners of the majority of the frontage abutting upon any street or part thereof, by ordinance to require, or provide, or adopt general law or laws for the planting, maintenance, or care of grass plots between the sidewalk and roadway in such street or part thereof, and to make the cost thereof a lien and charge upon the abutting property and to make provision for the enforcement of such liens by the sale of property or otherwise.

49. To establish or change the grade of any street or public place.

50. To order the whole or any part of any street, avenue, lane, alley, court or public place within the city of Alhambra to be graded or regraded to the official grade, planked or replanked, paved or repaved, macadamized or remacadamized, graveled or regraveled, piled or repiled, capped or recapped, sewered or resewered, and to order sidewalks, manholes, culverts, cesspools, gutters, tunnels, curbing and crosswalks to be constructed therein or thereon, and to order levees or walls of rock or other material to protect the same and also any other work or improvement therein or thereon, and also to order drainage or sanitary sewers or storm water sewers to be constructed on or through private property.

Whenever, in the judgment of the commission, the cost and expense of any of the foregoing improvements should be paid in whole or in part by special assessments on private property under the provisions of the general laws of the State of California, then in force, such general laws shall thereupon govern and control, and all proceedings for such improvement shall be in conformity thereto.

51. To order the opening, extending, widening, vacating, straightening or closing in whole or in part of any street, lane, alley, court, or public place within the city, and to condemn and acquire any and all property necessary or convenient for that purpose.

Whenever, in the judgment of the commission, the cost and expense of any of the foregoing improvements should be paid in whole or in part by special assessments on private property under the provisions of the general laws of the State of California, then in force, such general laws shall thereupon govern and control, and all proceedings for such improvement shall be in conformity thereto.

52. Whenever in the judgment of the commission public necessity requires, to require by ordinance any person, firm or corporation operating a public utility within said city for the distribution and furnishing of water, gas or electricity to construct, maintain and operate in or along any street, lane, alley or public place in said city, mains, pipe lines or conduits for the carriage and distribution of water, gas or electricity, including suitable lateral pipes or conduits extending from the main pipes or conduits to the property lines of each lot fronting on said street or other public place, to carry water, gas or electricity to said property and to require the entire cost and expense of such construction to be borne and paid by the person, firm or corporation operating such public utility, and also to require such person, firm or corporation to furnish and maintain service of the product of such public utility through said mains, pipes or conduits and the commission shall have all remedies for the enforcement of the provisions of this section.

53. To set apart as a boulevard or boulevards any street or streets over which there is no existing franchise for any railroad and to regulate and prevent heavy teaming thereon; and when any such street shall have been set aside as a boulevard, no franchise for a railroad, interurban railway or street railway of any kind shall be granted upon such boulevard and no railroad track of any kind shall ever be laid thereon, except to cross the same, unless a franchise therefor shall have been duly granted by vote of the people.

54. To construct, establish and maintain drains and sewers; to build and repair bridges.

55. To prohibit the diversion or drainage into a public sewer of any refuse or waste material from gas works, chemical works or refineries or other sources destructive to the use of sewer pipe or conduit, and to prohibit the diversion or drainage into any public sewer of any matter that will render the sewage unfit for irrigation.

56. To prescribe sewerage districts, and to require and compel the owners of all buildings and dwellings situated within such district to connect the same with the city sewer system and in case of default on the part of such owners to cause such work to be done and the cost thereof to be made a lien and charge against such property and to provide for the enforcement of such lien.

57. To form, out of any territory within said city, storm water districts, and provide that the real estate in each district so formed be assessed to pay the expenses of constructing storm drains and acquiring rights of way therefor, for the purpose of diverting, conducting and caring for storm water and protecting property therein from injury therefrom, provided no such district shall be formed if a protest, signed by the owners of two thirds in assessed value of all the real property in such proposed district as it appears on the last equalized assessment roll as assessed for city purposes be filed before the final passage of the resolution or ordinance providing for the formation thereof; provided notice of such proposed passage must be published once in each week for three weeks prior thereto.

58. To provide for the lighting of the streets, alleys, highways, public places, and public buildings and for supplying the city with water for municipal purposes.

59. To fix and determine by ordinance in the month of February of each year, to take effect on the first day of July thereafter, the rates or compensation to be collected by any person, firm or corporation in the city, for the use of water, heat, light, power or telephone service or other public utility supplied to the city or to the inhabitants thereof, and to prescribe the character and quality of the service.

60. To regulate street railroads, their tracks and cars; to compel the owners of two or more such street railroads using the same street to use the same tracks and to divide equitably between them the cost of construction and the cost of maintenance thereof.

61. To require any person, firm or corporation, exercising or enjoying any franchise, permit or privilege in, over, under, or along any of the streets, highways or public places in the city for railway purposes, to sprinkle, clean, plank or replank, pave or repave, macadamize or remacadamize the entire length of the street, highway or other public place used by the track or tracks of said railway, and between the rails, and for two feet on each side thereof, and between the tracks, if there be more than one, and to keep the same constantly in repair, flush with the street, and with good crossings, and to require such street work to be done with such kind of materials and in such manner as the commission may by ordinance direct at the same time and as a part of the same operation as the work on the remainder in width of said street, highway or other public place, to the satisfaction of the superintendent of streets.

62. To permit the laying down of spur or side tracks and running cars thereon for the purpose of connecting warehouses, manufactories, or other business industries and enterprises with any line of railroads, which do now or may hereafter enter the city, subject to such regulations and conditions as may be prescribed from time to time by the commission, to be used for the transportation of freight only and not to be used as a main line or a part thereof, and also for the purpose of excavating or filling in a street or portion of a street or adjoining land during such limited time as may be necessary for such purpose and no longer. Such tracks must be laid level with the street and must be operated under such restrictions as not to interfere with the use of the streets by the public. All permits granted under the provisions of this subdivision shall be revocable at the pleasure of the commission.

63. To cause the removal and placing underground of all telephone, telegraph, electric light or other wires within the city, or within any designated portion thereof, and to regulate or prohibit the placing of poles and suspending of wires along or across any of the streets, alleys, highways and public places in the city and to cause the immediate removal of all anchor posts or anchor wires or any other device now existing for bracing poles, and to prevent the placing of any such devices in the future.

64. To regulate the quality, size and location of all water pipes, gas pipes, mains, fire plugs and all other pipes and conduits laid or constructed in the streets or public places; provide for and regulate the construction, maintenance and repair of pipes, hydrants, fire plugs, cisterns, pumps and such other appliances as may be requisite to effect the distribution of water and gas in the city, and to require the filing of charts and maps showing the size, character and location of such pipes, hydrants, fire plugs, cisterns and conduits.

65. To provide by ordinance a fund from which the expenses of all necessary matters of public entertainment and advertisement shall be met.

66. To provide a suitable procedure for taking over or otherwise acquiring municipal ownership of public utilities.

67. Lastly, this grant of power is to be liberally construed for the purpose of securing the well being of the municipality and its inhabitants, and in the absence of any procedure for carrying out or effectuating any granted or implied power or authority, the general law of this state where applicable and where not inconsistent with any express provisions of this charter shall prevail and shall be followed.

ARTICLE VIII.

CITY AUDITOR AND EX OFFICIO CITY CLERK.

SEC. 62. The city auditor shall act as the general accountant and fiscal agent of the city, and shall exercise a general superintendence over all of the officers of the city charged in an manner with the receipt, collection or disbursement of the city revenues, and shall prescribe the method of keeping the books and accounts of the city, subject to the approval of the commission.

He shall keep a complete set of books, as prescribed by the commission, in which he shall set forth in a plain and businesslike manner, every money transaction of the city, so as to show at all times the state of each fund, from which source the money was derived and for what purpose any money was expended, and also all collections made and paid into the treasury by each officer or any other person.

He shall, on application of any person indebted to the city holding money payable into the city treasury, or desiring to pay money therein, certify to the city treasurer the amount thereof, to what fund applicable, and by whom to be paid. He shall, upon the deposit of the receipt of the city treasurer for money paid into the city treasury, charge the city treasurer with the amount received by him, and give the person paying the same a receipt therefor.

The auditor shall audit, before payment, all demands against the city and approve the same only when legally due and drawn upon the proper fund. If allowed by him, he shall endorse such warrant with the word "allowed" and the date of said allowance, and sign his name thereto. If in his judgment any demand is incorrect, defective or improperly drawn, he shall return the same to the commission with his objections.

He shall keep a record of all demands audited by him, showing numbers, dates, amounts, names of claimant, purpose and from what fund drawn, whether approved or not.

It shall be his duty to apportion among the several funds all public money at any time in the city treasury, not by law or ordinance specifically apportioned or appropriated, and forthwith notify the city treasurer of such apportionment or appropriation. He shall countersign and deliver to the proper officers all licenses (other than building, electrical and plumbing permits) and all receipts, charging such officers therewith and taking their receipt therefor.

He shall report to the commission at the first regular meeting of each month, and oftener if required by them, the condition of each fund in the city treasury, and also the receipts and disbursements.

He shall make and present a report to the commission on or before July 15th in each year, showing all financial business transaction of the city for the preceding fiscal year.

He shall, on or before the 1st day of August in each year, make and present to the commission a report as to the revenue and expenses of the city for the current fiscal year, in which he shall set forth estimates of (1) the revenue from other sources than taxation; (2) the itemized expenditures; (3) the itemized amounts necessary to be raised by taxation for each fund.

He shall extend the tax roll and charge the total amount of the taxes to the tax collector, delivering the roll to him not later than September 25th of each year.

He shall perform such other duties as are or shall be required of him by this charter or by the laws of this state and ordinances not in conflict with such charter.

CITY CLERK.

SEC. 63. The city auditor shall be ex officio city clerk and clerk of the board of equalization. He shall attend the meetings of the commission and keep a full and accurate record of all the proceedings; he shall have charge and custody of the corporate seal, and all deeds and other evidences of the city's title to property, and all books, papers and records belonging to the city, when not in actual use by other officers or elsewhere by special provision committed to their custody; he shall attest the signatures of other officials and persons making demands for payment of money. He shall attend the meetings of the city board of equalization and keep a full and complete record, in a separate book, of all its proceedings; he shall enter on the assessment roll all changes and corrections made by the board of equalization and deliver the assessment roll to the auditor.

He shall keep separate books in which respectively he shall record all ordinances, contracts and official bonds, and properly index all such books and shall file and properly index all such ordinances, contracts, bonds and other instruments and papers. He shall perform such other duties as are or shall be required of him by the charter or by the laws of the state and ordinances not in conflict with such charter.

ARTICLE IX.

CITY ATTORNEY.

SEC. 64. It shall be the duty of the city attorney to act as the legal adviser of the commission, and of any other officer of the city who requests his advice and he shall give such advice or opinion in writing when so requested. He shall prepare all ordinances, contracts, resolutions, bonds and written instruments which may be required of him by the commission, and shall approve the same as to form, in writing.

He shall prosecute all criminal cases arising out of violations of the provisions of this charter and ordinances of the city, and attend to all suits, proceedings and matters in which the city is legally interested; *provided*, the commission shall have control of all litigation of the city and may employ other attorneys to take charge of any litigation or to assist the city attorney therein.

He shall report to the commission all items of the city's business coming to his knowledge, and perform such other duties as are or shall be required of him by this charter or by the laws of this state and ordinances not in conflict with such charter.

ARTICLE X.

CITY TREASURER AND EX OFFICIO ASSESSOR AND TAX AND LICENSE COLLECTOR.

SEC. 65. The city treasurer shall receive and safely keep all moneys that shall come to the city by taxation or otherwise, and pay the same out on demands legally audited in the manner provided by this charter, and without such auditing he shall disburse no public moneys whatever, except principal and interest of the municipal debt when payable.

He shall receive no money into the city treasury unless accompanied by the certificate of the city auditor provided for in section 62 hereof.

He shall issue receipts in duplicate to all persons paying money into the treasury, one of which shall be filed with the city auditor

He shall make a report at the close of each business day to the auditor, showing all moneys received during the day, together with the number of each receipt given by him therefor, for what account and from whom received and to what fund applied

He shall, on or before the seventh day of each month, make out and present to the commission, a full and complete statement of the receipts and expenditures for the preceding calendar month, and he shall make such special reports from time to time as may be required by the commission.

He shall perform such other duties as are or shall be required of him by this charter or by the laws of this state and ordinances not in conflict with such charter.

CITY ASSESSOR.

SEC. 66. The city treasurer shall also be ex officio city assessor, and it shall be his duty as such city assessor, in addition to any duty that may be elsewhere prescribed for him by this charter or by ordinance, to make out annually, within such time as may be prescribed by ordinance of the city, either now or hereafter in force, a full, true and correct list of all property, both real and personal, taxable by law, within the limits of said city, with the valuation thereof, and assess the same to the persons by whom it was owned or claimed, or in whose possession or control it was, at 12 o'clock meridian on the first Monday in March next preceding.

Each tax payer in said city shall make and deliver to the city assessor annually, and at such time as is or shall be provided by ordinance, a statement under oath setting forth specifically all the real and personal property owned by such tax payer, or in his possession or under his control at 12 o'clock meridian on the first Monday in March next preceding.

It shall be the duty of the assessor to collect the taxes on all personal property, when the owner of said property is not seized of real estate in said city sufficient to afford ample security for the collection of said taxes, as is or shall be provided by ordinance, and he shall immediately deposit the taxes so collected with the city treasurer, together with the auditor's certificate therefor.

He shall make up the tax roll showing the valuation of all taxable property and the total thereof and deliver the same to the auditor not later than June 30th of each year.

He shall perform such other duties as shall be required of him by this charter or by the laws of this state and ordinances not in conflict with such charter.

CITY TAX AND LICENSE COLLECTOR.

SEC. 67. The city treasurer shall also be ex officio city tax and license collector, and as such tax and license collector he shall receive and collect all city taxes, general and special, and other branches of the city's revenue not otherwise provided for by this charter or by ordinance.

He shall keep proper books, showing all moneys collected by him as tax or license collector; he shall also keep a book which shall contain a record of every certificate of sale issued or deed given by or on behalf of the city for real estate sold for delinquent taxes or assessments, which said book shall be properly indexed and shall be at all suitable times open to public inspection.

He shall make daily deposits with the city treasurer of all moneys received by him in his capacity as tax or license collector together with the proper certificate of the auditor.

He shall perform such other duties as are or shall be required of him by this charter or by the laws of this state and ordinances not in conflict with such charter.

ARTICLE XI.

POLICE COURT.

SEC. 68. The judicial power of the city shall be vested in a police court, which shall be presided over by a police judge. Said police court shall have jurisdiction, concurrently with the justice's courts and courts of inferior jurisdiction, of all actions and proceedings, civil and criminal, arising within the corporate limits of the city, and which might be tried in such justice's court or court of inferior jurisdiction, and shall have exclusive jurisdiction of all actions for the recovery of any fine, penalty or forfeiture, prescribed for the breach of any city ordinance and all actions founded upon any obligation or liability created by any ordinance and of all prosecutions for any violations of any ordinances. In all civil actions for the recovery of any fine, penalty or forfeiture prescribed for the breach of any ordinance of the city, where the fine, penalty or forfeiture imposed by the ordinance is not more than fifty dollars, the trial must be by the court; in civil actions, where the fine, penalty or forfeiture prescribed for the breach of any ordinance of the city, is over fifty dollars, the defendant is entitled to a trial by jury. Except as in this section otherwise provided, the rules of practice and mode of proceeding in said police court shall be the same as are or may be prescribed by law for justice's courts or courts of inferior jurisdiction in like cases, and appeals may be taken to the superior court of the county in which the city is situated, from all judgments of said police court in like manner and with like effect as in cases of appeals from justice's courts or courts of inferior jurisdiction.

SEC. 69. The police judge shall have the powers and perform the duties of a magistrate. He may administer and certify oaths and affirmations, and take and certify acknowledgments. He shall be entitled to charge and receive for his services such fees as are or may be allowed by law to justices of the peace or judges of courts of inferior jurisdiction for like services, except that for his services in all criminal prosecutions, he shall be entitled to receive only such monthly salary as the commission shall by ordinance prescribe.

SEC. 70. In all cases where the police judge is a party, or in which he is interested, or when he is related to either party in consanguinity or affinity within the third degree, or is otherwise disqualified, or in case of sickness or inability to act, the police judge may call in a justice of the peace or judge of a court of inferior jurisdiction, residing in the city, to act in his place and stead; or if there be no such justice or judge residing in the city, or if all those so residing are likewise disqualified, then he may call in any such justice or judge residing in the county in which the city is situated.

SEC. 71. All fines, penalties and forfeitures collected shall be the property of the city and be deposited weekly with the city treasurer for the use of the city.

SEC. 72. The city shall furnish all dockets, books and supplies necessary for the business of such police court, and a court room for the holding thereof. A complete record of all cases shall be entered in the docket of said court.

ARTICLE XII.

CITY MANAGER.

SEC. 73. The office of city manager of the city of Alhambra is hereby created, and he shall be the administrative head of the city government and shall have supervision and control of and be head of all of the departments of the city and be responsible for their efficient administration, except as by this charter or otherwise provided.

SEC. 74. The city manager shall be appointed by the commission and hold office at its pleasure and his compensation shall be fixed by ordinance by such commission, provided such compensation shall not be fixed at less than $2000.00 per year. Such appointment shall be made as soon as possible after the organization of the first commission elected under this charter and any vacancy in such office shall be filled by it without unnecessary delay. During the absence or temporary disability of the city manager the commission may designate some qualified person to execute the functions of his office.

SEC. 75. Except as otherwise provided by this charter, the powers and duties of the city manager shall be:

1. To see that the laws and ordinances are enforced.

2. To appoint all chief appointive officials, subject to the approval of such appointments by the commission.

3. To appoint all subordinates and employees in the departments assigned to his charge and supervision and subject to the approval of the commission, to determine their duties and fix their compensation. To remove any appointee and no removal shall be made without his consent.

4. To have supervision and control of all departments, boards and divisions created herein or that may be hereafter created by the commission, except as otherwise provided by this charter.

5. To examine and make to the commission reports in regard to any matters requested by it, and also of his own motion, and recommend to that body for adoption such measures as he may deem necessary or expedient.

6. To sign such contracts, licenses and other public documents and instruments on behalf of the city as the commission may authorize.

7. To attend all meetings of the commission with the right to take part in the discussion but having no vote.

8. To have supervision and charge of the city auditor, city clerk, city treasurer, city assessor, city tax and license collector and city attorney, only in so far as their duties pertain to the departments of which he has charge and supervision.

9. To exercise such other powers and perform such other duties as are herein conferred or imposed upon him by this charter or may be conferred or imposed upon him by the commission under the provisions of this charter.

10. Before entering upon the duties of his office he shall take the official oath required by law and execute an official bond in such sum as shall be determined by the commission.

ARTICLE XIII.

POLICE, FIRE AND HEALTH DIVISIONS.

SEC. 76. The police division of the city of Alhambra shall consist of a chief of police and such officers and policemen as the commission shall, from time to time, fix and determine.

SEC. 77. The chief of police shall enforce, within the jurisdiction of the city, the execution of all laws and ordinances, and for the suppression of any riot, public tumult, disturbance of the peace or resistance against law or public authorities in the lawful exercise of their functions, he shall have all powers that are now or may hereafter be conferred upon sheriffs by the laws of the state and shall in all respects be entitled to the same protection, and his lawful orders shall be promptly executed by deputies, police officers and watchmen in the city, and every citizen shall also lend aid, when required, for the arrest of offenders and in maintenance of public order. He shall and is hereby authorized to execute and return all processes issued and directed to him by the police court or judge or other legal authority of the city. Unless otherwise provided by ordinance, he shall receive from the auditor all licenses, collect the same and make weekly deposits with the treasurer, together with the auditor's certificate, of all city funds collected by him. He shall, at the end of each month, file with the auditor a statement of the money so collected and an affidavit stating that the money so deposited is all the funds of the city that he has collected or received during the preceding month. He shall have charge of the city prison and prisoners. He shall devote his entire time to the discharge of the duties of his office, and subject to charter and such rules and regulations as the commission may prescribe, shall have control of the police force. In addition to his duties in this charter specified, he shall discharge all duties required of him by the laws of this state and ordinances not in conflict with this charter.

SEC. 78. The commission, subject to the provisions of this charter, shall have power to organize the police division and change the same and make all necessary rules and regulations for its efficient administration, ordain penalties for violation thereof, establish the number of its members and the amount of their salaries, including that of the chief of police, and do all other acts necessary to the efficient equipment and operation of the police division of the city.

FIRE DIVISION.

SEC. 79. The fire division of the city of Alhambra shall consist of a chief and such number of officers and members as the commission shall, from time to time, fix and determine.

SEC. 80. The chief of the fire division shall, subject to the provisions of this charter and such rules and regulations as the commission may prescribe, have entire control of the department. He shall have power to suspend or remove, subject to the approval of the city manager, any member of the fire division for disobedience of any lawful order, for violation of any rule or regulation of the department, for neglect of duty or for conduct unbecoming a member of the force. He shall be charged with the special duty of superintending the extinguishment of fires that endanger the municipality or destroy its property and shall take measures to guard and protect all property imperiled thereby and shall make recommendations to the commission as to any measures required for fire protection and prevention. In addition to the duties in this charter specified, he shall discharge all duties required of him by the ordinances of the city.

SEC. 81. The commission, subject to the provisions of this charter, shall have power to organize the fire division and change the same, make all necessary rules and regulations for its efficient administration, ordain penalties for violations thereof, establish the number of its members and the amount of their salaries, including that of the chief of the fire division, and do all other acts necessary to the efficient equipment and operation of the fire division of the city.

HEALTH DIVISION.

SEC. 82. The commission shall appoint a competent person, who shall be a licensed physician, to be health officer, who shall, subject to the provisions of this charter, have such power and perform such duties as are granted or imposed by the general laws of the state or by ordinance, including the powers of a police officer in matters pertaining to his office.

It shall be the duty of the commission to provide by ordinance for a board of health of the city to consist of five persons, which board shall exercise all of the powers conferred by the laws of the State of California upon city boards of health.

Article XIV.

BOARD OF EDUCATION.

Sec. 83. Alhambra city school district and Alhambra city high school district as now constituted are each hereby continued in existence, with identical boundaries, and each in its respective name shall hold all property, rights and privileges which it now possesses, subject to all existing liabilities, and each shall include such territory outside the limits of the city of Alhambra as may hereafter be annexed to either district for school purposes, all of which territory is herein referred to and included within the term "district," as used in this article.

Sec. 84. All territory included in the limits of Alhambra city school district or Alhambra city high school district or that may hereafter be included within such limits, but not within the city limits shall be deemed a part of said city for the purpose of holding the general municipal elections and shall constitute one or more separate election precincts and the qualified electors therein shall vote only for members of the board of education and on questions pertaining to school matters submitted to a vote at special or general elections, and in all matters connected with the administration or support of the public schools, said outside territory shall be deemed a part of said city.

Sec. 85. The government of the schools in said district shall be vested in a board of education to consist of five members, to be elected from the district at large, as herein provided, who shall serve without compensation and who shall be elected by the qualified electors of the district at the general municipal election and shall hold office for a term of four years from and after the first day of July following their election; *provided*, that the members of the board of education elected at the first election held under this charter shall at their first meeting so classify themselves by lot that one of their number shall hold office for one year, one for two years, one for three years and two for four years respectively from the first day of July following such first election.

Sec. 86. To be eligible to the office of member of the board of education, a person must be a qualified elector of the school district and shall have resided in said school district for at least two years next preceding the date of his election or appointment.

Sec. 87. The board of education shall have entire control and management of all public schools in said district, in accordance with the constitution and general laws of the state and the provisions of this charter and said board is hereby vested with all the powers and charged with all the duties provided by this charter and also by general laws of the state for city boards of education.

Sec. 88. The board of education shall appoint a secretary who may or may not be one of their own number and shall prescribe the duties and fix the salary of such secretary.

Sec. 89. Members of the board of education shall meet annually on the first day of July and shall organize by choosing one of their members as president, who shall serve as president for one year. In case a vacancy should occur on the board of education, the remaining members of the board shall appoint a qualified person to fill such vacancy, and if there be less than a majority of such board then in office, such appointment shall be made by the superintendent of schools of the county in which such district is situated. In either case, such appointee shall serve only until the next general municipal election, when, if the term does not then expire, a person shall be elected to fill the vacancy.

Sec. 90. The board of education shall hold regular meetings at the office of the city superintendent of schools, at least once a month, at such time as it may determine. The board may determine the rules of its proceedings, but all its meetings shall be public and its minutes open to inspection.

Sec. 91. A majority of the members of the board shall constitute a quorum, but the affirmative vote of three members shall be required to authorize any expenditure of public moneys, the election of appointive officers and the election of teachers.

Sec. 92. The board of education shall appoint a superintendent of schools and fix his compensation.

Sec. 93. The superintendent of schools shall be the executive officer of the board of education, shall enforce all rules and regulations adopted by the board and shall give his full time to the duties of his office. He shall be subject only to the board of education and all orders of the board relating to the direction of principals and teachers shall be given through him. He must examine all plans for the construction or reconstruction of school buildings and report in writing to the board any objections he may find thereto. He shall have general supervision of the course of instruction and of the discipline and conduct of the schools.

Sec. 94. The superintendent of schools shall nominate and recommend all teachers and principals for election by the board of education. He shall assign all teachers and principals and make all transfers necessary to the successful operation of the schools.

Sec. 95. The board of education shall elect all teachers, but only from a list of candidates nominated and recommended by the superintendent of schools. The board of education may make rules in accordance with which the superintendent must make such nominations and recommendations.

SEC. 96. The secretary of the board shall keep a record of the proceedings of the board, and an account of all expenditures allowed by it, and for what purpose. He shall be the custodian of all books, papers and documents belonging to said district. He shall, in June of each year, make a full and complete detailed report of receipts and expenditures by the board, including an estimate of the available balance that will remain in any fund at the close of the fiscal year. He shall perform such other duties as the board may require of him.

SEC. 97. The city attorney shall be the attorney of the board of education.

SEC. 98. Plenary power and control in all matters of school administration is vested in the board of education, and no reference in this charter to any officer or board of the city shall apply to or affect said board or any member thereof, unless such board of education or member thereof is specifically referred to therein.

ARTICLE XV.

PUBLIC LIBRARY.

SEC. 99. The public library of the city, now existing is hereby continued in existence, and together with all branches thereof hereafter established by the city, shall be under the management of a board of five library trustees, who shall be appointed by the president of the commission, subject to the approval thereof by the commission.

The first board of trustees under this charter shall, at their first meeting, so classify themselves by lot that three of their number shall go out of office August 1st, 1917, and two of their number shall go out of office August 1st, 1919, otherwise their term of office shall be for four years. They shall organize by electing one of their number president and some suitable person as secretary, who shall act and hold office at the pleasure of the board.

SEC. 100. Except as provided by this charter or by ordinances not inconsistent therewith, the public library shall be controlled and managed by the board of library trustees in accordance with the provisions of general law.

ARTICLE XVI

ALCOHOLIC LIQUORS

SEC. 101. No person, either as principal, agent, servant or employee, shall open, establish, keep, maintain or carry on within the corporate limits of the city of Alhambra, any tippling-house, dramshop, cellar, saloon, bar, bar-room, sample-room, club-room, or other place where spirituous, vinous, malt or other alcoholic liquors are sold, furnished, divided, distributed or given away.

No person, either as owner, employer, agent, clerk or employee shall sell or deliver any of the liquors in this section mentioned, or solicit such sale, or take orders for the same within the corporate limits of the city, *provided*, that this section shall not apply to the sale of such liquors by regularly licensed druggists upon the written prescription of a practicing physician regularly licensed to practice his profession in the State of California, nor to the sale by such druggists of alcohol for mechanical or scientific uses, under such restrictions and regulations as may be fixed by the commission.

SEC. 102. Any person violating any provision of section 101 of this article shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or by both such fine and imprisonment in the discretion of the court in which such conviction is had.

ARTICLE XVII.

ELECTIONS.

SEC. 103. Elections to be held in said city for the purpose of electing the officers thereof and for all other purposes are of three kinds:

1. General municipal elections.
2. Special elections.
3. Primary nominating elections—when required as provided herein.

SEC. 104. General municipal elections shall be held in said city on the Tuesday following the first Monday in June, 1915, and on the Tuesday following the first Monday in June each year thereafter, at which shall be elected the elective officers provided for by this charter, including members of the board of education, and all such officers shall take office on the first day of July next succeeding the day of their respective election at twelve o'clock noon.

SEC. 105. Special elections shall be held for such municipal purposes and at such times as the commission may determine, or at such times as are elsewhere provided in this charter, except that no special election shall be held less than fifteen days after the passage of an ordinance calling the same. All special elections shall be held and conducted, except as to the date thereof, and the result thereof be made known and declared in the same manner as herein provided for other elections.

SEC. 106. The provisions of the general law of the state governing municipal elections, where the same are held separate from state elections, in force at the time of any city election, are hereby adopted as the law governing such city elections, and the provisions of the general laws of the state governing elections for state and county officers in force at the time of any city election shall govern such city elections in matters for which no provision is made in this charter, and the commission and the city clerk respectively shall exercise the powers and perform the duties conferred on, or imposed by, such laws on boards of supervisors and county clerks concerning elections; *provided*, that where this charter makes provision relating to any matters contained in such general laws, said charter provisions shall govern.

SEC. 107. All candidates for elective city offices including members of the board of education shall be nominated in the manner provided in section 1188 of the Political Code of the State of California and succeeding and other sections or laws relating to independent nominations, in force at the time of any general municipal election, except as hereinafter otherwise prescribed; *provided, however*, that nominating certificates for a commissioner of a district shall be signed by at least fifty qualified electors of the district from and by which the nomination is made and that nominating certificates of members of the board of education shall be signed by at least seventy-five qualified electors of the school district and that all other nominating certificates shall be signed by at least seventy-five qualified electors of the city; *and provided further*, that all nominating certificates shall be filed with the city clerk not more than sixty days nor less than fifty days before the day of the general municipal election.

When candidates for any office are nominated in accordance with the provisions of this section, it is hereby provided and directed that no party name or designation shall appear on the certificate or ballots and that the names of all candidates for each office shall be arranged alphabetically on said ballot.

SEC. 108. If a petition signed by qualified electors of the city equal in number to twenty per cent of the total number of qualified electors at the time of the last preceding general municipal election shall be filed with the city clerk not less than forty days nor more than fifty days prior to the date of any general municipal election, requesting the commission to call a primary nominating election, the commission shall, after receiving the certificate of the clerk to the effect that the petition has been signed by the requisite number of qualified electors, call such primary election, and the candidates to be voted for at the general municipal election shall be nominated at such primary nominating election in the manner hereinafter prescribed and no names shall be printed upon the ballot for such general election other than the names of those selected in such manner.

SEC. 109. Such primary election shall be held on the second Tuesday preceding the general municipal election. The officers of election appointed for the general municipal election shall be the officers of the primary election and it shall be held at the same places so far as possible and the polls shall be opened and closed at same hours. The names of all candidates nominated in accordance with the provisions of section 107, and no others, shall be printed upon the ballots to be used at such primary election.

SEC. 110. At least seven days prior to the day of said primary election the city clerk shall cause to be published for three consecutive days, in at least one daily newspaper published in the city, or posted if so directed by the commission for three days in three public places in the city designated by the commission, the names of all the persons so nominated, and the offices for which the several candidates were respectively nominated as they will appear upon the primary ballots.

SEC. 111. The clerk shall cause the ballots to be printed, and, except when voting machines are used, numbered and bound, which ballots shall contain the list of names of candidates and respective offices to be voted for in each municipal precinct as so published or posted, with the following caption:

"Primary nominating election, City of Alhambra (inserting date thereof)".

"To vote, stamp a cross opposite the name of the candidate voted for, except that when the name of the candidate is written in by a voter the cross shall not be made."

The names of the offices to be filled shall be arranged on the ballots in the order the officers of the city to be elected are named in this charter, and the names of the candidates for each office shall be arranged on the ballot of the primary nominating election in alphabetical order. There shall be nothing on any ballot indicative of the party affiliation, source of candidacy or support of any candidate.

SEC. 112. Each ballot shall contain blank spaces underneath the printed names of candidates for each office, wherein the voter may write the name of any candidate whose name is not printed on the ballot and for whom he may wish to vote, and in such case a cross shall not be stamped opposite such written name

SEC. 113. Any candidate to fill a vacancy and to serve the remainder of an unexpired term shall be designated on the ballot as a candidate to fill a vacancy.

SEC. 114. The two candidates receiving the highest number of votes for any given office at the primary nominating election shall be the candidates, and the only candidates, for such office whose names shall be printed upon the ballot to be used at the next general municipal election; *provided*, that where more than one office of the same kind is to be filled, the candidates therefor, equaling in number twice the number of such offices, who receive the highest number of votes at the primary nominating election, shall be the candidates and the only candidates for such offices whose names shall be printed upon the ballot to be used at such general election.

SEC. 115. The ballot at such general election shall be in the same form as for such primary nominating election, so far as applicable, and without any indication as to the party affiliation, source of candidacy or support of any candidate.

SEC. 116. The conduct and carrying on of all city elections shall be under the control of the commission, and it shall, by ordinance, provide for the holding of all such elections, and may district, and subdivide the city and any portion of the school district outside of the city, when participating therein, into municipal election precincts for the holding of municipal elections, and change and alter such precincts and redistrict the city and such outside portion of the school district for such elections as often as occasion may require, but no such precinct in the city shall include within its boundaries portions of two districts of the city or any portion of the school district outside of the city. Unless the boundaries of the precincts shall be established, altered or changed as herein provided, they shall remain as fixed by the board of supervisors of the county for the registration of electors beginning in January of the last even numbered year preceding.

SEC. 117. At each city election each of the election officers shall receive such compensation for his services as the commission shall fix, but not to exceed the sum of five dollars.

SEC. 118. The election returns from each municipal election precinct shall be filed with the city clerk, who shall immediately place them in the safe or vault in his office, and no person shall be permitted to handle, inspect, examine or in any manner interfere with the same until canvassed by the commission. After having been canvassed they shall be sealed up by the city clerk for six months and no person shall have access to them, except on order of a court of general jurisdiction.

SEC. 119. On the first Monday after any election and at their usual hour and place of meeting, the commission shall meet and canvass the returns and declare the result.

SEC. 120. After the result of an election is declared or when an appointment is made, the city clerk under his hand and official seal shall issue a certificate thereof and serve the same personally or by depositing such certificate with the postage and registration fee thereon prepaid and return receipt demanded, in the United States post office in Alhambra, addressed to the person elected or appointed, and such person, must, within ten days after receiving such certificate, file his official bond, if a bond is required of him by this charter or the ordinance of the city, and take and subscribe to the oath of office required of him by this charter, which oath must be filed with the city clerk.

ARTICLE XVIII.

FINANCE.

SEC. 121. The fiscal year of the city shall commence upon the first day of July of each year and shall end on the thirtieth day of June of the following year.

SEC. 122. The commission shall, by ordinance, provide a system for the assessment, levy and collection of all city taxes not inconsistent with the provisions of this charter.

SEC. 123. The commission shall have power to avail itself by ordinance of any law of the state of California now or hereafter in force and comply with the requirements thereof whereby assessments may be made by the assessor of the county in which this city is situated and taxes collected by the tax collector of said county for and on behalf of the city. Other provisions of this charter concerning the assessment, levy and collection of taxes shall be subject to the provisions of any such ordinance while the same shall be in force.

SEC. 124. On or before the fifteenth day of July in each year or on such date in each year as shall be fixed by the commission, the city manager, chief appointive officers and other heads of departments, offices, and boards shall send to the auditor a careful estimate, in writing, of the amounts, specifying in detail the objects thereof, required for the business and proper conduct of their respective departments, offices and boards, during such fiscal year.

SEC. 125. The commission shall prior to fixing the tax levy annually make a budget of the estimated amounts required to pay the expenses of conducting the business of the city government for the next ensuing year. The budget shall be prepared in such detail as to the aggregate sum and the items thereof allowed to each department, office, board or commission as the commission may deem advisable.

SEC. 126. The commission shall meet at their usual place of holding meetings on the first Monday in August of each year, at ten o'clock in the forenoon of such day, and sit as a board of equalization, and shall continue in session from day to day for a period of ten days. They shall have power to hear complaints and to correct, modify, strike out or raise any assessment, *provided* that such notice shall be given to the party whose assessment is to be raised as may be by ordinance provided.

SEC. 127. The commission must finally adopt, not later than the last Tuesday in August, an ordinance levying upon the assessed valuation of the property in the city, subject to the provisions of this charter, a rate of taxation upon each one hundred dollars of valuation sufficient to raise the amounts estimated to be required in the annual budget, less the estimated amount of income from fines, licenses and other sources of revenue. They shall then deliver the assessment roll to the auditor, who shall compute and carry out the amount of the tax so levied upon each parcel of property contained in said assessment roll. The corrected list for each tax shall be the assessment roll of said tax for said year, and it shall be certified by the auditor as being the assessment roll of said tax.

SEC. 128. The tax levy authorized by the commission to meet the municipal expenses for each fiscal year shall not exceed, except as herein provided, the rate of one dollar ($1.00) on each one hundred dollars of the assessed value of all real and personal property within the city.

SEC. 129. The commission shall have power to levy and collect taxes in addition to the taxes herein authorized to be levied and collected, sufficient to pay the interest and maintain the sinking fund of the bonded indebtedness of the city and to provide a fund not to exceed ten cents (10c) on each one hundred dollars ($100.00) of the assessed valuation for the establishment and support of public parks and playgrounds, and a fund not to exceed thirty cents (30c) on each one hundred ($100.00) of such assessed valuation for the maintenance and support of the public library.

SEC. 130. All taxes assessed, together with any percentage imposed for delinquency and the cost of collection, shall constitute liens on the property assessed; every tax upon personal property shall be a lien upon real property of the owner of such personal property. The liens provided for in this section shall attach as of the first Monday in March in each year, and may be enforced by actions in any court of competent jurisdiction to foreclose such liens, or by a sale of the property affected and the execution and delivery of all necessary certificates and deeds therefor, under such regulations as may be prescribed by ordinance; *provided*, that when real estate is offered for sale for city taxes due thereon, or constituting a lien thereon, the same shall be struck off and sold to the city, in like case and in like manner and with like effect and with like right of redemption, as it may be struck off and sold to the state when offered for sale for state and county taxes; and the commission shall have power to provide for the procedure to be followed in such sales to the city and redemption therefrom.

SEC. 131. Money shall be drawn from the city treasury only upon warrants as by this charter authorized.

SEC. 132. All demands against the city of Alhambra, except as otherwise by this charter provided, shall be presented to and audited by the commission in accordance with such regulations as it may by ordinance prescribe; and upon the allowance of any such demand, the president of the commission shall draw a warrant upon the city treasurer for the same, which warrant shall be countersigned by the city clerk.

SEC. 133. The commission shall prescribe uniform forms of accounts which shall be observed by all officers and departments of the city which receive or disburse moneys. Whenever an act shall be passed by the state legislature calling for uniform municipal reports, the city authorities shall be governed thereby.

SEC. 134. Except as otherwise provided by this charter, every officer collecting or receiving any moneys belonging to or for the use of the city shall pay the same to the treasurer accompanied by the auditor's certificate therefor on or before the first Monday of each month, or at more frequent intervals as may be directed by the commission.

SEC. 134*a*. The commission may by ordinance change the time fixed in this charter for the performance by any officer of any duty in connection with the assessment of property for taxation, the equalization of the tax roll, the determination of a rate of taxation, and the levying of tax thereon, or the furnishing of reports relative to any of said matters, except that the assessment must be complete not later than June 30th of each year.

ARTICLE XIX

CONTRACTS.

SEC. 135. The city of Alhambra shall not be and is not bound by any contract (except such a contract as is authorized by this charter to be made in behalf of the city by a board or officer of the city) unless the commission shall have first caused notice to be published for not less than five days in a daily newspaper or posted for five days in three public places in the city to be designated by the commission, inviting proposals to perform the same, and thereafter shall have let said contract to the lowest responsible bidder furnishing security for its performance satisfactory to the commission; *provided*, that any such contract shall not be made or be binding on the city unless first authorized by resolution passed by the commission; that any such contract shall be made in writing, the draft thereof first approved as to form by the city attorney by his endorsement thereon and thereafter approved by the commission, and the same ordered to be and be signed on behalf of the city by the president of the commission, city manager or some other person authorized thereto by resolution, and must be countersigned by the auditor who shall number and register the same in a book kept for that purpose; *provided, further*, that the commission may, by resolution, authorize any officer, committee or agent of the city to bind the city for the payment of a sum of money, not exceeding one thousand dollars ($1,000.00), without a contract in writing and without any previous publication or posting of notice inviting proposals.

It shall be the duty of the city attorney to see that all bonds relating to any such contract and required by resolution, ordinance, this charter or the general laws of the state are properly drawn, executed and delivered.

SEC. 136. When proposals for performing any public work or furnishing materials are invited the commission may reject any and all bids if deemed advisable and ask for new bids or provide for the work to be done by the department of public works; and in case no bid is received the commission may provide for the work to be done by the department of public works.

No contract shall provide for or authorize or permit the payment of more than seventy-five per cent of the contract price before the completion of the work done under said contract and the acceptance thereof by the proper officers.

SEC. 137. No contract for lighting streets, public buildings or offices or public places or for furnishing the city with heat or power shall be made for a longer period than one year, except that any such contract may be made with any other municipal corporation for a period not longer than ten years.

SEC. 138. The commission shall annually let contracts for the official advertising for the ensuing fiscal year. For this purpose the commission shall advertise for five consecutive days, setting forth distinctly and specifically the work contemplated to be done, and asking for sealed proposals therefor. The proposals shall specify the type and spacing to be used and the rate or rates named therein. The commission shall award the contract for such official advertising to the lowest responsible bidder publishing a daily newspaper in the city which is a newspaper of general circulation and has been in existence at the time of awarding the contract at least one year; *provided*, that the commission may reject any and all bids if they deem advisable. The newspaper to which the award of such advertising is made shall be known and designated as the "official newspaper."

SEC. 139. Any officer of the city, or of any department thereof, who shall aid or assist a bidder in securing a contract to furnish labor, material or supplies at a higher price than that proposed by any other bidder, or who shall favor one bidder over another by giving or withholding information, or who shall wilfully mislead any bidder in regard to the character of the material or supplies called for, or who shall knowingly accept materials or supplies of a quality inferior to those called for by the contract, or who shall knowingly certify to a greater amount of labor performed than has been actually performed, or to the receipt of a greater amount or a different kind of material or supplies than has been actually received, shall be deemed guilty of malfeasance and shall be removed from office.

SEC. 140. If at any time it shall be found that the person to whom a contract has been awarded has in presenting any bid or bids acted in collusion with any other party or parties for the purpose of preventing any other bid being made, then the contract so awarded shall be null and void and the commission shall advertise for new bids for said work, or may provide for such work to be done by the department of public works.

SEC. 141. No officer or employee shall be directly or indirectly interested in any contract, work or business of the city or in the sale of any article, the expense, price or consideration of which is paid for or from the treasury, or by assessments levied by any act or ordinance; nor in the purchase or lease of any real estate or other property belonging to the city, or which shall be sold for taxes or assessments or by virtue of legal process at the suit of the city. No officer shall be in the employ of any public utility corporation in the city or of any person having any contract with the city, or of any owner of a franchise granted by the city.

SEC. 142. Every officer or employee of the city is forbidden and prohibited from soliciting, accepting or receiving, directly or indirectly, and every public utility corporation, person having or contemplating any contract with the city or owner of a franchise granted by the city, or agent, officer, attorney or employee thereof, is forbidden and prohibited from offering or giving, directly or indirectly, to any such officer or employee of the city, any commodity or service furnished by such public utility corporation or owner of a franchise, or any reduction in the rate thereof to which the public generally are not entitled, or any present, gift or gratuity of any kind. A violation of any of the provisions of this section shall be deemed a misdemeanor. Every officer or employee of the city who violates any of the provisions of this section shall be guilty of malfeasance and shall be removed from office.

SEC. 143. Any contract or agreement made in contravention of this charter shall be void.

SEC. 144. Any violation of the provisions of this article shall be deemed a misdemeanor.

SEC. 145. The commission shall enforce the provisions of this article by appropriate legislation.

SEC. 146. The maximum time of labor or service required of any laborer, workman or mechanic employed upon any municipal work, whether so employed directly by the city and its officers, or by a contractor or subcontractor, shall be eight hours during any one calendar day.

ARTICLE XX.

STREETS AND SEWERS.

SEC. 147. Except as provided herein and unless otherwise provided by ordinance, the general law of the State of California relative to the improvement of, and work upon streets, lanes, alleys, courts, places and sidewalks, including the construction of sewers and providing for the laying out, opening, extending, widening, straightening or closing up in whole or in part of any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary and convenient for that purpose; and for providing a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and to provide for the payment of such bonds; and providing for the planting, maintenance and care of shade trees upon streets, lanes, alleys, courts and places within municipalities, and of hedges upon the lines thereof, and for the eradication of weeds within city limits, now in force, or which may hereafter be adopted by the legislature of this state is hereby made a part of this charter, and shall govern the commission in such matters.

ARTICLE XXI.

FRANCHISES.

SEC. 148. Plenary control over all primary and secondary uses of its streets and other public places is vested in the city. Franchises may be granted to persons, firms or corporations, upon such terms, conditions, restrictions or limitations as the commission may prescribe by ordinance; but no franchise shall be granted without reserving to the city adequate compensation for the privilege conferred.

SEC. 149. No person, firm or corporation shall ever exercise any franchise or privilege mentioned in this article except in so far as he or it may be entitled to do so by direct authority of the constitution of California or of the constitution or laws of the United States, in, upon, over, under or along any street, or other public place in the city unless he or it shall have obtained a grant therefor in accordance with the provisions of this aricle and of this charter.

SEC. 150. The commission shall have power to designate the terms, conditions and duration of all franchises, subject to the general laws of the state and the provisions of this charter relating thereto; *provided*, that no exclusive franchise shall ever be granted.

SEC. 151. The rights of the city in and to its streets, parks and all other public places, except as otherwise provided in this charter, are hereby declared inalienable.

SEC. 152. The city may grant, for a period not to exceed thirty-five years, the right and franchise to use the public streets and highways of the city for the purpose of operating street, suburban or interurban railroads and for constructing thereon or laying thereunder electric, telephone and telegraph wires and cables, conduits, gas and water mains and service pipes, in, upon, over, under or along any street, highway or other public place and may grant franchises for railroads, other than street, suburban or interurban, when authorized so to do by vote of the electors.

SEC. 153. The grant of every franchise or privilege shall be subject to the right of the city, whether reserved in such grant or not, to make all regulations which shall be necessary to secure in the most ample manner the safety, welfare and accommodation of the public, including among other things the right to pass and enforce ordinances to protect the public from danger or inconvenience in the operation of any work or business authorized by the grant of the franchise and the right to make and enforce all such regulations as shall be reasonably necessary to secure adequate, sufficient and proper service and accommodations for the people and insure their comfort and convenience.

SEC. 154. The grant of every franchise or privilege shall be subject to the right of the city, whether reserved in such grant or not, to prescribe and regulate the rates, fares, rentals and charges made for the service rendered under such franchise, but in no case shall the value of such franchise (exclusive of the amount originally paid to the city for such franchise and of any tax or annual charge) be considered or taken into account in prescribing and regulating such rates, fares, rentals or charges for service rendered under such franchise. The grant of every franchise for a street, suburban or interurban railroad shall provide that all United States mail carriers, policemen and firemen of the city shall at all times, while in the actual discharge of their duties be allowed to ride on the cars of such railroad within the boundaries of the city, without paying therefor and with all the rights of other passengers.

SEC. 155. Every ordinance granting any franchise shall provide that at the expiration of the period for which the franchise was granted, or at any time before as stated in the ordinance granting such franchise, the city, at its election and upon the payment of the physical valuation therefor, to be made in the manner provided in the ordinance making such grant, may purchase and take over to itself the property and plant operated under said franchise in its entirety, but in no case shall such valuation include any compensation for franchise or good will other than the amount originally paid to the city for such franchise. Or it may be provided in the ordinance granting any franchise that the property and plant operated under said franchise in its entirety shall, at the expiration of the period for which the franchise was granted, become the property of the city, without compensation to the owner of the franchise. The grantee, his successor or assign, of any franchise under this article shall be required in said ordinance to file monthly with the city clerk an itemized statement of the expenditures for new construction during the calendar month next preceding the filing of said statement; and said statement shall be verified by the oaths of the president and secretary of the grantee, his successor or assign, if such grantee, successor or assign be a corporation, or by the oaths of a majority of the members of the firm, if the said grantee, successor or assign be a firm or by his oath if the grantee, his successor or assign be a person. No cost of maintenance, operation, repair or renewal shall be considered to be a cost of construction.

SEC. 156. Every ordinance granting any franchise shall further provide that upon the payment by the city of the physical valuation in the manner provided in said ordinance making such grant, the plant and property operated under said franchise in its entirety shall become the property of the city by virtue of the grant in payment thereunder, and without the execution of any instrument or conveyance. Or in case it is provided in the ordinance granting any franchise that the property and plant operated under said franchise in its entirety, shall, at the expiration of the period for which it was granted, become the property of the city without any compensation to the owner of the franchise, the property and plant operated under said franchise in its entirety shall then become the property of the city by virtue of the grant and without the execution of any instrument or conveyance.

SEC. 157. Applications for a franchise shall be in writing and filed with the city clerk, and shall state the nature of the franchise applied for and the term desired, and shall be accompanied by a cash deposit of two hundred dollars, which sum shall be retained by the city for costs of advertising and other preliminary expenses, said expenses to be paid finally by the successful bidder. If, after the filing of such application accompanied by the original cash deposit, the commission deems it desirable to grant the same, it shall set such application for hearing and advertise the fact and the time of such hearing, together with a brief description of the franchise applied for, and that it proposes to sell the same, in a daily newspaper published in said city, for not less than ten days before the day of sale. Said advertisement shall further state that sealed bids or proposals for the purchase of said franchise will be received up to the time of such hearing and the franchise sold and awarded to the bidder offering to pay to the city, during the life of the franchise, the highest percentage of the gross receipts therefrom; *provided*, that such percentage of such gross receipts during the first five years shall be not less than two per cent, and shall be not less than four per cent during the remainder of the life of said franchise. Every application for a franchise under this article shall, in addition to being accompanied by the sum of two hundred dollars, be accompanied by the sum of five hundred dollars, or by a certified check for that amount, payable to the city clerk, as a guaranty of good faith, which sum of five hundred dollars, or certified check, shall be returned only on execution of a bond as hereinafter provided. Every other person bidding for such franchise, shall, at or prior to the time of making his bid, deposit with the city clerk the sum of five hundred dollars, or a certified check for that amount payable to the city clerk, as a like guaranty of good faith. At the time set for hearing the application, and the opening of the sealed bids or proposals therefor, any bid may be raised by any responsible bidder who makes or has made his deposit of cash of five hundred dollars or certified check for such sum, offering not less than one quarter of one per cent of the gross receipts above the highest sealed bid therefor, and such bid may be raised not less than one quarter of one per cent until there shall be but one bidder therefor, and the same shall thereupon be awarded to such highest bidder. In the event said franchise be not awarded or if awarded, and within such reasonable time thereafter as the commission shall allow, such successful bidder shall cause to be executed a bond to the city in a sum to be fixed by the commission, but not less than one thousand dollars, and with sufficient sureties approved by the president of the commission, after approval thereof as to form by the city attorney, conditioned that such bidder will faithfully execute the conditions of such franchise upon his part to be performed, then all deposits so made shall be returned to the person making them; *provided*, that the amount expended by the city for advertising and the preliminary expenses in connection therewith shall be deducted from the deposit made by such successful bidder or from the deposit made by such applicant, if no award be made, and retained by the city to reimburse itself for the expenses so incurred. Every franchise shall have inserted therein a proviso that it shall be forfeited in the event that such percentage of the gross receipts be not annually paid to the city at a date by the commission to be fixed in the ordinance granting the same.

SEC. 158. Construction work under any franchise granted, shall be commenced in good faith within not more than four months from the date of the taking effect of the ordinance granting such franchise, and if not so commenced within said time, said franchise shall be forfeited. Work under any franchise so granted shall be prosecuted with reasonable diligence to completion and shall be completed within the time fixed for such completion in the ordinance granting the same, and if not so completed within said time, the same shall be forfeited; *provided*, that the commission may by resolution extend the time for the completion thereof as they may deem advisable.

SEC. 159. No franchise granted by the city shall be leased, assigned or otherwise alienated without the express consent of the commission entered upon its minutes, and no dealings with a lessee or assignee on the part of the city to require the performance of any act or payment of any compensation by the lessee or assignee shall be deemed to operate as such consent; *provided*, that nothing herein shall be construed to prevent the owner of such franchise from including it in a mortgage or trust deed executed for the purpose of obtaining money for corporate objects.

SEC. 160. Every franchise granted shall provide that, and the commission shall have authority to examine the books, vouchers and records of any person, firm, or corporation exercising or enjoying any franchise or privilege granted by the city, and it shall be the duty of every person, firm, or corporation exercising any franchise granted by the city, to file with the city clerk annually as provided by said franchise a report of its business during the preceding year; such report shall contain a statement of the gross receipts arising from the business done by such person, firm or corporation, within said city, and such report shall contain such further facts as may be required by the commission concerning the character and amount of business done, the amount and source of receipts and expenses connected therewith, during the period to be covered.

SEC. 161. Every franchise shall provide for the determination and forfeiture thereof for any breach or failure to comply with any of its terms, limitations, or conditions imposed by this charter, or ordinance granting the same.

SEC. 162. No officer or employee of the city shall, either directly or indirectly, receive any transportation, electric, gas, or telephone service, or other thing or commodity, as a gratuity from any person, firm or corporation, operating under any franchise granted by the city, nor shall he receive the same unless he pays therefor the same rate as that charged other patrons or consumers similarly situated, except as hereinbefore in this article provided.

SEC. 163. Every grant of a franchise for railroad purposes shall provide for strict compliance by the owner thereof of all the provisions of subdivision 61 of section 61 of this charter.

ARTICLE XXII.

RECALL.

SEC. 164. Every incumbent of an elective office shall be subject to removal therefrom as follows:

SEC. 165. A petition signed by qualified electors equal in number to twenty-five per cent of the entire vote cast for all candidates for the office of president of the commission at the last preceding general municipal election, at which a president of the commission was elected, requesting the calling of an election to determine whether the incumbent of an elective office shall be removed, shall be addressed to the commission and presented to the city clerk. The petition may request that the question of such removal shall be submitted at a special municipal election or at the next general municipal election.

SEC. 166. The petition for recall and removal from office shall be substantially in the following form:

(Individual certificate)

PETITION TO THE COMMISSION REQUIRING A SPECIAL MUNICIPAL ELECTION

(If such be the case)

For the recall of (name of officer).
From the office of (name of office).
Reasons for the recall of (name of officer) from the office of (name of office): (Here insert the reasons).
Reasons against the recall of (name of officer) from the office of (name of office): (Here insert the reasons).
I, the undersigned certify that I hereby join in a petition to the commission requiring that it forthwith submit to the vote of the electors of the city of Alhambra, at a special (or the next general) municipal election, the question whether (name of officer) shall be recalled and removed from the office of (name of office).

I further certify that I have read the foregoing reasons for and against the recall of said officer and believe that he should be recalled; that I am a qualified elector of said city; that I reside at No.____________ street, between ____________ street and ____________ street, in said city, and that my occupation is ______________.

(Signed.) ____________________________

STATE OF CALIFORNIA,
County of Los Angeles, } ss.
City of Alhambra

______________, being duly sworn, deposes and says:

That he is the person who signed the foregoing certificate and that the statements therein contained are true and correct.

(Signed.) ______________

Subscribed and sworn to ------------------------------19------, before me,

____

Verification Deputy (or Notary Public).

The petition of which this certificate forms a part, shall, if found deficient, be returned to ______________ at No. ______, ______________ street, Alhambra, California.

SEC. 167. Each certificate must be separate and contain the name of but one signer, who must make oath before a notary public or verification deputy as to the truth of the statements therein. All such certificates signed by electors of each precinct, shall be arranged alphabetically and bound together. Upon receipt of such petition, the city clerk shall indorse thereon the time it was received. He shall thereupon examine said petition to ascertain whether it conforms to the requirements of this charter.

Within ten days after such presentation, the city clerk must determine whether said petition so conforms and shall attach thereto his certificate showing the result of his examination, and send by registered mail a copy of said certificate to the person named in said petition to whom it shall be returned. If the petition does not conform to said requirements, the certificate of the city clerk shall designate the defects in the petition and in the individual certificates. If the certificate of the city clerk shows the petition to be deficient, it may be amended by presentation, within fifteen days after mailing said certificate of the city clerk, of an amended petition, containing additional certificates arranged and bound as above provided. The city clerk shall, within seven days after the presentation of such amended petition, make like investigation and determination as to the amended petition and attach to it a like certificate and mail a copy as aforesaid, and, if his certificate shall show the amended petition to be deficient, or if no amended petition shall have been presented, the petition shall be returned to the person named therein to whom it shall be returned, without prejudice to the filing of a new petition to effect the same purpose.

Should any certificate or certificates to the petition not substantially conform to the requirements of this charter, such fact shall not invalidate the petition if a sufficient number of the certificates substantially conform to such requirements. Should the city clerk find that the said petition or amended petition conforms to such requirements, he shall endorse the fact thereon and file and present it to the commission.

SEC. 168. Before any petition for recall is circulated, an affidavit in triplicate by or on behalf of the person or persons proposing such recall shall be made and delivered to the city clerk, one to be filed with the city clerk, one to be left by him at the office of the officer sought to be recalled and one to be sent by him by registered mail to the residence of such officer. Such affidavit shall contain the address of the person or persons making the same, a statement of the intention to circulate a petition for the recall of said officer containing not more than two hundred words, giving the reasons for such recall. Said officer may, within five days after the mailing of such affidavit, send by registered mail to the address of the party making such affidavit, his answer thereto is not more than two hundred words. Such statement and answer, if any, shall be printed on each individual certificate. No original petition for recall of any officer shall be presented to the city clerk later than forty days after the filing of the affidavit.

SEC. 169. If the officer sought to be removed fails to resign within five days after the recall petition is filed, and the petition requests a special municipal election to be held the commission shall cause a special municipal election to be held within not less than thirty nor more than forty-five days after the filing of said petition, to determine whether said officer shall be recalled, but if a general or special municipal election is to occur within sixty days after the filing of said petition, the commission may postpone the holding of such election to such general or special elections.

SEC. 170. If any question of recall, for which a petition has been filed, be not submitted to the electors of the city at or within the time specified, such petition shall remain in force until such question has been submitted.

SEC. 171. There shall be printed on the sample and the official ballots, the statement of the reasons for the recall of the officer, and his answer, if any.

SEC. 172. The ballots at every election at which recall is to be voted upon, shall contain the following question:

Shall (name of officer) be removed from the office of (name of office)?

Following the question shall be printed the words "Yes" and "No", on separate lines, with a voting square at the right of each, in which the voter shall stamp a cross (X) for or against such recall. All requirements of this charter relating to ballots at general municipal elections shall, so far as applicable, apply to all ballots at every election at which a question of recall is to be voted upon.

The call for elections under this article shall be the same as the call for general or special municipal elections.

SEC. 173. After a petition for recall of a person from office has been filed, he may continue to perform the duties of his office until the commission has canvassed the returns of the election and declared that a majority of the votes upon the question of his recall was cast in favor thereof, and thereupon said office shall become vacant.

SEC. 174. No recall petition shall be filed against any elective officer until he has actually held his office for at least six months, and no second or subsequent recall petition shall be filed against the same officer for a period of six months from the time of the last recall election relating to said officer and for any second or subsequent recall election the petitioners shall first deposit with the auditor an amount of cash equal to the total cost of the last recall election, for the purpose of defraying the expenses of the recall election petitioned for; if at the election said officer is recalled, said deposit shall be returned to the petitioners, but if said officer is not recalled, it then shall be the property of the city and the auditor shall pay the same to the treasurer for the general fund of the city.

SEC. 175. The commission shall by ordinance, make such further regulations as may be necessary to carry out the provisions of this section.

ARTICLE XXIII.

INITIATIVE.

SEC. 176. The electors of the city shall have the right to propose, by petition, and to adopt at the polls, any ordinance which the commission might enact. Such ordinance shall be proposed by petition filed with the city clerk, setting forth said ordinance in full, signed by electors in number as hereinafter required.

SEC. 177. Before any petition for submission of such ordinance shall be circulated, an affidavit by or on behalf of its proponents, shall be filed with the city clerk, containing a copy of the proposed ordinance, a statement in not more than two hundred words giving the reasons of said proponents for the adoption of such ordinance, a statement of the intention to secure submission of said ordinance to a vote of the electors by an initiative petition, and the address of the party making such affidavit. The commission shall have five days after the filing of such affidavit, to send by registered mail to the address given in such affidavit, a statement, in not more than two hundred words, of the reasons why such proposed ordinance should not be adopted. These reasons for and against the adoption of the proposed ordinance shall be printed as a part of the individual certificates constituting the petition.

SEC. 178. The form and contents of the petition and mode of certification shall be substantially as provided in article XXII of this charter, with changes as may be required to comply with the provisions of this article, and each individual certificate constituting said petition shall have printed thereon the reasons for and against the adoption of the proposed ordinance, and the signer of said certificate must certify that he has read such reasons.

SEC. 179. Upon presentation to the commission of such petition, signed and verified by qualified electors in number equal to fifteen per cent of the entire vote cast for all candidates for the office of president of the commission at the last preceding general municipal election at which such president was elected, asking for the submission to the electors of an ordinance that the commission itself might adopt, it must either adopt and enact such measure without alteration, or submit the same to the electorate at the next city election occurring subsequent to sixty days after the filing of said petition. But if said petition request the calling of a special election and is signed and verified as herein provided and by electors in number equal to twenty-five per cent. of said vote, then such ordinance, if not so adopted and enacted by the commission, must be submitted to the electorate at a special election to be called within sixty days from the presentation of such petition.

SEC. 180. If such proposed ordinance is one that the commission might adopt, except that it involves the repeal or amendment of an ordinance adopted by the electorate, as herein provided and if in such case said petition is signed and verified by qualified electors in number equal to thirty per cent of the above mentioned vote, then such proposed ordinance must be submitted to the electors of the city at the next general municipal election occurring subsequent to sixty day after its presentation.

SEC. 181. All provisions of article XXII of this charter, relating to the examination and amendment of petitions, shall be applicable to petitions under this article.

SEC. 182. All petitions under this article shall be filed with the city clerk within forty days after the date of the first signature thereto. If any ordinance proposed by petition, or upon which a referendum vote is requested by petition, be not submitted to the voters at or within the time specified in this charter, such petition shall remain in force until said ordinance shall be submitted to the voters.

SEC. 183. Any number of proposed ordinances under the initiative or the referendum may be voted upon at one election.

SEC. 184. There shall not be held under the provisions of this article, more than one special election in any period of six months.

SEC. 185. The ballots used when voting upon ordinances proposed under the initiative or under the referendum, shall set forth the title of the proposed ordinance, and shall state its general nature, and shall contain the words "For the ordinance", and "Against the ordinance". If a majority of the votes cast on any ordinance initiated as herein provided, by the electorate of the city, shall be in favor of said ordinance, it shall, if not already in effect, go into effect as a valid ordinance of the city, one day after the official canvass and declaration of the result, unless a later date is provided by the terms of said initiative measure; otherwise such ordinance shall be rejected.

SEC. 186. No ordinance that has been or that may hereafter be adopted by a vote of the electors, shall be amended or repealed except by a vote of the electors.

SEC. 187. All matters relating to the form of the ballot and manner of conducting the election shall conform substantially to the requirements set forth in article XXII with changes as required to comply with the provisions of this article and a substantial compliance with the provisions of this article shall be sufficient for the holding of an election hereunder, and the approval or rejection of any measure submitted thereat, and the commission shall by ordinance make such further regulations as may be necessary to carry out the provisions of this article.

ARTICLE XXIV.

REFERENDUM.

SEC. 188. The commission may submit to a vote of the electors of the city any ordinance that it or the electorate has authority to adopt.

SEC. 189. No ordinance passed by the commission shall go into effect until the expiration of thirty days from its final publication or posting, except when otherwise required by the general laws of the state or by the provisions of this charter, respecting street improvements and except an ordinance making the annual tax levy or calling an election and except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency and is passed by a four-fifths vote of the commission; *provided*, that no grant of any franchise shall be construed to be an urgency measure but all franchises shall be subject to the referendum vote herein provided. At the expiration of said thirty day period, such ordinance shall be in force and effect, unless within such period there shall be filed with the city clerk a petition signed by qualified electors equal in number to fifteen per cent of the entire vote cast for all candidates for the office of president of the commission at the last preceding general municipal election at which such president was elected, praying that such ordinance be submitted to a vote of the electors and thereupon such ordinance shall be suspended from operation and it shall be the duty of the commission to reconsider such ordinance; and if the same be not repealed, the commission shall submit the ordinance as is provided in articles XXII and XXIII of this charter, to the vote of the qualified electors, either at the next general municipal election occurring subsequent to the sixty days after the filing of said petition, or, if such petition be signed by qualified electors equal in number to twenty per cent of said vote, then at special election to be called for that purpose within sixty days from the presentation of such petition and such ordinance shall not go into effect or become operative unless a majority of qualified electors voting on the same shall vote in favor thereof.

SEC. 190. All matters relating to the form of the petition, certification, examination and amendment thereof, form of the ballot, and manner of conducting the election under this article, shall conform substantially to the requirements set forth in articles XXII and XXIII of this charter, with changes as may be required to comply with the provisions of this article.

SEC. 191. No ordinance once so submitted shall, within one year, be again submitted, except by a four-fifths vote of the commission or upon a petition in regular form signed and verified, as required, by qualified electors equal to forty per cent of the entire vote provided in section one hundred eighty-nine.

SEC. 192. If a majority of the votes cast on any ordinance referred to the electorate under the provisions of this article shall be in favor of said ordinance, it shall, if not already in effect, go into effect as a valid ordinance of the city, one day after the official canvass, and declaration of the result.

SEC. 192*a*. The commission shall by ordinance make such further regulations as may be necessary to carry out the provisions of this article.

ARTICLE XXV.

MISCELLANEOUS.

SEC. 193. For the purpose of the qualification and of the nomination of candidates and of electing and qualifying all officers provided for in this charter, this charter shall take effect from the time of the approval of the same by the legislature; for all other purposes it shall take effect on the first day of July, 1915.

Sec. 194. The members of the board of trustees, city clerk, city treasurer, city tax and license collector, city assessor, city recorder and the trustees of the school districts in office at the time of the approval of this charter by the legislature shall severally continue to hold office and discharge their respective duties until the election and qualification of the commission, auditor, treasurer, city attorney and members of the board of education respectively first elected under this charter. The term of office of all other officers in office at the time this charter shall take effect shall cease and terminate when the commission first elected hereunder shall by resolution so declare.

Sec. 195. The board of trustees of the city of Alhambra, in office at the time this charter is approved by the legislature, shall provide for the holding of the first general municipal election of officers under this charter, shall canvass the votes, declare the result, and fix the amounts and approve the bonds of all officers elected at such election according to the provisions relating to said bonds herein provided.

If for any reason, the first general municipal election is not held on the day herein provided for, the validity of this charter and of such election is not affected thereby, and the board of trustees of the city of Alhambra then in office must provide for the holding of said election as soon as possible thereafter.

Sec. 196. All lawful city ordinances, resolutions and regulations in force at the time this charter takes effect and not inconsistent with the provisions thereof are hereby continued in force until the same shall be duly amended or repealed.

Sec. 197. The violation of any provision of this charter or of any ordinance of the city shall be deemed a misdemeanor, and may be prosecuted by the authorities of the city in the name of the people of the State of Cailfornia, or may be redressed by civil action, at the option of said authorities. Any person sentenced to imprisonment for the violation of a provision of this charter or of any ordinance may be imprisoned in the city jail, or, if the commission or ordinance shall so prescribe, in the county jail of the county in which the city of Alhambra is situated, in which case the expense of such imprisonment shall be a charge in favor of such county against the city of Alhambra.

Sec. 198. The provisions of this charter as to supervision and regulation by said city of any public utility operating therein shall not, and shall not be construed to affect or impair the right of the state railroad commission to exercise any powers of supervision, regulation or control over any such public utility, which the city may by vote have surrendered to such railroad commission or which such railroad commission may have been empowered to exercise by constitutional amendment adopted prior to the taking effect of this charter.

Sec. 199. This charter may be amended at such times and in such manner as is provided by the constitution of the State of California.

Sec. 200. In all matters pertaining to municipal officers, concerning which no special provision is made in this charter, the general law of the state shall be a part of this charter as far as the same may be applicable.

Sec. 201. The word "streets" when used in this charter, includes streets, highways, alleys, lanes, courts and public places.

Sec. 202. The word "city" wherever it is used in this charter, means the city of Alhambra, and every commission, department, board, division, officer or employee wherever mentioned in this charter means the commission, department, board, division, officer or employee, as the case may be, of the city of Alhambra, except that specific mention of the board of education and members thereof, refers only to said board or its members as the case may be. The term "commission" when used in this charter means the commission of the city of Alhambra

Sec. 203. All rights, actions, proceedings, prosecutions, and contracts of the city, or any of its departments or officers, pending or unexecuted when this charter goes into effect, and not inconsistent therewith, shall be enforced, continued, or completed, in all respects as though begun or executed hereunder.

CERTIFICATE.

Whereas, the city of Alhambra, a city containing a population of more than three thousand five hundred inhabitants, as ascertained and established by the census taken under the direction of the congress of the United States in the year one thousand nine hundred ten, did on the thirteenth day of April, nineteen hundred and fourteen, at a general municipal election, and under and in accordance with the provisions of section 8 article XI of the constitution of the State of California, elect Chas. W. Allen, William B. Allen, Elmer E. Bailey, R. F. Bishop, Sherman A. Bullis, John L. Chase, Francis E. Corey, S. D. Crow, Frank B. Elwood, John B Knox, William M. Northrup, F. W. Patten, Sloan Pitzer, Chester E. Strifler and Newton W. Thompson, a board of freeholders to prepare and propose a charter for said city, and

Whereas, the board of trustees as the legislative body of said city did on the eighteenth day of April, 1914, ascertain and declare the result of such election.

Be it known, that pursuant to the provisions of the constitution and within the period of one hundred twenty days after the result of said election was declared by the board of trustees of said city, said board of freeholders has prepared and does hereby propose the foregoing as and for the charter of the city of Alhambra; and that in submitting and proposing such charter the board of freeholders, pursuant to said provision of the constitution also presents with said charter, for the choice of the voters and to be voted on separately without prejudice to the other provisions contained in the charter an alternative proposition hereinafter stated; that said alternative proposition shall, if approved by the vote of a majority of the qualified electors voting thereon, take the place of section 101 of article XVI of the proposed charter; that said alternative proposition shall be submitted to the voters for their approval or rejection at the same election at which the charter shall be submitted and upon the ballots shall be printed "Shall the alternative proposition providing that hotels containing not less than forty bona fide bedrooms, may furnish vinous or malt liquors to guests or customers in connection with and as a part of a regular meal under such restrictions and regulations as may be adopted by the commission—take the place of section 101 of article XVI?"

Said alternative proposition is as follows:

ALTERNATIVE PROPOSITION.

ARTICLE XVI.

ALCOHOLIC LIQUORS.

SEC. 101. No person, either as principal, agent, servant or employee, shall open, establish, keep, maintain or carry on within the corporate limits of the city of Alhambra, any tippling house, dramshop, cellar, saloon, bar, bar-room, sample-room, club room, or other place where spirituous, vinous, malt or other alcoholic liquors are sold, furnished, divided, distributed or given away.

No person, either as owner, employer, agent, clerk or employee shall sell or deliver any of the liquors in this section mentioned, or solicit such sale, or take orders for the same within the corporate limits of the city; *provided* that this section shall not apply to hotels containing not less than forty bona fide bedrooms, furnishing vinous or malt liquors to guests or customers in connection with and as a part of a regular meal under such restrictions and regulations as may be adopted by the commission; *and also provided*, that this section shall not apply to the sale of such liquors by regularly licensed druggists upon the written prescription of a practicing physician regularly licensed to practice his profession in the State of California, nor to the sale by such druggists of alcohol for mechanical or scientific uses, under such restrictions and regulations as may be fixed by the commission.

In witness whereof, we have hereunto set our hands in duplicate this 14th day of August, 1914.

NEWTON W. THOMPSON
Chairman of board of freeholders.
SLOAN PITZER
Secretary of board of freeholders.
R. F. BISHOP
S. D. CROW
SHERMAN A. BULLIS
WILLIAM B. ALLEN
JOHN L. CHASE
CHESTER E. STRIFLER
FRANK B. ELWOOD
F. W. PATTEN
ELMER E. BAILEY
WILLIAM M. NORTHRUP
FRANCIS E. COREY
JOHN B. KNOX

Filed in the office of the city clerk of the city of Alhambra this 15th day of August, 1914, at 3:00 p. m.

O. M. CAULK
City clerk of the city of Alhambra, California.

STATE OF CALIFORNIA,
County of Los Angeles, } ss.
City of Alhambra.

I, J. B. SEXTON, president of the board of trustees of the city of Alhambra, county of Los Angeles, State of California, do hereby certify that I now am, and at all times mentioned herein since the 20th day of April, 1914, was the duly elected, qualified and acting president of the board of trustees of the city of Alhambra, county of Los Angeles, State of California, that Newton W. Thompson, Sloan Pitzer, R. F. Bishop, S. D. Crow, Sherman A. Bullis, William B. Allen, John L. Chase, Chester E. Strifler, Frank B. Elwood, F. W. Patten, Elmer E. Bailey, William M. Northrup, Francis E. Corey, John B. Knox and Charles W. Allen, a majority of whose names appear signed to the foregoing proposed charter were, and each of them was on the 13th day of April, 1914, at the general municipal election duly held in said city of Alhambra on said day, duly elected by the qualified voters of said city as a board of freeholders to prepare and propose a charter for said city of Alhambra; that each of said persons so elected as a member of said board of freeholders was a freeholder and was, at the time of said election and had been continuously for more than five years immediately prior thereto, a qualified elector of said city of Alhambra; that the foregoing is a full, true and correct copy of said charter so proposed and prepared by said board of freeholders and filed in the office of the city clerk of said city of Alhambra and in the office of the county recorder of Los Angeles county on the 15th day of August, 1914, and within one hundred twenty (120) days after the result of said election was declared by said board of trustees of the city of Alhambra, as required by section eight (8) of article XI of the constitution of the State of California; that said proposed charter was thereafter by said board of trustees caused to be and was published ten (10) times in the "Alhambra Advocate," which at all times herein mentioned was, and now is a daily newspaper of general circulation, printed, published and circulated in said city of Alhambra, on the following days of publication of said charter, to wit: August 26th, August 27th, August 28th, August 29th, August 31st, September 1st, September 2nd, September 3rd, September 4th, and September 5th, all of said dates being in the year 1914; that the first publication thereof was made on the 26th day of August, 1914, and within fifteen (15) days after the filing of said copy of said charter, as aforesaid, in the office of the city clerk of said city of Alhambra; that, as required by the provisions of said section eight (8) of article XI of said constitution, said proposed charter was submitted by said board of trustees to the qualified electors of said city at a special election duly called by ordinance number 827 of said city, which was duly adopted on the 8th day of September, 1914, to be held, not less than twenty (20) days nor more than forty (40) days after the completion of said publication, to wit, on the 14th day of October, 1914, and said ordinance did provide for the submission of said proposed charter to the qualified electors of said city for their ratification at said special election, which ordinance was duly published five (5) times prior to the time of holding such election in said "Alhambra Advocate," a daily newspaper of general circulation, printed, published and circulated in said city; that at said special election, so held as aforesaid, a majority of the qualified electors of said city of Alhambra voting at said election voted in favor of such proposed charter as a whole and duly ratified said proposed charter as a whole; that the returns of said special election were duly canvassed by said board of trustees of said city of Alhambra on the 19th day of October, 1914, and thereupon said board of trustees duly found, declared, and determined that a majority of the qualified voters of said city voting at said special election had voted for, and in favor of, and had ratified said charter as a whole, as above specified; that in all matters and things pertaining to said proposed charter, all provisions of said section of said constitution, and the laws of the State of California pertaining to the submission and adoption of said charter have been fully complied with; that O. M. Caulk was at all times herein mentioned up to October 26, 1914, the duly elected, qualified and acting city clerk of said city of Alhambra, and that Walter M. Eddy is and has been since said October 26, 1914, the duly appointed, qualified and acting city clerk of said city of Alhambra.

IN WITNESS WHEREOF we have hereunto set our hands and affixed the corporate seal of the city of Alhambra this 21st day of January, 1915.

J. B. SEXTON
President of the Board of Trustees of the City of Alhambra.

(SEAL)

WALTER M. EDDY,
City Clerk of the City of Alhambra.

AND WHEREAS, Said proposed charter has been duly presented and submitted to the Legislature of the State of California for approval or rejection without power of alteration or amendment, in accordance with section 8 of article XI of the constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each house voting for the adoption of this resolution and concurring therein), That said charter of the city of Alhambra as presented to, adopted and ratified by the qualified electors of said city be, and the same is, hereby approved as a whole as and for the charter of the said city of Alhambra.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 14 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Senate Concurrent Resolution No. 14 ordered to engrossment.

INTRODUCTION AND FIRST READING OF BILLS, ETC. (OUT OF ORDER).

The following bills, etc., were introduced:

By Senator Campbell: Senate Bill No. 825—An Act to amend section six hundred twenty-six *c* of the Penal Code of the State of California, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 826—An Act to amend section six hundred twenty-eight *l* of the Penal Code of the State of California, relating to the protection of shell fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 827—An Act to amend section thirteen of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 828—An Act making an appropriation to pay the claim of James C. Owens against the State of California, under the provisions of section one of article XXIII of the constitution of the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 829—An Act making an appropriation for office equipment for Secretary of State.

Bill read first time, and referred to Committee on Finance.

By Senator Flint: Senate Bill No. 830—An Act to amend section six hundred thirty-three of the Penal Code of the State of California, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 831—An Act to amend section six hundred twenty-six *f* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 832—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred thirty-seven *b*, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Butler: Senate Bill No. 833—An Act to amend section six hundred twenty-six *a* of the Penal Code of the State of California, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Cohn: Senate Bill No. 834—An Act to amend section sixteen of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Shearer: Senate Bill No. 835—An Act to authorize the repayment to Mary Ann Bath, Carrie F. Stone, Alice B. Walker and John Thaddeus Bath, as heirs at law of John F. Bath, deceased, of moneys paid by said deceased in his life time to the State of California, for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of six hundred forty dollars, and for such purpose authorizing the State Register to issue a certificate to said heirs of John F. Bath, deceased, for the amount so paid for said indemnity certificates, and authorizing the State Controller to draw his warrant on the State Treasurer for said sum, and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

Bill read first time, and referred to Committee on Finance.

By Senator Beban: Senate Bill No. 836—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred twenty-eight *i* relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Jones: Senate Bill No. 837—An Act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains, except in case of urgency.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 838—An Act to provide for the establishment and maintenance of a department of sanitary engineering under the direction of the State Board of Health and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Stuckenbruck: Senate Bill No. 839—An Act to amend section four thousand two hundred thirty-eight of the Political Code of the State of California, relating to the compensation of county and township offices of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Bill read first time, and referred to Committee on County Government.

By Senator Scott: Senate Bill No. 840—An Act to add a new section to the Civil Code of the State of California, to be known as section one thousand six hundred twenty-four *a* relating to contracts in foreign languages, and actions thereon.

Bill read first time, and referred to Committee on Judiciary.

By Senator Anderson: Senate Bill No. 841—An Act to amend section sixteen hundred forty-nine of the Political Code, relating to the election of clerks of school districts and providing for the salaries thereof.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 842—An Act to amend section sixteen hundred eighty-five of the Political Code relating to causes for the suspension or expulsion of school children.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 843—An Act to require corporations doing business in the State of California to pay dividends, and authorizing any stockholder to institute proceedings in a competent court against corporations for failure to pay dividends, and empowering said court to issue orders for the dissolution of corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 844—An Act to amend section sixteen hundred seventy-three of the Political Code, relating to school hours of elementary and secondary schools of the State of California.

Bill read first time, and referred to Committee on Education.

By Senator Breed: Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to section seven and one half of article XI of the constitution of the State of California, relating to charters of counties and amendments to such charters and to the surrender thereof.

Constitutional Amendment referred to Committee on County Government.

By Senator Breed: Senate Bill No. 845—An Act to amend section four thousand forty-one of the Political Code, relating to the general powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

By Senator Finn: Senate Bill No. 846—An Act to amend section one of an Act entitled "An Act providing for vacations for certain employees of the State," approved March 15, 1909.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Slater: Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section seventeen of article VI of said constitution.

Constitutional amendment referred to Committee on Judiciary.

By Senator Slater: Senate Bill No. 847—An Act to amend section one thousand fifty-five of the Political Code, relating to publication of election proclamations.

Bill read first time, and referred to Committee on Elections.

By Senator Purkitt: Senate Bill No. 848—An Act to amend section four thousand two hundred seventy-nine of the Political Code, relating to salaries of county officers for counties of the fiftieth class.

Bill read first time, and referred to Committee on County Government.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Strobridge, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 4—Relative to placing veterans of the United States army who fought in Indian wars from 1865 to 1891 on the pension roll.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Joint Resolution No. 4 ordered to enrollment.

Also:

SACRAMENTO, January 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Assembly Bill No. 467—An Act to appropriate money to pay the cost of rental, porter service, cost of moving, and other expense necessary to the location and maintenance of State offices in Sacramento outside the Capitol building for the sixty-sixth fiscal year;

Also, Assembly Bill No. 468—An Act to appropriate money to pay the expenses incurred in the publication of bond acts presented to the people at the election of November 3, 1914;

Also, Assembly Bill No. 469—An Act to appropriate money to supplement the appropriation for the emergency fund for the sixty-sixth fiscal year.

Also, Assembly Bill No. 470—An Act to appropriate money for the support and maintenance of the State prison at San Quentin for the sixty-sixth fiscal year.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 467, 468, 469, and 470 ordered referred to Committee on Finance.

SENATOR TYRRELL IN THE CHAIR.

At two o'clock and thirty minutes p.m., Senator Tyrrell of the Sixteenth District, in the chair.

RECESS.

At two o'clock and thirty-five minutes p.m., on motion of Senator Thompson, the Acting President declared the Senate at recess until two o'clock and forty-five minutes p.m.

RECONVENED.

At two o'clock and forty-five minutes p.m., the Senate reconvened. Senator Tyrrell of the Sixteenth District in the chair.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 11—relative to Joint Rules for the Senate and Assembly.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON FINANCE.

SACRAMENTO, January 27, 1915.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 470—An Act to appropriate money for the support and maintenance of the state prison at San Quentin for the sixty-sixth fiscal year, has had the same under consideration, and respectfully reports the same back and recommend that it do pass.

STROBRIDGE, Chairman.

CASE OF URGENCY.

The following resolution was offered:

By Senator Strobridge.

Resolved, That Assembly Bill No. 470 presents a case of urgency, as that term is used in section fifteen of Article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House, is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.
NOES—None.

Whereupon the President declared that section fifteen of article IV of the constitution had been suspended for the purpose of considering Senate Bill No. 470.

Assembly Bill No. 470—An Act to appropriate money for the support and maintenance of the State Prison at San Quentin for the sixty-sixth fiscal year.

Bill read first time previously.

Read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 470 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER SET.

On motion of Senator Thompson Assembly Concurrent Resolution No. 11 was made a special order for this day at three o'clock and thirty minutes p.m.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following bills, etc., were introduced.

By Senator Strobridge: Senate Bill No. 849—An Act to amend section one thousand six hundred sixty-five of the Political Code of the State of California relating to the subjects in which instruction shall be provided in the elementary schools of the State.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 850—An Act to amend section eight hundred sixty-eight of the Penal Code, relating to who may be present at an examination before a magistrate.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rush: Senate Joint Resolution No. 8—Relative to the selection of Captain John C. Cantwell to be Captain Commandant of the U. S. Coast Guard Service.

Resolution referred to Committee on Federal Relations.

By Senator Breed: Senate Bill No. 851—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred twenty-six *r*, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 852—An Act to amend section 630*a* of the Penal Code of the State of California, relating to the regulation of the business of wholesale dealers in fish and game and providing for a record of the transactions therein.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 853—An Act to add a new section to the Penal Code of the State of California, to be numbered 626s, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Stuckenbruck: Senate Bill No. 854—An Act authorizing the sale of certain property belonging to the Stockton State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Thompson: Senate Bill No. 855—An Act to amend section six fifty-five of the Political Code relating to the State Board of Control.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 856—An Act to appropriate money for the use of the railroad commission of the State of California in the control of public utilities within incorporated municipalities.

Bill read first time, and referred to Committee on Public Utilities.

RECESS.

At three o'clock and five minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until three o'clock and thirty minutes p.m.

RECONVENED.

At three o'clock and thirty minutes p.m., the Senate reconvened.

Senator Tyrrell of the Sixteenth District in the chair.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of the special order heretofore set for this day, being the consideration of Assembly Concurrent Resolution No. 11, the same was taken up for consideration.

AMENDMENTS.

During the consideration of Assembly Concurrent Resolution No 11 the following amendments were offered:

Senator Thompson moved:

To amend Assembly Concurrent Resolution No. 11 as amended in Assembly January 26, 1915, by striking out of page 4, line 21 the words "within ten days" and by inserting in lieu thereof the words "as soon as practicable."

Amendment adopted.

Senator Strobridge moved:

To amend Assembly Concurrent Resolution No. 11 as amended in Assembly January 26, 1915, by striking out of lines 7 and 8 on page 6 the words: "(It shall require an affirmative vote of a majority of the committee of each House to agree upon a report)" and by inserting in lieu thereof the following: "It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report."

Amendment adopted.

RUSH ORDER TO PRINTER.

On motion of Senator Thompson, the Secretary was directed to issue a rush order for printing Assembly Concurrent Resolution No. 11.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 27, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 13—Relative to a measure pending in congress known as House Joint Resolution 344, sixty-third congress, second session, providing for the appointment of a national marketing commission, and memorializing congress to adopt the resolution so that it may immediately go into effect—and report that the same has been correctly engrossed.

FLAHERTY, Chairman.

Senate Concurrent Resolution No. 13 ordered transmitted to the Assembly.

ADJOURNMENT.

At four o'clock and twenty minutes p.m., on motion of Senator Thompson, the acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Thursday, January 28, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Haas, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry I. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 27, 1915, the further reading was dispensed with, on motion of Senator Rush.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Concurrent Resolution No. 14—Approving the charter of the city of Alhambra, State of California, voted for and ratified by the qualified electors of said city of Alhambra at a special municipal election held therein for that purpose on the 14th day of October, 1914—and report that the same has been correctly enrolled.

FLAHERTY, Chairman.

Senate Concurrent Resolution No. 14 ordered transmitted to the Assembly.

ON EDUCATION.

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education to whom was referred Senate Bill No. 213—An Act appropriating money for the improvement and equipment of the Santa Barbara State Normal School of Manual Arts and Home Economics—has had the same under consideration, and respectfully report the same back and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 213 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education to whom was referred Senate Bill No. 214—An Act appropriating money for the construction of a machinery building at the Santa Barbara State Normal School of Manual Arts and Home Economics—has had the same under consideration, and respectfully report the same back and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 214 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 265—An Act appropriating the sum of forty thousand dollars for the support and maintenance of University Extension work by the University of California—has had the same under consideration, and respectfully report the same back with amendments and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 265 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 272—An Act appropriating the sum of thirty-five thousand dollars for the construction of buildings and the purchase and installation of machinery and equipment for use by the Lick Observatory of the University of California—has had the same under consideration, and respectfully report the same back with amendments and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 272 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 275—An Act appropriating the sum of four thousand dollars for the construction of buildings on the lands of the Agricultural Experiment Station of the University of California in the county of Imperial—has had the same under consideration, and respectfully report the same back with amendments and recommend that it be rereferred to the Finance Committee as amended.

ANDERSON, Chairman.

Senate Bill No. 275 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 288—An Act appropriating the sum of twenty-five thousand dollars for the construction of a building to be known as the "Farm Machinery Building" at the Farm and Agricultural School of the University of California at Davis—has had the same under consideration, and respectfully report the same back with amendments and recommend that it be rereferred to the Finance Committee as amended.

ANDERSON, Chairman.

Senate Bill No. 288 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 289—An Act appropriating the sum of forty thousand dollars for the construction and equipment of buildings at the Farm and Agricultural School of the University of California at Davis—has had the same under consideration, and respectfully report the same back with amendments and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 289 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 290—An Act appropriating the sum of one hundred thousand dollars for the construction and equipment of creamery and abattoir buildings at the Farm and Agricultural School of the University of California at Davis—has had the same under consideration, and respectfully report the same back with amendments and recommend that it be rereferred to the Finance Committee as amended.

ANDERSON, Chairman.

Senate Bill No. 290 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 291—An Act appropriating the sum of five thousand dollars for the construction of a building to be known as the "Live Stock Judging Room" at the Farm and Agricultural School of the University of California at Davis—has had the same under consideration, and respectfully report the same back with amendments and recommend that it be rereferred to the Finance Committee as amended.

ANDERSON, Chairman.

Senate Bill No. 291 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 292—An Act to appropriate money to maintain a continuous course of instruction at the San Jose State Normal School—has had the same under consideration, and respectfully report the same back and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 292 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 293—An Act to appropriate money to construct outdoor class rooms for the training school at the San Jose State Normal School—has had the same under consideration, and respectfully report the same back and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 293 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 326—An Act making an appropriation for the equipment of the buildings of the Medical School of the University of California at Los Angeles, California—has had the same under consideration, and respectfully report the same back with amendmends and recommend that it be rereferred to the Finance Committee as amended.

Senate Bill No. 326 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education to whom was referred Senate Bill No. 327—An Act making an appropriation for additions and improvements to the buildings of the Medical School of the University of California at Los Angeles, California—has had the same under consideration, and respectfully report the same back with amendments and recommend that it be rereferred to the Finance Committee as amended.

ANDERSON, Chairman.

Senate Bill No. 327 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education to whom was referred Senate Bill No. 358—An Act to appropriate money for repairs and improvements to the Chico State Normal School—has had the same under consideration, and respectfully report the same back and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 358 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education to whom was referred Senate Bill No. 359—An Act to appropriate money for remodeling the training school building at the San Francisco State Normal School—has had the same under consideration, and respectfully report the same back and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 359 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education to whom was referred Senate Bill No. 360—An Act to appropriate money for repairs and furnishings at the San Francisco State Normal School—has had the same under consideration, and respectfully report the same back and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 360 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 371—An Act to appropriate money to complete and furnish the Los Angeles Normal School buildings—has had the same under consideration, and respectfully report the same back and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 371 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 372—An Act to appropriate money to purchase additional equipment for the industrial training departments of the Los Angeles State Normal School—has had the same under consideration, and respectfully report the same back and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 372 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 373—An Act to appropriate money to construct an addition to the manual training building of the Los Angeles State Normal School—has had the same under rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 373 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 374—An Act to appropriate money to pay the expenses of street improvements and sewer assessments fronting the property of the Los Angeles State Normal School in the city of Los Angeles—has had the same under consideration, and respectfully report the same back and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 374 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 375—An Act to appropriate money for improvement to grounds at the Los Angeles State Normal School—has had the same under consideration, and respectfully report the same back and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 375 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education to whom was referred Senate Bill No. 388—An Act to appropriate money for repairs and improvements at the San Diego State Normal School—has had the same under consideration, and respectfully report the same back and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 388 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education to whom was referred Senate Bill No. 389—An Act to appropriate money for furniture and equipment at the San Diego Normal School—has had the same under consideration, and respectfully report the same back and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 389 ordered rereferred to Committee or Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education to whom was referred Senate Bill No. 390—An Act to appropriate money for improvement of grounds at the San Diego State Normal School—has had the same under consideration, and respectfully report the same back and recommend that it be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 390 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education to whom was referred Senate Bill No. 444—An Act to appropriate money to pay the expenses of street improvements fronting the property of the San Jose State Normal School in the city of San Jose—has had the same under consideration, and respectfully report the same back, recommend that it do pass and rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 444 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Education to whom was referred Senate Bill No. 450—An Act assenting to the provisions and requirements of the Act of the Congress of the United States entitled "An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several states receiving the benefits of the Act of Congress approved July 2, 1862, and of Acts supplementary thereto, and the United States Department of Agriculture," approved by the President of the United States May 8, 1914, and authorizing and empowering the Regents of the University of California to receive the grants of money appropriated under said Act, and to organize and conduct agricultural extension work in accordance with the terms and conditions expressed in said Act, and making an appropriation for the purposes thereof—has had the same under consideration, and respectfully report the same back, recommend that it do pass and be rereferred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 450 ordered rereferred to Committee on Finance.

ON AGRICULTURE.

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 301—An Act amending section nine of an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act," approved March 20, 1903—has had the same under consideration, and respectfully recommend that it do pass.

KING, Chairman.

Senate Bill No. 301 ordered on file for second reading.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 6—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento, California;

Also: Senate Bill No. 18—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the Woman's Building, and making an appropriation therefor;

Also: Senate Bill No. 35—An Act making an appropriation to make general plans for the improvement of the State Fair grounds at Agricultural Park in the city of Sacramento and to make drawings, specifications and estimates therefor under the direction of the State Department of Engineering;

Also: Senate Bill No. 65—An Act appropriating money for the purchase of additional land for the State Fair grounds in the city of Sacramento;

Also: Senate Bill No. 66—An Act appropriating money for the reconstruction of windows in the Agricultural Pavilion at the State Fair grounds in Agricultural Park in the city of Sacramento;

Also: Senate Bill No. 297—An Act providing for the construction and repairing of live stock barns and sheds on the State Fair grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor;

Has had the same under consideration, and respectfully recommend that they be rereferred to the Committee on Finance.

KING, Chairman.

Senate Bills Nos. 6, 18, 35, 65, 66, and 297 ordered rereferred to Committee on Finance.

ON FINANCE.

SACRAMENTO, January 27, 1915.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 467—An Act to appropriate money to pay the cost of rental, porter service, cost of moving, and other expense necessary to the location and maintenance of State offices in Sacramento outside the Capitol building for the sixty-sixth fiscal year;

Also: Assembly Bill No. 468—An Act to appropriate money to pay the expenses incurred in the publication of bond acts presented to the people at the election of November 3, 1914;

Also: Assembly Bill No. 469—An Act to appropriate money to supplement the appropriation for the emergency fund for the sixty-sixth fiscal year;

Has had the same under consideration, and respectfully recommend that they do pass.

STROBRIDGE, Chairman.

CASE OF URGENCY.

The following resolution was offered:

By Senator Strobridge:

Resolved, That Assembly Bills Nos. 467, 468, 469 each presents a case of urgency, as that term is used in section fifteen of article IV of the constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read the second, and third times, and placed upon their passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

NOES—None.

Whereupon the President declared that section fifteen of article IV of the constitution had been suspended for the purpose of considering Assembly Bills Nos. 467, 468 and 469.

Assembly Bill No. 467—An Act to appropriate money to pay the cost of rental, porter service, cost of moving, and other expense necessary to the location and maintenance of State offices in Sacramento outside the capitol building for the sixty-sixth fiscal year.

Bill read first time previously.

Read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 467 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 468—An Act to appropriate money to pay the expenses incurred in the publication of bond acts presented to the people at the election of November 3, 1914.

Bill read first time previously.

Read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 468 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 469—An Act to appropriate money to supplement the appropriation for the emergency fund for the sixty-sixth fiscal year.

Bill read first time previously.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 469 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON PRISONS AND REFORMATORIES.

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories to whom was referred Senate Bill No. 362—An Act to appropriate money for the purchase of machinery and equipment for the manufacturing departments at the State prison at San Quentin;

Also Senate Bill No. 363—An Act to appropriate money for repairs and improvements at the State prison at San Quentin;

Also: Senate Bill No. 364—An Act to appropriate money for the construction and equipment of dairy and farm buildings at the State prison at San Quentin.

Also: Senate Bill No. 365—An Act to appropriate money for the construction and equipment of a concrete bath house at the State prison at San Quentin;

Also: Senate Bill No. 366—An Act to appropriate money for the extension of the walls at the State prison at San Quentin;

Also: Senate Bill No. 367—An Act to appropriate money for the development of the water supply and pumping plant at the State prison at San Quentin;

Also: Senate Bill No. 368—An Act to appropriate money for the purchase of live stock at the State prison at San Quentin;

Also: Senate Bill No. 379—An Act to appropriate money for the construction of a horse barn at the State prison at Folsom;

Also: Senate Bill No. 380—An Act to appropriate money for furnishing and decorating the warden's residence at the State prison at Folsom;

Also: Senate Bill No. 381—An Act to appropriate money for the expense of changing from coal to oil burners at the State prison at Folsom;

Also: Senate Bill No. 382—An Act to appropriate money for the purchase of live stock for the State prison at Folsom;

Also: Senate Bill No. 383—An Act to appropriate money for reconstruction of electrical equipment connected with the power house at the State prison at Folsom;

Also: Senate Bill No. 384—An Act to appropriate money for repairs and improvements at the State prison at Folsom;

Also: Senate Bill No. 385—An Act to appropriate money for the purchase and installation of refrigerating plant at the State prison at Folsom;

Also: Senate Bill No. 386—An Act to appropriate money for the construction of farm buildings at the State prison at Folsom;

Also: Senate Bill No. 387—An Act to appropriate money for the expense of purchasing and installing new bake oven at the State prison at Folsom;

Also: Senate Bill No. 395—An Act to appropriate money for the erection of a superintendent's residence at the Whittier State School;

Also: Senate Bill No. 396—An Act to appropriate money for repairs, improvements and equipment at the Whittier State School;

Also: Senate Bill No. 397—An Act to appropriate money for the erection of school quarters and library building at the Whittier State School;

Also: Senate Bill No. 398—An Act to appropriate money for the erection and furnishing of cottages at the Whittier State School;

Also: Senate Bill No. 399—An Act appropriating money for building, equipping and furnishing quarters for officers at Whittier State School;

Also: Senate Bill No. 400—An Act appropriating money for building, equipping and furnishing an administration building at Whittier State School;

Also: Senate Bill No. 191—An Act to appropriate money for repairs and improvements and erection of small buildings at the Preston School of Industry;
Has had the same under consideration, and respectfully recommend that they do pass and be rereferred to the Committee on Finance.

FINN, Chairman.

Senate Bills Nos. 362, 363, 364, 365, 366, 367, 368, 379, 380, 381, 382, 383, 384, 385, 386, 387, 395, 396, 397, 398, 399, 400 and 191 ordered rereferred to Committee on Finance.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 394—An Act to appropriate money for the support and maintenance and erection of additional buildings at the State hospital at Norwalk, Los Angeles county, California—has had the same under consideration, and respect- Hospitals and Asylums.

FINN, Chairman.

Senate Bill No. 394 ordered rereferred to Committee on Hospitals and Asylums.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 680—An Act authorizing the State Board of Prison Directors to fix the price, terms and conditions of sale at which jute bags should be sold for the State, providing for the prosecution and punishment for offenses under the same, and repealing an Act entitled, "An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution and punishment for offenses under the same," approved June 16, 1913, and all Acts or parts of Acts in conflict herewith—has had the same under consideration, and respectfully report the same back and recommend that it do pass.

FINN, Chairman.

CASE OF URGENCY.

The following resolution was offered:

By Senator Finn:

Resolved, That Senate Bill No. 680 presents a case of urgency, as that term is used in section fifteen of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Boyd, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

NOES—None.

Whereupon the President declared that section fifteen of article IV of the constitution had been suspended for the purpose of considering Senate Bill No. 680.

Senate Bill No. 680—An Act authorizing the State Board of Prison Directors to fix the price, terms and conditions of sale at which jute bags should be sold for the State, providing for the prosecution and punishment for offenses under the same, and repealing an Act entitled, "An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution and punishment for offenses under the same," approved June 16, 1913, and all Acts or parts of Acts in conflict herewith.

Bill read first time previously.

Read second time and considered engrossed.

Read third time.

Section 6, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.
NOES—None.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 680 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—36.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF SPECIAL COMMITTEE.

The following report of special committee was received and read:

ON GRANT-WOLFE CONTEST.

SACRAMENTO, CAL., January 28, 1915.

MR. PRESIDENT: Your Special Committee appointed by resolution adopted on Jan. 8, 1915, to hear the contest instituted by Edwin E. Grant of the right of Edward I. Wolfe to sit as State Senator from the Nineteenth Senatorial District respectfully reports as follows:

Your committee—

1. Has examined the statement of grounds of contest, depositions of witnesses and record of proceedings, made and taken as provided by sections 273 to 283 of the Political Code.
2. Has held sessions in Sacramento and San Francisco.
3. Has received oral and documentary evidence.
4. Has considered certain formal offers of proof made on behalf of the contestant, and
5. Has heard arguments by counsel of the contestant and contestee upon the numerous issues raised in the contest.

In considering this contest it has been the policy of your committee to disregard as far as possible technicalities and to confine the investigation to the more substantial grounds. In the course of the investigation certain grounds of contest which were of a technical nature were waived and abandoned by the contestant. Among these may be noted the contention that the original petition for the recall of contestant was not transmitted to the Secretary of State, and the contention that the several circulators of the petition verified their own signatures and that such signatures should therefore be eliminated.

It was also urged that certain of the signers of the recall petition were fraudulently registered in the first instance because of illiteracy or similar grounds, and the signatures of such persons should be eliminated. The contestant made no offer to substantiate this allegation although requested to outline any evidence on this point he might have in his possession. For this reason and also because the committee felt that it should not go behind the original affidavits of registration this ground of contest was disallowed. The contestant urged that seventy-seven of the signers of the petition did not add to their signatures their addresses but that such addresses were added by the circulators or other persons before the petitions were filed. An examination of the original petition did not substantiate this claim of the contestant. Furthermore the committee was of the opinion that this objection was highly technical in character and was not in itself sufficient to justify the elimination of such names. The contestant urged that eight signatures to the recall petition were made by mark and, while the signatures of persons qualified to sign, should be eliminated by reason of the fact that they were not properly witnessed. It appears that these signatures were initialed by the circulators of the petitions as witnesses. The committee did not consider this objection well taken. Again it was urged that section 22 of the petition, containing one hundred and eleven names certified to and counted, and which was circulated by one Swain should be disregarded because Swain was not a qualified registered elector at the time he was circulating said section. Swain it appeared registered on April 28, 1914. The section of the petition appears to have been verified by him on April 4, 1914, but evidence satisfactory to the committee was adduced showing that the verification was actually made on May 4th instead of April 4th. Furthermore your committee was of the opinion that the important consideration was whether this section was actually signed by qualified signers and that these signatures should not be thrown out even if the circulator had not been registered.

It was conceded by both parties that the required number of signatures to the recall petition was 2334. The Registrar of Voters certified to the Secretary of State 2592 signatures. A recount of the names on the petition marked registered and which were the names furnishing the basis of such certificate shows that there were but 2589. It was shown at the hearing at San Francisco that twenty names should be added to this number, thirteen because marked not registered through erroneous precincting, six because overlooked in checking the petitions and hence not marked registered or otherwise, and one, the signature of John De Amies, shown to be that of Giovanni De Amicis, a person qualified to sign the petition. This would raise the number of signatures to 2609. The Registrar of Voters has since filed with the committee his certificate that one hundred and ninety-six names marked "not registered" at the time of the original examination were in fact registered at the time the original petitions were filed for examination. In his certificate he states that the persons named were registered during the two or three days before the filing of the petitions and that the original affidavits had not been returned to the office of the Registrar and bound in the registration books at the time he made his original certificate and that he did not attempt to check against these affidavits for the reason that the recall petition appeared to have a considerable number of names in excess of the required number and that hence such examination was unnecessary. The committee eliminated sixty-one of these one hundred and ninety-six names for the reason that they appeared on sections of the petition verified some considerable time before the petitions were filed and were obviously names of persons who were not registered at the time of signing. The committee concluded that one hundred and thirty-five of these names should be added to the 2609 names above referred to, making a total of 2744 names or 410 names over the required number. This number, of course, includes the names which are eliminated by the committee and which will hereafter be referred to.

The remaining and more substantial grounds of objection to the recall petition and the conclusions reached upon them by your committee are as follows:

1. *Duplications.* It was urged that there were many duplicate signatures on the recall petition. Your committee found twenty-four of these.

2. *Signatures of persons not registered electors.* Your committee found twelve signatures on the recall petition to be the signatures of persons who were not registered electors.

3. *Signatures of persons not registered at the time of signing the recall petition.* Your committee found that fifty-seven of the signers of the recall petition were not registered at the time they signed the same. These fifty-seven were not registered at the dates the sections of the petitions upon which they appeared were verified by the respective circulators. This finding was therefore based upon record proof. The contestant has submitted names of sixteen persons whom it is claimed would testify that they signed the petition before they had registered. One of these is included in the list of fifty-seven names above referred to. For the purposes of the conclusion reached by your committee it may be assumed that these fifteen persons would testify as claimed and that a total of seventy-one signers of the petition signed before they registered.

4. *Forgeries.* The contestant furnished your committee with a list of ninety-one persons who had written him postal cards denying their signatures to the recall petition. Over fifty of these persons were examined. Three or four testified that they intended to sign the recall petition, knowing what it was. Four denied their signatures, testifying their names had been forged. (That their names had been forged was not shown to the entire satisfaction of the committee.) The remaining witnesses, forty-five in number, admitted the genuineness of their signatures upon the recall petition, but stated that they had signed it through misapprehension or through misrepresentations made to them by the circulators, as to the purport of the petition. Where the signers of these postal cards were not examined as witnesses your committee has compared the signatures appearing thereon with the corresponding signatures on the recall petition and with one exception find them identical. Contestant also submitted a list of names appearing on the recall petition in which similarity of handwriting was claimed. Your committee on examining these names in the original petitions found a few instances in which two or more names seemed to be in the same handwriting. Where such similarity was found it was between names of persons evidently of the same family.

5. *Misrepresentations.* The contestant contended that names on the petition were secured by misrepresentation and that such misrepresentation constituted fraud and that, therefore, names so secured should be eliminated. Assuming the correctness of contestant's position even then the committee was given no satisfactory assurance that the number of signatures on the petition could be reduced below the required number. Contestant in his offer of proof states that some sixty-three persons, in addition to those referred to above, signed under misrepresentation. He furnished a

list of thirty-six names of persons who, it is claimed, would testify that their signatures were obtained under misrepresentation. To make up his sixty-three he apparently assumes that some twenty-seven persons who sent postal cards saying they did not sign the petition, and who did not testify, would, if called as witnesses, testify that they did sign the petition but signed it under misrepresentations. Conceding this to be correct, and adding to the sixty-three names, the forty-five names of those who testified to signing under misapprehension or misrepresentation, there would be only one hundred and eight names eliminated through misrepresentation or misapprehension.

It is therefore apparent that giving contestant the benefit of all his claims in the particulars mentioned above, the recall petition would still have sufficient signatures to support the recall election. This would be true even if the committee refused to consider the additional names on the petition which appear to be valid, but which were not taken into account by the Registrar of Voters in making his original certificate to the Secretary of State.

The contestant in his statement of grounds of contest, and, also in his offer of proof, set forth certain irregularities in connection with the recall election, such as the placing of posters and literature and electioneering within one hundred feet of the polls. Assuming these to be facts, your committee is of the opinion that they were not legally sufficient to nullify the recall election.

In fairness to the contestee your committee states that there was no evidence connecting him with any of the misrepresentations incidentally disclosed during the course of the investigation.

In view of the foregoing your committee is unanimously of the opinion that the contestant, Edwin E. Grant, has not substantiated his right to sit as Senator from the Nineteenth Senatorial District and that the contestee, Edward I. Wolfe, is entitled to said seat. Your committee, therefore, recommends that the said contest of Edwin E. Grant be dismissed and the prayer of his petition be denied and the right of Edward I. Wolfe to sit as State Senator from the Nineteenth Senatorial District be confirmed.

Your committee feels that this investigation has disclosed abuses in securing signatures to recall and other petitions, to the remedying of which by appropriate legislation the attention of this legislature may properly be directed.

CARR, Chairman.

SPECIAL ORDER SET.

Senator Thompson moved that the foregoing report of special committee on Grant-Wolfe contest be printed in full in the Journal and that further consideration of same be made a special order for Friday, January 29, 1915, at eleven o'clock a.m.

Motion carried.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate Bill: No. 9—An Act relating to the sale and carrying of dangerous weapons—and report that the same has been correctly engrossed.

FLAHERTY, Chairman.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Lyon: Senate Bill No. 857—An Act to make lawful certain agreements between employees and laborers, and to limit the issuing of injunctions in certain cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 858—An Act to add two new sections to the Penal Code of the State of California, to be numbered three hundred and eighty-four *b* and three hundred and eighty-four *c*, relating to keeping perishable foods in cold storage, marking the date thereof, and providing a penalty therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 859—An Act to amend section three hundred forty of the Penal Code, relating to the rate of interest that may be charged by pawnbrokers.

Bill read first time, and referred to Committee on Banking

By Senator Brown: Senate Bill No. 860—An Act authorizing the State Board of Prison Directors to make and enforce rules and regulations to establish and maintain an earning system to apply to the inmates of State prisons engaged in productive activity, and making an appropriation to carry out the provisions of this Act.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Chandler: Senate Bill No. 861—An Act creating the office of State Commissioner of Horticulture, defining his powers and duties; prescribing for the appointment of inspectors, and defining their powers and duties; providing for the inspection of nursery stock, fruit, fruit trees, ornamental trees, shrubbery, plants, cuttings, grafts, buds, scions, seeds, pits, vines, vegetables and all horticultural and agricultural plants and plant products thereof; requiring shippers of nursery stock to have same inspected by an inspector; prescribing quarantine and the method employed thereunder; providing for the disinfection of fruit, fruit trees, ornamental trees and shrubbery, and all horticultural and agricultural plants and plant products thereof; defining the qualifications of inspectors and commissioners; providing for the destruction of infested and infected fruit, fruit trees, ornamental trees, shrubbery and all horticultural and agricultural plants and plant products thereof, including a lien against the property whereon the same is standing or growing, and providing for a right of action for all expenses incident thereto; authorizing the destruction of fruit, fruit trees, shrubbery, nursery stock and all horticultural and agricultural plants and plant products thereof infested or infected with pest or disease, and prescribing a salary for those enjoined to enforce the provisions of this Act, and for their removal from office; to provide for the appropriation of money to pay the necessary expenses of the conduct of the office of State Commissioner of Horticulture, and repealing certain sections.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 862—An Act to establish a standard for the State of California for packing of fresh fruits for sale or for transportation for sale, for interstate and foreign shipment and to prevent deception in packing of fresh fruits for such purposes.

Bill read first time, and referred to Committee on Agriculture.

By Senator Crowley: Senate Bill No. 863—An Act to amend section four thousand one hundred forty-six of the Political Code of the State of California relating to the duties of the Coroner.

Bill read first time, and referred to Committee on County Government.

By Senator Scott: Senate Bill No. 864—An Act to amend an Act entitled "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith insofar as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor," (approved June 16, 1913), by amending sections two, fourteen and eighteen.

Bill read first time, and referred to Committee on Civil Service.

Also: Senate Bill No. 865—An Act to amend sections, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, and sixteen, of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 866—An Act providing for the abandonment and disposal of portions of cemeteries and cemetery lands, by cemetery corporations or other owners, the removal of human remains therefrom and repealing all Acts in conflict therewith.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 867—An Act relating to the borrowing of money by cemetery corporations and the giving of security therefor by mortgage or conveyance in trust of real estate.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 868—An Act to amend section six hundred ten of the Civil Code of the State of California, relating to property of cemetery corporations.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 869—An Act to amend section six hundred thirteen of the Civil Code of the State of California relating to the title to cemetery lots.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 870—An Act to amend the Civil Code of the State of California by adding a new section thereto to be numbered six hundred eighteen relating to membership in cemetery corporations and the rights of members to the assets thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 871—An Act to facilitate the operation and to carry into effect the initiative and referendum powers reserved by the people in section 1 of article IV of the constitution of the State of California; to regulate the circulating, signing, filing and certifying of petitions thereunder; to regulate elections thereunder; to punish violations of this Act and provisions of said section 1 of article IV of the constitution of the State of California.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 872—An Act to facilitate the operation and to carry into effect the recall power reserved by the people in article XXIII of the constitution of the State of California; to regulate the circulating, signing, filing and certifying of petitions thereunder; to regulate elections thereunder; to punish violations of this Act and provisions of said article XXIII of the constitution of the State of California.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 873—An Act relating to the relief of soldiers, sailors and marines.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 874—An Act to set aside certain lands now owned by the State of California for the purpose of establishing, maintaining and conducting a State farm, and making an appropriation therefor.

Bill read first time, and referred to Committee on Agriculture.

By Senator Luce: Senate Bill No. 875—An Act to amend section three thousand four hundred ninety-eight of the Political Code of the State of California relating to applications for the purchase of school lands.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 876—An Act to amend section three thousand four hundred ninety-four of the Political Code of the State of California relating to the sale of school lands, and making an appropriation for the examination and classification of said lands.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 877—An Act amending sections, 1, 2, 3, 4, 5, 8 and 9 of an Act entitled, "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or other State improvement of any kind and to repeal an Act entitled, 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' " (approved March 22, 1909).

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 878—An Act regulating the use, speed, moving or operating of vehicles and other objects and contrivances over and upon the highways and bridges of the State and fixing the responsibility for injury to highways and bridges thereby, prescribing the procedure for the issuance of permits relating thereto by the appropriate public officers, and fixing the penalty for the violation of the provisions of this Act.

Bill read first time, and referred to Committee on Roads and Highways.

Also (by request): Senate Bill No. 879—An Act to provide for the formation and management of transportation districts; for acquiring rights of way and transportation facilities; for levying and collecting taxes on property in such districts; and for the issuance of transportation district bonds and the payment thereof.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 880—An Act to appropriate money for the purchase of land adjoining the grounds of the San Diego State Normal School.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 881—An Act to add to the Code of Civil Procedure a new section to be known and numbered section one hundred three *b*, relating to justices' court clerk and fixing the powers and duties.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 882—An Act to add to the Civil Code of the State of California a new section to be known and numbered section one thousand seven hundred forty-two, relating to conditional sales.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 883—An Act to appropriate money for the erection of additional buildings for the use of the Naval Reserves of San Diego, California.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Breed: Senate Bill No. 884—An Act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 885—An Act to amend sections one thousand five hundred eighteen and one thousand five hundred nineteen of the Political Code, relating to the organization of the State Board of Education and to the powers and duties of the State Board of Education.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 886—An Act to amend section one thousand eight hundred sixty of the Political Code relating to the employment of teachers who have no legal certificate.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 887—An Act to amend section one thousand four hundred ninety-two of the Political Code, relating to the joint board of normal school trustees.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 888—An Act to provide County Boards of Charities and Corrections and to define the powers and duties thereof.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 889—An Act to add a new section to the Civil Code of the State of California to be numbered one thousand four hundred ten *b*, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

Bill read first time, and referred to Committee on Irrigation.

Also: Senate Bill No. 890—An Act to provide for the alteration of county boundary lines of old counties and for the formation of new counties, organizations and classifications thereof, for locating county seats, for the election and appointment of officers and for the adjustment and the fulfillment of the rights and obligations arising between such new counties, created out of other counties.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 891—An Act to amend section six hundred and five of the Political Code relating to fees for the filing of insurance documents.

Bill read first time, and referred to Committee on Insurance.

By Senator Birdsall: Senate Bill No. 892—An Act providing for the construction, acquisition and maintenance of a system of State lateral highways connecting each county seat with the nearest State main line highway; providing for the issuance and sale of State bonds to create a fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 893—An Act to prescribe a formula by which alone the horsepower of any automobile or motor vehicle must be determined for purposes of registration.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 894—An Act to make appropriations for the continuation of the location, survey and construction of a State highway from Goodyear Bar, Sierra county, California, in a westerly direction to Indian Valley, California.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 895—An Act to amend an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof' " approved June 12, 1913, by adding thereto a new section to be known as section twelve, limiting the hours of employment of female pupil or student nurses in hospitals, prescribing penalties for the violation thereof, and providing for the enforcement of the restrictions imposed.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 896—An Act to appropriate money to pay the claim of W. E. Gerber against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 897—An Act making an appropriation to pay for furnishing, repairing, renovating and improving the Governor's residence.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 898—An Act to amend section fifteen of an Act entitled, "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a "State Compensation Insurance Fund" to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all acts and parts of acts inconsistent with the provisions of this Act," approved May 21, 1913.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 899—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section one hundred eighty-eight, relating to the disposition of funds paid by order of court.

Bill read first time, and referred to Committee on Judiciary.

By Senator Benedict: Senate Bill No. 900—An Act to amend section five hundred ninety-six of the Political Code of the State of California relating to insurance business by authorized and unauthorized companies, prescribing penalties for violation thereof and declaring certain policies of insurance void.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 901—An Act to amend section five hundred ninety-one of the Political Code, relating to the expenses and funds of the insurance commissioner.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No 902—An Act to amend section five hundred eighty-nine of the Political Code, relating to the annual salary of the Insurance Commissioner and Deputy Insurance Commissioner.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 903—An Act providing a minimum standard of sanitation for all labor camps, making an appropriation to carry out the provisions hereof, and repealing acts inconsistent herewith.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 904—An Act to amend section four hundred seventy-five of the Code of Civil Procedure and providing that in certain cases on appeal the appellate court may disregard errors of the trial court and determine substantial rights upon the record.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 905—An Act to authorize the Surveyor General of the State of California to relinquish certain lieu lands to the United States.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 906—An Act providing for the sale of certain State lands.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 907—An Act to add a new section to the Political Code to be numbered six hundred sixty-four *a*, relating to the powers and duties of the State Board of Control as regards claims against the State.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 908—An Act authorizing any city, city and county, county, town, municipality or other political subdivison to acquire certain liens or property offered for sale for the non-payment of certain assessments.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Constitutional Amendment No. 27.—A resolution proposing to the people of the State of California, an amendment to the constitution of the State of California, by adding a new section to article XI thereof, to be designated as section twenty, of said article XI, of the constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

Constitutional Amendment referred to Committee on Judiciary.

By Senator Cohn: Senate Bill No. 909—An Act appropriating money for the purchase of additional land adjoining the State Fair Grounds in the City of Sacramento, for the use of said State Fair Grounds.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 910—An Act to create a reclamation district to be called "Reclamation District Number Sixteen Hundred Sixty," and providing for the control and management thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Beban: Senate Bill No. 911—An Act to amend sections six hundred twenty-eight, six hundred thirty-five and one half and six hundred thirty-six of the Penal Code of the State of California, all relating to the protections and preservation of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Flint: Senate Bill No. 912—An Act to amend section four thousand two hundred forty-nine of the Political Code, relating to county officers, and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of twentieth class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 913—An Act to amend the Code of Civil Procedure of the State of California, by adding thereto a new section to be numbered one thousand six hundred ninety; providing for the granting of letters of administration upon the estates of persons, presumed to be dead, by reason of absence from the State for seven years; and for the administration of the estates of such absent persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 914—An Act to amend sections one thousand nine hundred seventeen, one thousand nine hundred eighteen, one thousand nine hundred nineteen and one thousand nine hundred twenty of the Civil Code, and to add a new section to said Code to be designated as section one thousand nine hundred twenty-one, relating to the loan of money, and the rate of interest to be allowed and charged therefor.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 915—An Act to add three new sections to the Penal Code, to be designated as sections three hundred seventy-three *b*, three hundred seventy-three *c*, and three hundred seventy-three *d*, relating to public nuisances, and their abatement, and conferring certain powers upon the State Board of Health.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Maddux (by request): Senate Bill No. 916—An Act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the Act; fixing a fee to be paid by operators and providing for the collection thereof; and making an appropriation for the purpose of this Act.

Bill read first time, and referred to Committee on Oil Industries.

By Senator Campbell: Senate Bill No. 917—An Act to amend section three hundred nineteen of the Civil Code of the State of California relating to the meetings of stockholders and boards of directors of corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 918—An Act authorizing certain suits against the State, and regulating the procedure therein.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 919—An Act to amend section six hundred twenty-eight *f* of the Penal Code, relating to the protection of clams.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Brown: Senate Bill No. 920—An Act to amend section four thousand twenty-eight of the Political Code, relating to qualifications and election of supervisors.

Bill read first time, and referred to Committee on County Government.

By Senator Strobridge: Senate Bill No. 921—An Act to amend section three hundred forty-eight of the Code of Civil Procedure, relating to the limitation of actions brought to recover money or other property deposited with any bank, banker, trust company or savings and loan society, by including therein building and loan association.

Bill read first time, and referred to Committee on Banking.

By Senator Butler: Senate Bill No. 922—An Act to amend section one hundred ninety-six *a* of the Civil Code relating to the support of illegitimate children.

Bill read first time, and referred to Committee on Judiciary.

By Senator Finn: Senate Bill No. 923—An Act appropriating money to pay the claim of Dr. W. B. Coffey against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 924—An Act appropriating money to pay the claim of Saint Francis Hospital, a Corporation, against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 925—An Act appropriating money to pay the claim of the Southern Pacific Company, a Corporation, against the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to article XI of the constitution of the State of California, by adding a new section thereto to be known as section six and a half, relating to the imposition of licenses and license fees.

Constitutional Amendment referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by adding a new section thereto to be numbered section fourteen and one half of article I thereof, providing that the value, use, or earning capacity of property assessed and taxed shall not be destroyed or impaired by operation of any law without just compensation; and exacting a bond for the protection of property from damages by litigation affecting property, and providing for the indemnifying of those who lose lawful employment by or through a law, or the operation of any law.

Constitutional Amendment referred to Committee on Judiciary.

By Senator Shearer (by request): Senate Bill No. 926—An Act to regulate the sale and labeling of paints; prescribing what the label shall set forth; and prescribing penalties for the violation thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Crowley: Senate Bill No. 927—An Act relating to the deposit of moneys and assets held by bonded fiduciaries providing for agreements between surety and fiduciary as to place of deposit of such funds and assets.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carr: Senate Bill No. 928—An Act authorizing any municipality in this State to designate residence districts in such municipality wherein only buildings for residences may be erected and mantained, and to prohibit the erection and maintenance of hotels, stores, factories, warehouses, undertaking or embalming establishments, dry-cleaning plants, public garages, stables, tenement houses or apartment houses in such designated residence districts.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 929—An Act to amend section four thousand four hundred eight of the Political Code of the State of California relating to additional powers of common council.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 930—An Act to amend section one thousand two hundred sixteen of the Political Code, relating to the duties of Registrar of Voters.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 931—An Act to amend section four thousand twenty-three of the Political Code relating to the qualifications of county officers.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 932—An Act to validate the organization and formation of levee districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also (by request): Senate Bill No. 933—An Act to amend section one thousand six hundred nineteen of the Political Code, relating to the maintenance of public schools with equal rights and privileges.

Bill read first time, and referred to Committee on Education.

Also (by request): Senate Bill No. 934—An Act to amend section one thousand seven hundred seventy-nine of the Political Code, relating to grammar grade post grade courses of study.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 935—An Act creating a Bureau of visual instruction under the University Extension division of the University of California and making an appropriation for the purpose of carrying out the provisions of this Act.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 936—An Act to provide for visual instruction in the public schools of the State under the supervision of the State Board of Education and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 937—An Act appropriating money for the construction of a trail in the Sierra Nevada Mountains to be known as the "John Muir Trail."

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Benson: Senate Bill No. 938—An Act to appropriate money to construct an assembly hall at the San Jose State Normal School.

Bill read first time, and referred to Committee on Education.

By Senator Anderson: Senate Bill No. 939—An Act to prevent the killing and destruction of wild game within certain territory lying within the boundaries of the Angeles National Forest, in the State of California, and providing a penalty therefor.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Flaherty: Senate Bill No. 940—An Act to amend an Act entitled "An Act prohibiting the destruction of foodstuffs, food products or food articles," approved June 5, 1913, by adding thereto two new sections to be numbered sections three and four, providing for the forfeiture and disposition of foodstuffs, food products or food articles about to be destroyed in restraint of trade, and providing for the enforcement of this Act by the Fish and Game Commission and by the Commission of the Bureau of Labor Statistics.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 941—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, also known as the "Vrooman Act," and all Acts amendatory thereof or supplementary thereto, by adding one new section thereto, to be numbered section sixty-three, providing that all work or labor done or performed thereunder shall be limited to eight hours within each period of twenty-four hours.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Cogswell: Senate Bill No. 942—An Act to amend an Act entitled "An Act to provide for local improvement upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities, such Act to be known as "The Local Improvement Act of 1901" approved February 26, 1901, by adding a new section thereto to be known as section twenty-one *a*, providing for the alteration of plans, profiles, cross-sections and specifications and providing for a pro rata distribution of funds raised by assessment in case the improvement is abandoned.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 493—An Act to amend section seventeen hundred fifty-six of the Political Code of the State of California, relating to the estimate of tax for maintenance of high school.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 944.—An Act authorizing the Board of Trustees of Whittier State School to maintain a department for the care and training of male defectives at the Whittier State School and to provide for the commitment of defectives thereto.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Rush: Senate Bill No. 945—An Act to amend section one of an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880, as amended June 11, 1913.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 946—An Act making an appropriation for furnishing, equipping and maintaining the buildings and grounds at Sacramento, California, known as the State Fair Grounds, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 947—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Tyrrell: Senate Bill No. 948—An Act to provide for the prevention of blindness in the newly born by fixing the duty of the State Board of Health in regard thereto, and compelling doctors, nurses and midwives to treat the eyes of infants in a certain manner, and to provide a penalty for failure so to do.

Bill read first time, and referred to Committee on Public Health and Quarantine.

At eleven o'clock and twenty-five minutes a.m. Hon. Newton W. Thompson, President pro tem of the Senate, in the Chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

The following bills, etc., were introduced.

By Senator Purkitt: Senate Bill No. 949—An Act to amend section fourteen *t* and fourteen *u* of an Act entitled "An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom; establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers; providing for detention homes for said children, providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of children; and giving to the superior court jurisdiction of such offenses, and repealing inconsistent acts," approved March 8, 1909, as amended by an Act approved April 5, 1911, and further amended by an Act approved June 16, 1913.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 950—An Act to amend an Act entitled, "An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, by amending section one of said Act, and making the description more certain, amending section six of said Act in reference to the certifying and depositing of a certified copy of assessment, amending section seven of said Act in reference to the lien of said assessment, and also amending the said section seven in regard to the collection of the assessments, issuance of warrants and the payment of all moneys that may be collected into the county treasury of Yolo County.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also (by request): Senate Bill No. 951—An Act approving, confirming and declaring valid the creation, formation and organization of Reclamation District No. 108, created by that certain Act of the Legislature of the State of California entitled, "An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the Counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith," approved April 23, 1913, and all Acts and proceedings of said district and the Board of Trustees thereof, and also more clearly defining the exterior boundaries of said district.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Irwin: Senate Bill No. 952—An Act providing for the location, survey and construction of a proposed highway to connect the San Joaquin Valley State Highway trunk line in Tulare County with the Coast State Highway trunk line in Monterey county through Coalinga Pass.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 953—An Act to amend section three thousand four hundred sixty-two of the Political Code, relating to assessments of reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

CONSIDERATION OF DAILY FILE—THIRD READING.

Senate Concurrent Resolution No. 4—Approving eleven certain amendments to the charter of the city of Petaluma.

In the absence of the author Senate Concurrent Resolution No. 4 was passed on file.

Senate Concurrent Resolution No. 7—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition.

On motion of Senator Finn, Senate Concurrent Resolution No. 7 was passed on file.

Senate Concurrent Resolution No. 9—Relative to approving one certain amendment to the charter of the county of San Bernardino, State of California, voted for and ratified by the electors of said county of San Bernardino, at a general election held on the third day of November, 1914.

In the absence of the author Senate Concurrent Resolution No. 9 was passed on file.

Assembly Concurrent Resolution No. 11—Relative to Joint Rules for the Senate and Assembly.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Assembly Concurrent Resolution No. 11 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

SECOND-READING FILE.

Senate Bill No. 454—An Act to amend sections forty-two hundred sixty-three and forty-two hundred sixty-three *a* of the Political Code relating to the salaries of officers and fees of jurors in counties of the thirty-fourth class.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 353—An Act to amend section four thousand three hundred *c* of the Political Code, relating to the fees to be charged by recorders.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out of lines 17 and 18 on page 2 of the printed bill the following:
". Anything to the contrary herein notwithstanding,"
and insert in lieu thereof the following:
"Provided, however."

Amendment adopted.

AMENDMENT NUMBER TWO.

On line 20, page 2 of the printed bill strike out the period and insert in lieu thereof the following:
"or for issuing certified copies thereof."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 280—An Act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of section three thousand six hundred eighty-two and three thousand seven hundred thirty-two of the Political Code, and to confirm, validate and legalize all certificates of sale, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On line 10 of the title on page 1 of the printed bill after the word "all" insert "sales,"

Amendment adopted.

AMENDMENT NUMBER TWO.

On line 1, page 1 of the printed bill after the word "property" insert "heretofore"

Amendment adopted.

AMENDMENT NUMBER THREE.

On line 4, page 2 of the printed bill after the word "any" where it appears the second time in line 4, insert the following:
"sale,"

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 316—An Act to amend section three hundred twenty-nine of the Civil Code, relating to lost, destroyed or stolen bonds of a corporation.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On line 5, page 1, of the printed bill, after the word "states" insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On line 9, page 1, of the printed bill, after the word "indebtedness" insert a comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On line 12, page 1, of the printed bill, after the word "corporation" insert a comma.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

PRIVILEGE OF THE FLOOR EXTENDED.

On request of Senator Wolfe, the privilege of the floor of the Senate Chamber for this day, was unanimously extended to Leon E. Prescott, of San Francisco.

WITHDRAWAL OF BILL.

Senator Strobridge asked for, and was granted, unanimous consent to withdraw Senate Bill No. 356—An Act to appropriate money for the support and maintenance of the State prison at San Quentin for the sixty-sixth fiscal year.

Senate Bill No. 356 ordered withdrawn and stricken from the file.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be, and he is hereby, authorized and directed to draw his warrant on the contingent fund of the Senate in favor of the various firms or persons named below for the amounts set opposite their names as per itemized statements herein, and the State Treasurer is hereby directed to pay the same.

H. S. Crocker Co. (engrossing and enrolling clerk)—		
1 No. 221 VL filing stand	$28 35	
300 No. 631 folders	4 02	
300 No. 451-3 blank guides	3 00	
2 locks for stand	2 00	$37 37
Underwood Typewriter Co. (general use)—		
1 doz. type brushes	90	
rent of 13 typewriter tables for month of January	6 50	
rent of 23 typewriters for month of January	69 00	$76 40
Pacific Telephone & Telegraph Co.—		
rent of 5 stations to February 1	4 50	$4 50
Sleeper & Stever (Sergeant-at-Arms and Pages)—		
19 badges @ $1 00	19 00	
6 badges @ $.75	4 50	$23 50
W. F. Purnell (general use)—		
1 3x5 card index outfit	2 00	
1 time book	50	
1 favorite file	90	
1 No. 3 stamp pad	35	
1 doz. band daters	75	
1 No. 511 I-P loose leaf book and fillers, complete	2 33	$6 83
Total		$148 60

BEBAN, Chairman.

Resolution read.

Senator Beban moved that the resolution be adopted.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

RECESS.

At eleven o'clock and forty minutes a.m., on motion of Senator Strobridge, the President declared the Senate at recess until twelve o'clock m.

RECONVENED.

At twelve o'clock m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

By consent of the Senate, the following bills were introduced out of the regular order.

By Senator Lyon: Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections eight, eleven and twelve.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 955—An Act to amend an Act entitled "An Act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903, by amending section one thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Benedict: Senate Bill No. 956—An Act to amend section eight hundred and sixty-two of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Shearer: Senate Bill No. 957—An Act to amend section ten of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as amended February 6, 1911, April 21, 1911, December 18, 1911, December 24, 1911, and May 6, 1913.

Bill read first time, and referred to Committee on Banking.

By Senator Ballard (by request): Senate Bill No. 958—An Act to amend section twelve of an Act entitled "An Act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an Act entitled 'An Act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the Act amendatory thereof, approved April 15, 1909," approved May 1, 1911; approved June 5, 1913, said amendment pertaining to the definition of the term boulevard, and use of said boulevards.

Bill read first time, and referred to Committee on Roads and Highways.

Also (by request): Senate Bill No. 959—An Act to add a new section to the Civil Code of the State of California to be numbered one thousand one hundred nine *a*, relating to transfer of property for highway purposes.

Bill read first time, and referred to Committee no Roads and Highways.

By Senator Finn: Senate Bill No. 960—An Act to amend sections five and twenty-nine of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargerine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section seventeen of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this Act," approved April 21, 1911.

Bill read first time, and referred to Committee on Agriculture.

By Senator Thompson: Senate Bill No. 961—An Act creating an Advisory Pardon Board; defining and prescribing the powers and duties thereof; and making an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 962—An Act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XIII, to be numbered fifteen, authorizing and empowering the legislature to revise, amend or annul the provisions of section fourteen of article XIII of the constitution, relative to the separation of State and local taxation of public service and other corporations.

Constitutional Amendment referred to Committee on Revenue and Taxation.

Also: Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution by amending section nine of article XIII, relating to State and county boards of equalization and to the assessment of taxable property in the State, and creating a State Tax Commission and defining its powers and duties, and the powers of the Legislature relative to assessment and taxation.

Constitutional Amendment referred to Committee on Revenue and Taxation.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON HOSPITALS AND ASYLUMS.

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to whom was referred Senate Bill No. 471—An Act to provide for the separation of the deaf and the blind departments in the California School for the Deaf and the Blind—has had the same under consideration, and respectfully report the same back and recommend that it do pass.

CROWLEY, Chairman.

Senate Bill No. 471 ordered on file for second reading.

ADJOURNMENT.

At twelve o'clock and fifteen minutes p.m., on motion of Senator Strobridge, the President pro tem., declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Friday, January 29, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry I. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 28, 1915, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Anderson, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. W. F. Menton, of Santa Ana.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 29, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 36—An Act to amend section fifty-nine of the Civil Code of the State of California;

Also: Senate Bill No. 454—An Act to amend sections four thousand two hundred sixty-three and four thousand two hundred sixty-three *a* of the Political Code relating to the salaries of officers and fees of jurors in counties of the thirty-fourth class.
And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 24—An Act to amend an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of State from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, as amended February 3, 1913, by amending sections two, three, four, five, eleven and thirty-five thereof;

Also: Senate Concurrent Resolution No. 5—Relative to approving a certain amendment to the charter of the city of Santa Monica, in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city of Santa Monica at a special municipal election held therein on the first day of December, 1914;
And report that the same have been correctly enrolled. And presented the same to the Governor on this 28th day of January, 1915, at 2 o'clock and 30 minutes p.m.

FLAHERTY, Chairman.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Joint Resolution No. 4—Relative to placing veterans of the United States army who fought in Indian wars from 1865 to 1891 on the pension roll, and report that the same has been correctly enrolled. And presented the same to the Governor on this 28th day of January, 1915, at 3 o'clock p.m.

FLAHERTY, Chairman.

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Thompson, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 14—Relative to requesting the Congress of the United States to investigate the causes of unemployment and to adopt remedial measures therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Resolution referred to Committee on Federal Relations.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill 680—An Act authorizing the State Board of Prison Directors to fix the price, terms and conditions of sale at which jute bags should be sold for the State, providing for the prosecution and punishment for offenses under the same, and repealing an Act entitled "An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution and punishment for offenses under the same," approved June 16, 1913, and all Acts or parts of Acts in conflict herewith—as a case of urgency.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 680 ordered to enrollment.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 300—An Act amending section three of an Act entitled "An Act authorizing the construction of the unfinished portion of the library building of the University of California, and the construction of a building for general use as a recitation building, of a building for the use of the College of Agriculture, and of a building for the use of the College of Natural Sciences as a chemistry building, upon the grounds of said University of California at Berkeley; providing for the issuance and sale of State bonds to meet the cost of the foregoing purposes; and providing the necessary moneys for the payment of the principal and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914;

Also: Senate Bill No. 42—An Act to provide that the Department of Engineering of the State of California may acquire for and in the name of the people of the State of California, by purchase, donation, dedication or by proceedings in eminent domain, additional rights of way, land and trees on and along the course of any State highway;

Also: Senate Bill No. 43—An Act to amend section one thousand two hundred thirty-eight of the Code of Civil Procedure of the State of California, relating to the public uses on behalf of which the right of eminent domain may be exercised;

Has had the same under consideration, and respectfully recommend that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 300, 42, and 43 ordered on file for second reading.

Also:

SACRAMENTO, January 29, 1915.

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate Bill No. 481—An Act to repeal section fifty five *a* of the Penal Code relative to soliciting, demanding, or pledging votes for or against any particular bill or measure—has had the same under consideration, and respectfully recommend that it do not pass. Minority report: Do pass.

KEHOE, Chairman.

Also:

SACRAMENTO, January 28, 1915.

MR. PRESIDENT: A minority of your Committee on Judiciary to which was referred Senate Bill No. 481—An Act to repeal section fifty-five *a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure has had the same under consideration, and respectfully report the same back and recommend that it do pass.

DUNCAN,
LUCE,
IRWIN,
CAMPBELL,
CARR.

Senate Bill No. 481 ordered on file for second reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Beban: Senate Bill No. 963—An Act to amend sections one, two and three of an Act entitled "An Act to secure the payment of the claims of material men, mechanics, or laborers, employed by contractors upon state, municipal or other public work," approved March 27, 1897, as amended by an Act approved May 1, 1911, and to add a new section to said Act to be numbered section four.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 964—An Act to amend section six hundred fifty-seven of the Code of Civil Procedure, relating to when a new trial may be granted.

Bill read first time, and referred to Committee on Judiciary.

By Senator Stuckenbruck: Senate Bill No. 965—An Act to add a new section to the Civil Code to be numbered sixteen hundred fifty-seven *a*, relating to the time for completion of real estate improvement work under a contract silent as to the time for such completion.

Bill read first time, and referred to Committee on Judiciary.

By Senator Finn: Senate Bill No. 966—An Act to amend section five hundred thirty-one of the Political Code, relating to the duties of the Superintendent of State Printing.

Bill read first time, and referred to Committee on Revision and Printing.

By Senator Benson: Senate Bill No. 967—An Act to establish a State Hospital for the care, custody and maintenance of inebriates and drug habitues within the State of California, to be known as the California State Hospital and to provide for the government and management thereof, and making an appropriation therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 968—An Act to amend section four thousand three hundred *k* of the Political Code, by providing that township officers must demand the payment of all fees in civil cases in advance, except that such advance payment may be waived by justices of the peace in certain cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 969—An Act to add a new section to the Code of Civil Procedure to be numbered one hundred three *a*, relating to the duties of clerks of certain justices of the peace.

Bill read first time, and referred to Committee on County Government.

Also: Senate Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California by adding a new section to article XVI thereof, to be numbered section two, relating to the issuance and sale of State bonds and purchasing with the proceeds thereof bonds of irrigation, drainage, flood control and reclamation districts.

Constitutional amendment referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Birdsall: Senate Bill No. 970—An Act to add a new section to the Political Code to be numbered four thousand two hundred sixty-three *a*, relating to and fixing the compensation of grand and trial jurors in the superior courts in counties of the thirty-fourth class and providing for the payment thereof.

Bill read first time, and referred to Committee on County Government.

By Senator Flint: Senate Bill No. 971—An Act to amend section six hundred twenty-six *d* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 972—An Act to amend section six hundred thirty-six and one half of the Penal Code of the State of California relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 973—An Act to amend section six hundred thirty-six of the Penal Code of the State of California relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 974—An Act to amend sections one and two of section six hundred thirty-one *d* of the Penal Code of the State of California, relating to the domestication of wild game.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 975—An Act to amend section six hundred twenty-eight *a* of the Penal Code of the State of California, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 976—An Act to amend section sixteen hundred forty-three of the Code of Civil Procedure, relating to the order in which debts must be paid, and fixing the rate of interest to be paid on demands against estates of decedents.

Bill read first time, and referred to Committee on Judiciary.

By Senator Slater: Senate Bill No. 977—An Act appropriating money for the erection of a laundry building at Sonoma State Home.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 978—An Act appropriating money for the purpose of remodeling the present laundry building at the Sonoma State Home into a commissary.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Duncan: Senate Bill No. 979—An Act to amend section seven hundred eighty-nine of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the duties of city attorney in cities of the fifth class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Rush: Senate Bill No. 980—An Act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 981—An Act to add a new section to the Code of Civil Procedure to be numbered section one thousand sixty, providing for the deposit and payment of jury fees.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lyon: Senate Bill No. 982—An Act to amend an Act entitled "An Act providing for the time of payment of wages," approved May 1, 1911, by amending section three thereof, providing penalties for the violation of said Act.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 983—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by amending sections four, seven, twelve and fourteen.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 984—An Act to amend sections nine and ten of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 985—An Act to amend sections one thousand nine hundred ninety-nine, two thousand, two thousand one, two thousand two and two thousand three of the Civil Code of the State of California, relating to employees.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 986—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by adding thereto a new section to be numbered twelve *a*.

Bill read first time and referred to Committee on Labor and Capital.

Also: Senate Bill No. 987—An Act to amend an Act entitled "An Act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911, by prohibiting the issuance of any scrip, coupons, cards, or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Butler: Senate Bill No. 988—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled, 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, statutes of California of 1909, page 948," and approved

April 10, 1911, statutes of California of 1911, page 860, and approved June 13, 1913, statutes of California, 1913, page 737.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Maddux: Senate Bill No. 989—An Act to provide for the organization of the State Produce Exchange Commission, to define its powers and duties and the rights and privileges of producers of agricultural, horticultural, dairy and farm products, and products manufactured or processed therefrom, which shall be grown, raised, produced, processed, or manufactured within the State of California, and to provide a penalty for the offense of using or imitating the state brand or label adopted by such commission, and appropriating money for establishing and carrying out the provisions of this Act, creating the "State Produce Exchange Fund," and providing for the manner in which money shall be placed therein and paid therefrom, and appropriating the moneys therein to carry out the provisions of this Act, and to provide that subsequent legislation by the legislature may be enacted to facilitate the operation of this Act, but without limiting or restricting its provisions, and to repeal all Acts and parts of Acts inconsistent with the provisions of this Act.

Bill read first time, and referred to Committee on Agriculture.

By Senator Irwin (by request): Senate Bill No. 990—An Act to amend section two hundred twenty-three of the Civil Code of the State of California, relating to the adoption of minor children.

Bill read first time, and referred to Committee on Judiciary.

By Senator Owens: Senate Bill No. 991—An Act confirming, ratifying and adopting a certain agreement by the city of Richmond concerning its harbor, harbor lines and certain tide and submerged lands, and granting to it certain submerged land and authorizing it to convey certain small parcels of such land not needed for commerce and navigation.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also (by request): Senate Bill No. 992—An Act to amend section fifteen of an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897.

Bill read first time, and referred to Committee on County Government.

By Senator Shearer: Senate Bill No. 993—An Act to regulate the sale of impure and unwholesome milk.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator King: Senate Bill No. 994—An Act to add a new section to the Political Code of the State of California to be numbered three thousand six hundred fifty-two *a* relating to the duties of assessors in counties below the third class.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 995—An Act to amend section eight hundred forty-three of the Political Code, relating to a county officer acting as a deputy of another county officer of the same county.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 996—An Act relating to franchises heretofore or hereafter granted under existing laws, and the exercise of franchise rights thereunder by public utilities, and the supervisory or regulating power of the Railroad Commission, under the provisions of the "Public Utilities Act."

Bill read first time, and referred to Committee on Public Utilities.

By Senator Crowley: Senate Bill No. 997—An Act to appropriate money to pay the claim of the Pacific Telephone and Telegraph Company against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Scott: Senate Bill No. 998—An Act to amend section nine hundred and seventy-six of the Code of Civil Procedure, relating to appeals to Superior Courts on question of fact or of law and fact.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 999—An Act to regulate the retinting and repapering of any house or building, or portion thereof, which is occupied by human beings, or intended or designed for human habitation; allowing health and peace officers to make inspection of such buildings, and making violations of this Act a misdemeanor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Jones: Senate Bill No. 1000—An Act to appropriate money for the construction of a building for women patients at the Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 1001—An Act to appropriate money for the construction and furnishing of a building for tubercular patients at the Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 1002—An Act to appropriate money for the purchase of land for the Agnews State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 1003—An Act to amend sections thirteen hundred forty-nine, thirteen hundred fifty, thirteen hundred fifty-two, thirteen hundred fifty-three and thirteen hundred fifty-five, of the Penal Code of California, relating to the examination of witnesses on commission.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1004—An Act to amend section four thousand one hundred thirty-one of the Political Code relating to the recording of certain instruments.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1005—An Act to carry into effect the provisions of section one *a* of article XIII of the constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered three thousand six hundred thirteen.

Bill read first time, and referred to Committee on Education.

By Senator Purkitt: Senate Bill No. 1006—An Act prohibiting the preparation, sale, barter, shipment or exchange of any worthless, contaminated, dangerous or harmful hog cholera serum or virus; requiring every establishment for the preparation of hog cholera serum or virus to be inspected and licensed by the director of the Agricultural Experiment Station of the University of California; and providing penalties for violation of any of the provisions hereof.

Bill read first time, and referred to Committee on Agriculture.

Also (by request): Senate Bill No. 1007—An Act to provide for the reassessments by municipal corporations on property benefited by street work done under authority of the governing bodies thereof; providing for the method of making and collecting such assessments and for the payment of contractors and others performing labor or supplying materials for the work done out of funds so raised or bonds issued by municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1008—An Act to amend sections two, three and seven of an Act entitled "An Act to provide for the preparation and distribution of serums or vaccines for the prevention of the disease known as cholera in hogs in the State of California, making an appropriation therefor and prescribing the duties of the Controller and Treasurer in relation thereto," approved April 21, 1911.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Constitutional Amendment No. 33—A resolution proposing to the people of the State of California an amendment to section sixteen and one half of article IX of the constitution of the State of California, relating to deposit of public funds in banks.

Constitutional amendment referred to Committee on Banking.

By Senator Luce: Senate Bill No. 1009—An Act to amend section one thousand seven hundred twenty-three of the Code of Civil Procedure of the State of California, relating to disposition of life estates or homesteads, on owner's death, in certain cases.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1010—An Act to amend section one thousand six hundred sixty-nine of the Code of Civil Procedure of the State of California, relating to payment of taxes and decree of distribution of estates.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1011—An Act to amend section one thonsand four hundred forty-four of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1012—An Act to amend chapter five hundred ninety-five of the laws of the session of the legislature of California of 1913, approved June 16, 1913, known as the "Inheritance Tax Act," by amending sections six and nine thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1013—An Act transferring money from the disputed title to lands on San Diego Bay fund to the general fund of the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1014—An Act to authorize the conservation commission of the State of California to examine, classify and appraise the unsold school lands of the State of California and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Cogswell: Senate Bill No. 1015—An Act authorizing and empowering the board of trustees of the Whittier State School to transfer, exchange and convey any and all water rights now owned and held by said board for stock in a corporation.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1016—An Act to amend section one thousand six hundred seventeen of the Political Code of the State of California, relating to the powers and duties of city boards of education and boards of school trustees.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1017—An Act to create a State Board of School Appeals and defining its duties and powers and providing for the enforcement of its decisions.

Bill read first time, and referred to Committee on Education

Also: Senate Bill No. 1018—An Act to amend section one of an Act entitled "An Act to permit asexualization of inmates of the State hospitals and the California Home for the care and training of feeble-minded children, and of convicts in the State prisons," approved April 26, 1909.

Bill read first time, and referred to Committee on Hospitals and Asylums.

Also: Senate Bill No. 1019—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Tyrrell: Senate Bill No. 1020—An Act to amend section twenty-one hundred eighty-seven of the Political Code of the State of California, relating to transfers in State hospitals, and to add a new section to said code, to be known and designated as section twenty-one hundred eighty-one *b*, relating to the disposition of moneys belonging to insane persons.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Anderson: Senate Bill No. 1021—An Act providing for the organization, incorporation and government of harbor districts, authorizing the acquirement, construction, maintenance, operation, development and regulation of a system of harbor improvements.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 1022—An Act to amend section eighteen of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1023—An Act to amend an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, by amending section seven hundred fifty-two thereof, relating to the election and term of office of officers of cities of the fifth class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Benedict: Senate Bill No. 1024—An Act to amend title V of part III of the Political Code by adding and enacting new chapters to be designated chapters one, one *a*, one *b*, one *c*, one *d*, and one *e*, relating to and creating a State Board of Administration; providing for the organization of such board; defining its powers and duties; prescribing the number and fixing the salaries of the members and employees thereof; providing for the government and management by said Board of Administration of the State hospitals for the insane and other incompetent persons, the State schools and institutions for reformation, the Veterans' Home of California, the Woman's Relief Corps Home, the Industrial Home for the Adult Blind; for the appointment, salaries, powers and duties of the executive and other officers and employees of said institutions and for the commitment or admission and care, custody and maintenance of the inmates and members of such institutions; and to amend said title V of part III of the Political Code by renumbering chapter one *c* thereof, relating to the Woman's Relief Corps Home of California and designating said chapter as chapter one *f*, and to repeal chapter one of title V of part III of the Political Code, relating to the State Commission in Lunacy, State hospitals and care, custody, apprehension and commitment of insane and other incompetent persons, and chapter one *b* of title V of part III of the Political Code, relating to the Industrial Home for the Adult Blind; and to repeal an Act entitled "An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, and all Acts amendatory thereof or supplemental thereto, and to repeal an Act entitled "An Act providing for the supervision and control by the State Board of Charities and Corrections of the placing of dependent children into homes and for the supervision of all societies or organizations engaged in such work and known as children's home finding societies," approved April 24, 1911; and to repeal an Act entitled "An Act to establish a school of industry and providing for the maintenance and management of the same and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof and supplemental thereto; and to repeal an Act entitled "An Act to establish a State reform school for juvenile offenders and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa county known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a State home for United State soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to establish a State training school for girls; to provide for the maintenance and management of the same, and to make an appropriation therefor," approved June 14, 1913; and to repeal all Acts and parts of Acts in conflict with this Act.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1025—An Act amending an Act entitled "An Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, by amending sections one, five, six, seven and eleven thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1026—An Act to amend an Act entitled "An Act to provide for the consolidation of municipal corporations," approved June 11, 1913, by amending sections five, seven, ten, eleven and fourteen, and by adding a new section thereto to be numbered section thirteen and one half relating to certain non-contiguous municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1027—An Act to amend section six hundred eleven of the Political Code of the State of California, relating to the filing of statements with the insurance commissioner.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1028—An Act to amend section four thousand one hundred thirty-one of the Political Code, relating to the duties of county recorder.

Bill read first time, and referred to Committee on County Government.

By Senator Irwin (by request): Senate Bill No. 1029—An Act to prohibit the contamination of streams, creeks, irrigation ditches, lakes and other sources of surface water supply by the discharge and flow of petroleum or petroleum emulsion resulting from the operations of any person, firm, corporation or association in drilling, pumping or maintaining an oil or petroleum producing well; providing for the stoppage of such discharge or flow and providing penalties for the violating of the provisions of this Act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Carr: Senate Bill No. 1030—An Act to add a new section to the Code of Civil Procedure to be numbered section one thousand twenty-one *a*, relating to costs in civil actions and proceedings.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1031—An Act to amend section five of an Act entitled "An Act to regulate the practice of architecture," approved March 23, 1901.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1032—An Act to prevent the destruction of wild game within certain territory lying within the boundaries of the Angeles National Forest, and providing a penalty therefor.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1033—An Act making an appropriation for the location and survey of a State highway, to be known as the Pasadena State Highway.

Bill read first time, and referred to Committee on Roads and Highways.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 29, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 200—An Act to amend section six hundred one of the Code of Civil Procedure of the State of California, relating to challenge of jurors—and report that the same has been correctly engrossed.

FLAHERTY, Chairman.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(RESUMED).

The following bills, etc., were introduced:

By Senator Kehoe: Senate Bill No. 1034—An Act to amend section six hundred five of the Political Code of the State of California, relating to the fees of the insurance department.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1035—An Act to amend section six hundred thirty-four of the Political Code of the State of California, relating to the registration of policies of life insurance companies.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1036—An Act to provide for the regulation of the sale of shingles by makers, manufacturers and dealers thereof.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1037—An Act to amend section six hundred twenty-three of the Political Code of the State of California, relating to the bonds of insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Senator Mott: Constitutional Amendment No. 34—A resolution proposing to the people of the State of California an amendment to article XIV of the constitution of the State of California, to be numbered section three of said article, providing for the creation of a River

Control Commission; providing for its appointment, defining its powers and duties and conferring jurisdiction upon such commission to hear and determine controversies.

Consititutional amendment referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 1038—An Act to appropriate money for the construction of surface drains and to in other ways care for storm waters at the California School for Girls located near Ventura.

Bill read first time, and referred to Committee on Prisons and Reformatories.

Also: Senate Bill No. 1039—An Act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this Act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Cogswell: Senate Bill No. 1040—An Act making an appropriation to pay the premium or charge on official bonds of State officers as provided for in an Act entitled "An Act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903.

Bill read first time, and referred to Committee on Finance.

By Senator Rush: Senate Bill No. 1041—An Act to amend the Political Code of the State of California by amending section two thousand one hundred forty-one thereof relating to the power of the State Commission in Lunacy and the salaries and wages of officers and employees of State hospitals.

Bill read first time and referred to Committee on Hospitals and Asylums.

By Senator Thompson: Senate Bill 1042—An Act to amend section three thousand five hundred fifty-five of the Political Code relating to the judgment and costs of foreclosing the interests of purchasers of State lands.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill 1043—An Act to amend section one thousand six Civil Code relating to occupancy of real property.

Bill read first time, and referred to Committee on Judiciary.

Also (by request): Senate Bill No. 1044—An Act to amend section two hundred seventy-four and to repeal section two hundred seventy-four *b* of the Code of Civil Procedure both relating to and fixing the fees to be received by official reports of the Superior Court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1045—An Act to amend section three hundred ninety-four of the Code of Civil Procedure of the State of California, relating to the place of trial of actions.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1046—An Act to amend section twenty-two of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled, or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended by an Act entitled "An Act to amend sections twenty and twenty-two of an Act entitled 'An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State Laboratory for foods, liquors and drugs and making an appropriation therefor', approved March 11, 1907," which amendatory Act was approved April 26, 1911.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1047—An Act to amend section four hundred fifty-four of the Code of Civil Procedure, relating to pleading accounts and bills of particulars.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1048—An Act to amend section twenty-one of an Act entitled "An Act for the prevention of manufacture, sale of transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Rush: Senate Bill No. 1050—An Act to amend section one, of an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893, said amendment relating to a day of rest for employees in State institutions.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Benedict: Senate Bill No. 1051—An Act to provide for the accomplishment of the work in the confining and diversion of the Los Angeles, Rio Honda and San Gabriel Rivers in the County of Los Angeles, providing for cooperation between the State and United States Government in such work, and making an appropriation therefor.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Breed: Senate Bill No. 1052—An Act to appropriate money for equipment for the State Treasurer's office.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1053—An Act to amend section four hundred and fifty-six of the Political Code of the State of California relating to employees in the office of the State Treasurer.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1054—An Act to repeal section four hundred and sixty of the Political Code of the State of California relating to porter for State Treasurer.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1055—A new section is hereby added to the Political Code of the State of California, to be known as section five hundred ninety-four *b*, relating to the soliciting and writing of insurance.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1056—An Act to amend section six hundred twenty-nine of the Political Code, relating to the method to be used in the valuation of life insurance reserves.

Bill read first time, and referred to Committee on Insurance.

By Senator Purkitt: Senate Concurrent Resolution No. 16—Relative to printing of copies of a constitutional booklet.

CONSIDERATION OF CONCURRENT RESOLUTION (OUT OF ORDER).

Senator Purkitt asked for and was granted unanimous consent to take up for consideration at this time without reference to committee, Senate Concurrent Resolution No. 16.

SENATE CONCURRENT RESOLUTION NUMBER SIXTEEN

Relative to the printing of copies of a Constitutional booklet

WHEREAS, The course of study prescribed for the schools of this State requires a constant resort to the constitution of the State; and

WHEREAS, Requests are constantly being made by authorities of various school districts throughout the State and by libraries and public bodies for copies of the constitution; and

WHEREAS, It is necessary, in order to properly consider matters coming before the Legislature, that the members of the Senate and of the Assembly should have available for constant use copies of the constitution, conveniently arranged and indexed, and

WHEREAS, The supply of the constitutional pamphlets heretofore printed by the State has become exhausted and recent amendments have been adopted by the people;

Now therefore, be it resolved, by the Senate, the Assembly concurring, That the Superintendent of State Printing be directed to print, as a part of the legislative printing, for which an appropriation has been made at this session, three thousand copies of a constitutional booklet to contain the constitution of the State of California, including the latest amendments thereto, properly arranged and indexed, and the constitution of the United States, as soon as possible after the adoption of this resolution, and that three hundred copies of said book be bound in limp red leather, and that a copy thereof be placed on the desk of each member of the Senate and of the Assembly on the first day of the session following the constitutional recess, and that twenty-seven hundred copies be bound in heavy paper and be kept in stock by the Superintendent of State Printing for distribution to schools, libraries and public bodies.

Resolution read.

The question being on the adoption of the resolution, the roll was called and Senate Concurrent Resolution No. 16 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

NOES—None.

Resolution ordered transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC. (RESUMED).

The following bills, etc., were introduced:

By Senator Breed: Senate Bill No. 1057—An Act to amend section four of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1058—An Act to amend section five of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,' " approved March 19, 1889, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Gerdes: Senate Bill No. 1059—An Act to amend an Act entitled "An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners, and repealing an Act to amend an Act entitled 'An Act to establish a Board of Parole Commissioners for the parole of, and government of paroled prisoners,' approved March 23, 1893," approved June 16, 1913, by adding thereto section one and one half relating to the granting of paroles and the forfeiture of credits for the violation thereof or of a law of the State or any rule or regulation of the prison, or the Board of Prison Directors or of the Board of Parole Commissioners.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Chandler: Senate Bill No. 1060—An Act making an appropriation for the transfer to the University of California of the Petroleum Experimental Station at the Panama Pacific International Exposition.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1061—An Act making an appropriation for the completion of a Petroleum Experimental Station at the Panama-Pacific International Exposition.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1062—An Act to amend sections twenty-eight, thirty-five, thirty-six, of an Act entitled "An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such districts," approved March 20, 1903.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also: Senate Bill No. 1063—An Act relating to bonds of drainage districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties,

counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any Act may be authorized.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

MESSAGE FROM THE GOVERNOR.

On the motion of Senator Thompson, the following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, January 28, 1915.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have this day made the following appointments and request your concurrence therein and consent thereto:

George E. Randolph, of Oakland, a member of the Board of Directors of the Industrial Home of the Adult Blind, vice self term expired.

W. H. Spalding, of Oakland, a member of the Board of Directors of the Industrial Home of the Adult Blind, vice J. W. Scott, term expired.

Dr. A. F. Maine, of Oakland, a member of the Board of Directors of the Industrial Home of the Adult Blind, vice H. C. Capwell, resigned.

Walter B. Bakewell, of Oakland, a member of the Board of Directors of the Industrial Home of the Adult Blind, vice Warren Olney, Sr., resigned

Respectfully submitted,

HIRAM W. JOHNSON, Governor

Message referred to Committee on Rules.

MESSAGE FROM THE ASSEMBLY (OUT OF ORDER).

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Concurrent Resolution No. 12—Relative to the adjournment of the legislature for the constitutional recess and to the reassembling of the legislature after said recess and fixing the date for said adjournment and said reassembling—and respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

ASSEMBLY AMENDMENTS.

AMENDMENT NUMBER ONE.

On page 1, lines 8 and 9, strike out the words "Thursday, Janaury 28, 1915" and insert in lieu thereof the following: "Saturday, January 30, 1915"

The question being: "Shall the Senate concur in Assembly Amendment No. 1 to Senate Concurrent Resolution No. 12?"

The roll was called, and the Senate concurred in Assembly Amendment No. 1 to Senate Concurrent Resolution No. 12 by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

AMENDMENT NUMBER TWO.

On page 1, line 10, strike out the figure "8" and insert in lieu thereof the figure "2"; strike out on page 1, line 10, the word "Monday" and insert in lieu thereof the word "Tuesday"

The question being: "Shall the Senate concur in Assembly Amendment No. 2 to Senate Concurrent Resolution No. 12?"

The roll was called, and the Senate refused to concur in Assembly Amendment No. 2 to Senate Concurrent Resolution No. 12 by the following vote:

AYES—Senators Ballard, Carr, and Lyon—3.

NOES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

Resolution ordered transmitted to the Assembly with request that Assembly recede from Assembly Amendment No. 2.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of the special order heretofore set for this day, being the consideration of the report of special committee on Grant-Wolfe contest the same was taken up for consideration.

The question being on the adoption of the report.

The roll was called and the report of committee adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

NOES—None.

QUESTION OF PERSONAL PRIVILEGE.

Senator Wolfe gave notice that at eleven o'clock a.m. on the third day subsequent to the reconvening of the legislature after the constitutional recess he would arise to a question of personal privilege.

RESOLUTION—(OUT OF ORDER).

The following resolution was introduced:

By Senator Kehoe:

WHEREAS, Senator Edwin E. Grant has during his term as a member of this Senate rendered distinguished service to the State; and

WHEREAS, He has, by his high ideals, his sterling character and his lofty conception of official duty, endeared himself to his associates; therefore, be it

Resolved, That the Senate of the State of California extend to Senator Edwin E. Grant this expression of high regard and esteem on the termination of his honorable services in this Senate; be it further

Resolved, That this resolution be printed in the Journal and that a copy be sent to Senator Grant by the President of the Senate.

Resolution read, and on motion of Senator Kehoe adopted.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendments to Assembly Concurrent Resolution No. 11—Relative to joint rules for the Senate and Assembly.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 18—Relative to a request to the Secretary of the Interior for permission to take elk from the Yellowstone National Park for transportation to and liberation in the Coast Range mountains in the county of San Luis Obispo, State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF JOINT RESOLUTION—(OUT OF ORDER).

Senator Campbell asked for and was granted unanimous consent to take up for consideration at this time of Assembly Joint Resolution No 18 without reference to committee.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Assembly Joint Resolution No. 18 adopted by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

NOES—None.

Resolution ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—THIRD READING.

Senate Concurrent Resolution No. 4—Approving eleven certain amendments to the charter of the city of Petaluma.

On motion of Senator Slater, Senate Concurrent Resolution No. 4 passed on file.

Senate Bill No. 7—An Act to amend section one thousand four hundred fifty-four of the Code of Civil Procedure relating to the collection by surviving heirs of money in banks.

In the absence of the author, Senate Concurrent Resolution No. 7 was passed on file.

SECOND-READING FILE.

Senate Bill No. 301—An Act amending section nine of an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act," approved March 20, 1903.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 471—An Act to provide for the separation of the deaf and blind departments in the California School for the Deaf and the Blind.

Bill read second time, ordered engrossed and on file for third reading.

APPROVAL OF JOURNALS.

On motion of Senator Thompson the Senate Journals of Monday, January 18, 1915, Tuesday, January 19, 1915, Wednesday, January 20, 1915, Thursday, January 21, 1915 and Friday, January 22, 1915, were approved as corrected.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were offered:

By Senator Thompson:

Resolved, That the chairman of the Finance Committee of the Senate, be and he is hereby appointed, in conjunction with the chairman of the Ways and Means Committee of the Assembly, to inspect and investigate State institutions and enterprises during the constitutional recess and to inquire into and report upon the financial needs of such institutions and that he be allowed his actual expenses while so engaged, the same to be payable out of the contingent expenses of the Senate.

Resolution read and, on motion of Senator Thompson, adopted.

Also:

By Committee of Contingent Expenses:

January 28, 1915.

Resolved, That the Controller be, and he is hereby authorized and directed to draw his warrant on the contingent fund of the Senate in favor of the persons and firms named below for the amounts set opposite their names, as per itemized statements herein, the same being the Senate's portion (one half) of the indebtedness incurred, and the State Treasurer is hereby directed to pay the same:

Albert Pick & Co.	8 doz. cuspidors @ $5.50 doz.	$44 00	one half $ 22 00
Zellerbach Paper Co.	20,000 sanitary cups @ $4.25 M.	$85 00	
	2 dispensers @ $1.00 each	2 00	
	6 padlocks @ $0.25 each	1 50	
		$ 88 50	one half $ 44 25
W. H. Funk	painting signs & lettering 128 tin boxes	67 15	one half $ 33 58
W. F. Purnell	2 doz. Shannon perforators	5 00	one half $ 2 50
American Cash Store	1 case Domino matches	2 50	one half $ 1 25
	Total		$103 58

BEBAN, Chairman.

Resolution read.

Senator Beban moved that the resolution be adopted.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 4—Relative to approving one certain amendment to the charter of the county of San Bernardino, State of California, voted for and ratified by the electors of said county of San Bernardino, at a general election held on the third day of November, 1914.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator King asked for and was granted unanimous consent to call up for consideration at this time Assembly Concurrent Resolution No. 4.

ASSEMBLY CONCURRENT RESOLUTION NO. 4.

Relative to approving one certain amendment to the charter of the county of San Bernardino, State of California, voted for and ratified by the electors of said county of San Bernardino, at a general election held on the third day of November, 1914.

STATE OF CALIFORNIA,
County of San Bernardino. } ss.

Certificate of county clerk of the county of San Bernardino, State of California, and chairman of the board of supervisors of San Bernardino county, State of California, as to the adoption and ratification of a certain amendment to the charter of said county of San Bernardino, submitted to the qualified electors of said county on the third day of November, 1914.

PREAMBLE.

Be it known that,

WHEREAS, The county of San Bernardino, State of California, has at all times mentioned herein been and now is a body politic of said State of California, and is now and has been since the seventh day of April, 1913, organized and existing under and by virtue of section 7½ of article XI of the constitution of the State of California, which charter was duly ratified by the qualified electors of said county at an election held for that purpose on the third day of November, 1914, and approved by the legislature of the State of California, on the seventh day of April, 1914 (statutes 1913, pages 1652, *et seq.*); and

WHEREAS, On the eleventh day of August, 1914, a petition signed by more than ten per centum of the qualified electors of the county of San Bernardino, computed upon the total number of votes cast in said county of San Bernardino for all candidates for governor at the last general election, at which a governor was elected, petitioning the board of supervisors of said county of San Bernardino to submit the following proposed amendment to the charter of said county of San Bernardino, to the vote of the qualified electors of said county of San Bernardino, was filed in the office of the county clerk of said county, which amendment was set forth in full in said petition as follows:

"By striking therefrom sections four (4), five (5), and six (6), of said charter and there is hereby inserted in lieu thereof the following amendment to be known as section four (4) thereof, to wit: section four (4): All county officers other than supervisors of said county shall be elected at each general election by the qualified electors of said county as is now, or may be hereafter provided by general law, and all deputies and assistants to such county officers shall be appointed as is now or may be hereafter provided by general law; and the powers and duties of such officers, deputies and assistants shall be such as are now or may be hereafter provided by general law, and any part of this charter in conflict herewith is hereby repealed."

WHEREAS, On the 17th day of August, 1914, said petition, duly certified to by the county clerk of said county of San Bernardino as signed by the requisite number of qualified electors of said county of San Bernardino, was presented to and filed with the board of supervisors of said county of San Bernardino; and

WHEREAS, On the 21st day of September, 1914, in regular session assembled, by resolution duly passed and adopted, caused to be published for ten times in the San Bernardino Daily Sun, a daily newspaper of general circulation, printed, published and circulated in said county of San Bernardino, a notice, setting forth said proposed amendment to said charter, together with the fact that the same would be submitted to the qualified electors of said county, at the general election to be held November third, 1914; and

WHEREAS, Said notice was published on the following dates, to wit: September 22d, 23d, 24th, 25th, 26th, 27th, 29th, 30th, October 1st, and October 2d, 1914, and as often during said time as said newspaper was regularly published, and that the said general election at which said proposed charter amendment was submitted to the vote of the qualified electors of said county of San Bernardino, was not less than thirty nor more than sixty days after the publication of said proposed amendment; and

WHEREAS, At said general election said proposed amendment was submitted to the vote of the qualified electors of said county, and appeared on the ballot at said election in the following form:

PROPOSITION.

"Shall the charter of the county of San Bernardino be amended as follows: 'By striking therefrom section four (4), five (5), and six (6), of said charter and there is hereby inserted in lieu thereof the following amendment to be known as section four (4) thereof, to wit:

"'Section four (4): All county officers other than supervisors of said county shall be elected at each general election by the qualified electors of said county as is now, or may be hereafter provided by general law, and all deputies and assistants to such county officers shall be appointed as is now, or may be hereafter provided by general law; and the powers and duties of such officers, deputies and assistants shall be such as are now or may be hereafter provided by general law, and any part of this charter in conflict herewith is hereby repealed.'"

And opposite said proposition to voted upon, and to the right thereof, and on separate lines, were printed the words "Yes" and "No," with voting squares thereafter; and

WHEREAS, The county clerk of San Bernardino county mailed a printed copy of said proposed amendment, enclosed in an envelope with a sample ballot, to each elector within said county of San Bernardino, at least ten days prior to the said third day of November, 1914; and

WHEREAS, The returns of said general election held in the county of San Bernardino on the said November 3rd, 1914, at which election said proposed amendment was submitted to the vote of the qualified electors of said county, was made to and canvassed by the board of supervisors of said county of San Bernardino, and it appeared therefrom and was declared by the board of supervisors, that 8,321 votes were cast in favor of said proposed charter amendment and that 5,816 votes were cast against said proposed charter amendment and it appeared therefrom that a majority of the qualified electors of the county of San Bernardino voting thereon, at such general election, voted in favor of the said proposed charter amendment, and said board of supervisors thereupon ordered and declared that said proposed amendment was ratified; and

WHEREAS, Said amendment so ratified by the electors of said county of San Bernardino, at said general election held on said third day of November, 1914, is now submitted to the legislature of the State of California, for approval or rejection, as a whole, without power or alteration or amendment, in accordance with the provisions of section 7½ of article XI of the constitution of the State of California; now

Therefore, the undersigned, Samuel Pine, chairman of the board of supervisors of the county of San Bernardino, State of California, and Charles Post, county clerk and ex officio clerk of the board of supervisors, San Bernardino county, State of California, authenticating their signatures with the official seal of said board of supervisors, do hereby certify that said amendment to said charter of said county, so ratified by the majority of the electors voting thereon at said general election held on the third day of November, 1914, as submitted to said electors is in the words and figures as follows, and is and shall, if so approved by said legislature, be in the words and figures following, to wit:

Section four (4): All county officers other than supervisors of said county shall be elected at each general election by the qualified electors of said county as is now, or may be hereafter provided by general law, and all deputies and assistants to such county officers shall be appointed as is now, or may be hereafter provided by general law; and the powers and duties of such officers, deputies and assistants shall be such as are now or may be hereafter provided by general law, and any part of this charter in conflict herewith is hereby repealed.

And we further certify hereby that the facts set forth in the preamble of this certificate preceding said amendments to said charter are and each of them is true.

And, for and on behalf of said county of San Bernardino, we, being hereinbefore duly authorized, do hereby request the legislature of the State of California, to adopt said amendment to said charter as a whole, and to take such other and farther steps and proceedings as may be necessary to perfect such approval.

In witness whereof, We have hereunto set our hands and affixed the official seal of said county of San Bernardino, State of California, this 28th day of December, 1914.

SAMUEL PINE,
Chairman of the Board of Supervisors, San
Bernardino County, State of California.

Attest: CHARLES POST,
County Clerk and ex officio Clerk of the Board of Supervisors,
San Bernardino County, California.

Now, therefore, be it

Resolved by the assembly of the State of California, the senate thereof concurring (a majority of all the members elected to each house voting therefor and concurring therein), That said amendment to the charter of the county of San Bernardino, as proposed and adopted and ratified by the electors of said county, and as hereinbefore fully set forth, be, and the same is, hereby approved as a whole without amendment or alteration, for and as an amendment to and as part of the charter of the county of San Bernardino.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Assembly Concurrent Resolution No. 4 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

Resolution ordered transmitted to the Assembly.

ON RULES.

SACRAMENTO, January 29, 1915.

MR. PRESIDENT: Your Committee on Rules to whom was referred the following message from the Governor:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 28, 1915.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have this day made the following appointments and request your concurrence therein and consent thereto:

George E. Randolph, of Oakland, a member of the Board of Directors of the Industrial Home of the Adult Blind, vice self, term expired.

W. H. Spaulding, of Oakland, a member of the Board of Directors of the Industrial Home of the Adult Blind, vice J. W. Scott, term expired.

Dr. A. F. Maine, of Oakland, a member of the Board of Directors of the Industrial Home of the Adult Blind, vice H. C. Capwell, resigned.

Walter B. Bakewell, of Oakland, a member of the Board of Directors of the Industrial Home of the Adult Blind, vice Warren Olney, Sr., resigned.

Respectfully submitted,

HIRAM W. JOHNSON, Governor.

Has had the same under consideration, and respectfully report the same back and recommend that the Senate advise and consent to the several appointments.

THOMPSON, Chairman.

MOTION CONFIRMING APPOINTMENTS OF GOVERNOR

Senator Thompson moved that the Senate advise and consent to the several appointments of the Governor.

The President put the question, "Will the Senate advise and consent to the appointment of George E. Randolph, of Oakland, a member of the Board of Directors of the Industrial Home of the Adult Blind, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of George E. Randolph, of Oakland, a member of the Board of Directors of the Industrial Home of the Adult Blind, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of W. H. Spaulding, of Oakland, a member of the Board of Directors of the Industrial Home of the Adult Blind, vice J. W. Scott, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Whereupon the President announced that the Senate had advised and and consented to the appeintment of W. H. Spaulding, of Oakland, a member of the Board of Directors of the Industrial Home of the Adult Blind, vice J. W. Scott, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Dr. A. F. Maine, of Oakland, a member of the Board of Directors of the Industrial Home of the Adult Blind, vice H. C. Capwell, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Dr. A. F. Maine, of Oakland, a member of the Board of Directors of the Industrial Home of the Adult Blind, vice H. C. Capwell, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of Walter B. Bakewell, of Oakland, a member of the board of directors of the Industrial Home of the Adult Blind, vice Warren Olney Sr., resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Luce, Maddux, Mott, Owens, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Walter B. Bakewell, of Oakland, a member of the board of directors of the Industrial Home of the Adult Blind, vice Warren Olney Sr., resigned.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Tyrrell, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day recedes from Amendment No. 2 relative to Senate Concurrent Resolution No. 12.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

By consent of the Senate the following bills were introduced out of the regular order:

By Senator Thompson: Senate Bill No. 1064—An Act authorizing the placing of notice of warning upon the roadway of railroads, and providing that the disregarding of said notice of warning shall be presumptive evidence of negligence upon the part of a person injured or killed in disregard of said notice of warning.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1065—An Act to amend section one thousand six hundred ninety-six of the Political Code of the State of California, relating to teachers.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1066—An Act to amend section one thousand eight hundred and fifty-eight of the Political Code of the State of California, relating to the apportionment of school money.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1067—An Act to amend section one thousand four hundred and eighty-nine of the Political Code of the State of California, relating to State normal schools.

Bill read first time, and referred to Committee on Education

RECESS.

At eleven o'clock and forty minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

RESOLUTION—OUT OF ORDER

The following resolution was offered:

BY COMMITTEE ON RULES

Resolved, That the chairmen of the several Senate committees be and they are hereby requested to immediately turn over to the Secretary of the Senate all original bills and resolutions now in their possession, the same to be kept by the said Secretary during the constitutional recess and to be returned by him to said chairman upon the convening of the Senate after the expiration of said recess, and said Secretary is hereby instructed to deliver his receipt to said chairmen respectively for said bills; and be it further

Resolved, That the Secretary of the Senate be and he is hereby directed and authorized to receipt to the State Printer for, and to retain in his custody, such original bills as may be returned to him by said State Printer during the constitutional recess.

THOMPSON, Chairman.

Resolution read, and on motion of Senator Thompson adopted.

COMMUNICATION.

The following communication was read and ordered printed in the Journal:

SACRAMENTO, January 27, 1915.

Mr. Edwin F. Smith, Secretary Senate, California Legislature, Sacramento, California.

DEAR SIR: I have a few suggestions I would like to make that if followed I think will result in the elimination of confusion when the members and attaches return after the constitutional recess.

I would advise that the members on departure carefully lock their desks. It would also perhaps be better if they should leave their desk and postoffice keys in this office, where I have a key rack for such purpose, and where they can be secured on their return. The committee clerks who are not going to be retained during the recess should file all keys in this office. Stationery supplies should be locked in the desks in committee rooms, if so desired, an authorized representative of this department can inspect the contents of same. The members of each house and most of the committees have been furnished by this department with tin boxes, shears, letter openers, letter files, etc., which should be available for them on their return at the second session of the Legislature. In case it is desired to leave the tin boxes with this department, we will gladly receive and label them, to be delivered after the recess. This department is ever ready to extend every courtesy to the members and attaches, and it is our desire to curtail as much as possible the waste and loss of supplies that has characterized former sessions of the Legislature, and I wish to thank you for your cooperation and assistance along these lines.

Trusting you will give this matter your attention, I remain.

Yours truly,

GEO. G. RADCLIFF,
Superintendent Capital Building and Grounds.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—OUT OF ORDER.

The following bills, etc., were introduced:

By Senator Duncan: Senate Bill No. 1068—An Act providing that all Justices of the Peace in townships having a population of less than fifteen thousand shall act as labor and employment agents.

Bill read first time, and referred to Committee on Labor and Capital.

Also: Senate Bill No. 1069—An Act to regulate the number of licenses which may be issued to retail liquor establishments in proportion to the population of any county, city and county, city, town or supervisor district in which the sale of intoxicating liquors is permitted; defining certain terms; providing penalties for the issuance of any licenses in excess of the number herein provided for.

Bill read first time, and referred to Committee on Public Morals.

By Senator Campbell: Senate Bill No. 1070—An Act concerning neglected, dependent and delinquent persons, providing for their care, custody and maintenance until twenty-one years of age; providing for their commitment to the Whittier State School, the Preston School of Industry and the California School for Girls, and the manner of such commitment; establishing a probation committee and probation officers to deal with such persons, providing for detention homes for such persons; providing for the punishment of persons responsible for, or contributing to, the dependency or delinquency of such persons and giving the Superior Court jurisdiction of such offenses, and providing for appeal from any order or judgment of such Superior Court and repealing inconsistent Acts.

Bill read first time, and referred to Committee on Judiciary.

By Senator Crowley: Senate Bill No. 1071—An Act to amend section two thousand one hundred eighty-one of the Civil Code relative to personal and sample baggage or luggage and to place rules, regulations and liability relative thereto under the jurisdiction of the railroad commission of the State of California, and to limit the operations of this section to common carriers subject to the jurisdiction of said railroad commission and to the handling of baggage originating and terminating within the State of California.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Ballard (by request): Senate Bill No. 1072—An Act to add a new section to the Civil Code to be numbered three hundred and thirty relating to debts owing to and stock standing in the name of decedents.

Bill read first time, and referred to Committee on Judiciary.

By Senator Birdsall: Senate Bill No. 1073—An Act to amend section five hundred eighty-eight of the Penal Code of the State of California relating to malicious injuries to any State or other public highway or bridge or any private way laid out by authority of law, or bridge upon any such highway or private way.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 1074—An Act to provide for the filing of bonds by certain employees of the Department of Engineering and for the payment by the said department of the premiums or charges on bonds of its employees when given by surety companies.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1075.—An Act to amend section six hundred forty-three of the Political Code of the State of California, providing for the compensation of fish and game commissioners.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Beban: Senate Bill No. 1076—An Act to amend section five hundred thirty-five of the Political Code.

Bill read first time, and referred to Committee on Finance.

By Senator Flaherty (by request): Senate Bill No. 1077—An Act to amend section thirteen of an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Thompson (by request): Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section one of article X thereof, so as to provide for State institutions and the maintenance of prisoners, insane, delinquents, dependents and other wards of the State, and to repeal sections two, three, four, and five of article X of the Constitution relating to the powers and duties of the State Board of Prison Directors and officers of the prisons.

Constitutional Amendment referred to Committee on Prisons and Reformatories.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 369—An Act to appropriate money to pay additional salaries at the Los Angeles State Normal School for the sixty-sixth fiscal year.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 369 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as case of urgency, Senate Bill No. 370—An Act to appropriate money for additional support at the Los Angeles State Normal School for the sixty-sixth fiscal year.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 370 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 127—An Act to amend section three thousand eight hundred twenty-three of the Political Code relating to the collection of taxes by the assessor.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 127 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 451—An Act to appropriate money to pay the claim of the Petaluma and Santa Rosa Railway Company upon judgment rendered against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 451 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 544—An Act to appropriate money to supplement the support appropriation of the Whittier State School for the sixty-sixth fiscal year.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 544 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 463—An Act to appropriate money to pay the deficiency in the appropriation for printing and distributing constitutional amendments for the sixty-fifth and sixty-sixth fiscal years.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 463 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 12—Inviting Hon. Woodrow Wilson, President of the United States, to attend the annual inland waterways convention, which will meet at San Francisco, March 25, 26 and 27, 1915.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 12 referred to Committee on Federal Relations.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 14—Relative to the expression of appreciation by the State of California to Frank F. Chase, of Riverside, for his contribution of a valuable device for the separation of sound and unsound citrus fruits, which device has been given to the industry without patents or profit to the inventor.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 14 referred to Committee on Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 15—Relative to printing of report of the Recreational Inquiry Committee.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 15 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 14—Approving the charter of the City of Alhambra, State of California, voted for and ratified by the qualified electors of said City of Alhambra at a special municipal election held therein for that purpose on the 14th day of October, 1914;

Also: Senate Concurrent Resolution No. 16—Relating to the printing of copies of a Constitutional Booklet.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolutions Nos. 14 and 16 ordered to enrollment.

RECESS.

At two o'clock and twenty minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON FINANCE.

SACRAMENTO, January 29, 1915

MR. PRESIDENT: Your Committee on Finance to whom was referred Senate Bill No. 636—Making an appropriation to defray the expense of legislative printing, and mailing handled by the superintendent of State printing, for the forty first session of the Legislature of the State of California—has had the same under consideration, and respectfully recommend that it do pass.

STROBRIDGE, Chairman.

CASE OF URGENCY.

The following resolution was offered—(out of order):

By Senator Strobridge:

Resolved, That Senate Bill No. 636, presents a case of urgency, as that term is used in section fifteen, of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Whereupon the President declared that section fifteen of article IV had been suspended for the purpose of considering Senate Bill No. 636.

Senate Bill No. 636—An Act making an appropriation to defray the expense of legislative printing, and mailing handled by the Superintendent of State Printing, for the forty-first session of the Legislature of the State of California.

Bill read first time previously.

Read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 636 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY (OUT OF ORDER).

On motion of Senator Strobridge, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Concurrent Resolution No. 5—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition.

L. B. MALLORY, Chief Clerk of Assembly.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were offered:

BY COMMITTEE ON RULES.

Resolved, That the Secretary of the Senate be and he is hereby authorized and instructed to order during the constitutional recess such printing of bills, resolutions, journals, histories and other matter appertaining to the business of the Senate as in his judgment may be necessary.

THOMPSON, Chairman.

Resolution read, and on motion of Senator Thompson, adopted.

Also:

BY COMMITTEE ON RULES.

Resolved, That the Secretary of the Senate be and he is hereby instructed to forward to the several Senators, and to the attaches of the Senate, all first class mail matter addressed to any of them and received at the Senate postoffice prior to March 5, 1915, unless otherwise requested; and be it further

Resolved, That the Secretary of the Senate be and he is hereby authorized to receive from each Senator the set of codes, supplements thereto, constitution of the State of California, and any other property belonging to the State and now in the possession of any Senator, with instructions to hold said property for safe keeping during the constitutional recess, the same to be re-delivered on the reconvening of the Senate after such recess; and be it further

Resolved, That the Secretary of the Senate be and he is hereby instructed to bring down to date, at the earliest possible moment, the files of journals, bills, resolutions and constitutional amendments, and to turn the same over to the Sergeant-at-Arms, with an additional unbound set of Senate bills, resolutions and amendments, and a history brought down to the date of the constitutional recess, all to be forwarded by the Sergeant-at-Arms to each Senator at his place of residence.

THOMPSON, Chairman.

Resolution read, and on motion of Senator Thompson adopted.

Also:

By Senator Gerdes:

Resolved, That the controller be and he is hereby authorized to draw his warrant in favor of the Secretary of the Senate for $500, payable out of the Contingent Fund of the Senate, for the purchase of postage stamps to be used by the press mailing department.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

Also:

By Senator Flint:

Resolved, That there is hereby appropriated out of the contingent fund of the Senate one hundred and fifty dollars, or so much thereof as may be needed, for the purpose of purchasing boxes, packing, mailing and expressing all papers and documents belonging to Senators, to their places of residence. Immediately after the adjournment for the constitutional recess, the Sergeant-at-Arms of the Senate shall cause this work to be done and shall file with the Controller of the State vouchers covering the different items of expense, whereupon the Controller shall draw his warrant or warrants in favor of the Sergeant-at-Arms of the Senate for the amount necessarily expended, and the Treasurer is directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON AGRICULTURE.

SACRAMENTO, January 29, 1915.

MR. PRESIDENT: Your Committee on Agriculture to whom was referred Assembly Concurrent Resolution No. 14—An Act relative to the expression of appreciation by the State of California to Frank F. Chase, of Riverside, for his contribution of a valuable device for the separation of sound and unsound citrus fruits, which device has been given to the industry without patents or profit to the inventor, has had the same under consideration, and respectfully report the same back and recommend that it be adopted.

KING, Chairman.

CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator King asked for and was granted unanimous consent to call up for consideration at this time Assembly Concurrent Resolution No. 14.

ASSEMBLY CONCURRENT RESOLUTION NO. 14.

Relative to the expression of appreciation by the State of California to Frank F. Chase, of Riverside, for his contribution of a valuable device for the separation of sound and unsound citrus fruits, which device has been given to the industry without patents or profit to the inventor.

WHEREAS, The growers of citrus fruits of the State of Caliofrnia have upon various occasions suffered from visitations of frost, and this industry in consequence thereof has been greatly handicapped in competition in eastern markets, on account of the inability of growers to successfully segregate the damaged from undamaged fruit; and

WHEREAS, There has been invented and given to the industry, without patents or profits to the inventor, an adequate separating device which effectually separates citrus fruits of high and low specific gravity, thereby separating the sound from unsound fruit, to the end that producers and consumers alike are now protected from resultant financial losses; and

WHEREAS, The inventor and donor of said device (known as the "Chase Water Separator"), Mr. Frank F. Chase, of Riverside, has made a great contribution to the welfare of the horticultural interests of the State of California; now, therefore, be it

Resolved, That the legislature of the State of California extend to Mr. Chase its appreciation of his public spirit and his contribution to one of the greatest industries of our state; and

Resolved, That a copy of these resolutions, properly engrossed, be especially prepared for Mr. Chase and mailed to him by the chief clerk.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 14 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Resolution ordered transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILLS, ETC. (OUT OF ORDER).

The following bills, etc., were introduced:

By Senator Wolfe: Senate Bill No. 1079—An Act appropriating money for building and furnishing an observatory in the city and county of San Francisco; arranging for its upkeep by said city and county.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Tyrrell (by request): Senate Bill No. 1080—An Act to amend section two thousand two hundred eighty-nine of the Political Code relating to the support and maintenance of orphans, half orphans and abandoned children.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1081—An Act to amend sections two thousand one hundred fifty- two, two thousand one hundred fifty-three, two thousand one hundred fifty-four, and two thousand one hundred fifty-six of the Political Code of the State of California, and to add a new section to said Political Code, to be known and designated as section two thousand one hundred fifty-three *b*, all relating to the government and management of State Hospitals for the Insane, Feebleminded, and other Incompetent Persons, and to the care, training, and education of insane, feebleminded, and other incompetent persons.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Benedict: Senate Bill No. 1082—An Act to amend section sixty-seven *a* of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of two additional superior court judges in counties of the first class and providing for their compensation.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cohn: Senate Bill No. 1083—An Act to amend section seven hundred eighteen of the Political Code, relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1084—An Act to provide for the appointment of a State Capitol Planning Commission to formulate plans for the Capitol City of the State and to confer with the City Planning Commission of the State Capitol City.

Bill read first time, and referred to Committee on Finance.

By Senator Jones: Senate Bill No. 1085—An Act making each city, county or city and county liable in an action for damages for injury sustained in consequence of the dangerous or defective condition of any street, highway, public building, public work or property therein, and limiting the liability to public officers in respect thereto.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1086—An Act appropriating money to pay the expenses of the Recreational Inquiry Committee in the preparation and distribution of the report of said committee.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 1087—An Act appropriating money to pay the claim of Fred H. Figel, against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Chandler (by request): Senate Bill No. 1088—An Act to regulate the signing and circulation of initiative, referendum and recall petitions required by law to be filed with the Secretary of State.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 1089—An Act to amend the Political Code of the State of California by adding a new section thereto to be designated section one thousand one hundred ninety-four, relating to the preservation and subsequent destruction by the Secretary of State of initiative, referendum and recall petitions.

Bill read first time, and referred to Committee on Elections.

By Senator Anderson: Senate Bill No. 1090—An Act appropriating money to defray the expenses during the sixty-seventh and sixty-eighth fiscal years, of the Commission of Immigration and Housing of California in conducting inspections of housing conditions and enforcing the State housing laws.

Bill read first time, and referred to Committee on Finance.

By Senator King: Senate Bill No. 1091—An Act to amend section thirty of an Act entitled "An Act to carry into effect the provisions of section fourteen of article XIII of the constitution of the State of California, as said constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1092—An Act to provide for the reimbursement of counties in this State which sustained a net loss of revenue during the years 1911, 1912, 1913 and 1914, by the withdrawal of railroad property from county taxation under the provisions of section fourteen, article XIII, of the constitution of this State, in addition to the reimbursement provided for by the terms of an Act entitled "An Act to provide for the reimbursement of counties in this State, which sustain net loss of revenue by the withdrawal of railroad property from county taxation, under the provisions of section fourteen, of article XIII of the constitution of this State," approved April 26, 1911.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 1093—An Act relating to this conducting of a company store by any person, firm or corporation engaged in doing public work.

Bill read first time, and referred to Committee on Judiciary.

By Senator Luce: Senate Bill No. 1094—An Act to amend section six hundred thirty-six of the Penal Code relating to the use of net for the catching of fish, shellfish, shrimp or crabs in the waters of the State.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1095—An Act to amend section six hundred twenty-eight of the Penal Code, relating to the protection of shrimp, lobster, cat fish, sturgeon, crab, abalone and prohibiting the use of certain apparatus.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1096—An Act to amend section six hundred twenty-six of the Penal Code, relating to the protection of cotton tail rabbit, bush rabbit, ducks, snipe, quail and other animals.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Flaherty: Senate Bill No. 1097—An Act to amend an Act entitled "An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913 -statutes of California of 1913, page 1429.

Bill read first time, and referred to Committee on Public Health and Quarantine.

RECESS.

At three o'clock p.m., on motion of Senator Thompson, the President declared the Senate at recess until four o'clock and thirty minutes p.m.

RECONVENED.

At four o'clock and thirty minutes p.m., the Senate reconvened. President pro tem. Thompson in the chair.

MESSAGE FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Strobridge, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 636—An Act making an appropriation to defray the expense of legislative printing, and mailing handled by the Superintendent of State Printing, for the forty-first session of the Legislature of the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 636 ordered to enrollment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 29, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 280—An Act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the Board of Supervisors and Auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections three thousand six hundred eighty-two and three thousand seven hundred thirty-two of the Political Code, and to confirm, validate and legalize all sales, certificates of sale, tax-deeds, or other tax conveyances issued under and based upon any such assessments and taxes.

Also: Senate Bill No. 301—An Act amending section nine of an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act," approved March 20, 1903;

Also: Senate Bill No. 471—An Act to provide for the separation of the deaf and the blind departments in the California School for the Deaf and the Blind;

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following bills, etc., were introduced:

By Senator Scott: Senate Bill No. 1098—An Act to amend section thirty-three hundred sixty-six of the Political Code relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax.

Bill read first time, and referred to Committee on Judiciary.

By Senator Duncan: Senate Bill No. 1099—An Act to amend an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Bill read first time, and referred to Committee on Banking.

By Senator Campbell: Senate Bill No. 1100—An Act to amend section five hundred eighty-three of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 1101—An Act to amend section two of an Act entitled "An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water system," approved June 13, 1913.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator King: Senate Bill No. 1102—An Act to amend section four thousand forty-eight of the Political Code regarding the purchase of supplies and advertising by counties, defining the duties and powers of officers relating thereto, and establishing a legal square and a legal rate.

Bill read first time, and referred to Committee on Judiciary.

By Senator Chandler: Senate Bill No. 1103—An Act to prevent injury to oil, gas or petroleum bearing strata or formations by the penetration or infiltration of water therein, providing penalties for the violation thereof, and repealing an Act entitled "An Act to prevent injury to oil, gas or petroleum bearing strata or formations by the penetration or infiltration of water therein," approved March 20, 1909.

Bill read first time, and referred to Committee on Oil Industries.

Also: Senate Bill No. 1104—An Act to provide for the organization and government of districts for the protection of lands within this State producing or containing oil or gas, from injury or damage from the infiltration or intrusion of water into the oil or gas-bearing strata in said lands.

Bill read first time, and referred to Committee on Oil Industries.

SENATOR STROBRIDGE IN THE CHAIR.

At four o'clock and thirty-five minutes p.m., Senator Strobridge of the Thirteenth District, in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

SACRAMENTO, January 29, 1915.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 12—Inviting Hon. Woodrow Wilson, President of the United States, to attend the annual inland waterways convention, which will meet at San Francisco, March 25, 26, 27, 1915—has had the same under consideration, and respectfully report the same back and recommend that it be adopted.

RUSH, Chairman.

CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Rush asked for and was granted consent to take up for consideration at this time Assembly Concurrent Resolution No. 12.

ASSEMBLY CONCURRENT RESOLUTION NO. 12.

Inviting Hon. Woodrow Wilson, President of the United States, to attend the annual inland waterways convention, which will meet at San Francisco, March 25, 26 and 27, 1915.

WHEREAS, The future commercial development of the State of California depends largely upon the improvement of the inland waterways throughout the State; and

WHEREAS, The annual inland waterways convention will meet at the exposition auditorium March 25, 26 and 27, 1915; and

WHEREAS, President Woodrow Wilson has now under consideration an invitation extended to him to address said convention.

Resolved, by the Senate and Assembly, jointly, That we sincerely hope that the President will find opportunity amongst his multitudinous duties to avail himself of the invitation extended to him by the inland waterways convention.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 12 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Resolution ordered transmitted to the Assembly.

The following bills, etc., were introduced:

By Senator Slater: Senate Bill No. 1105—An Act authorizing the sale of certain property belonging to the State of California, and located in what is known as Reclamation District 1600 in Yolo county.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Flint: Senate Bill No. 1106—An Act providing for the disposition of fines and forfeitures collected in all prosecutions for violations of the laws of the State referring to wild birds, wild mammals and fishes.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1107—An Act to regulate the issuance of licenses for resale to hunters and anglers.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1108—An Act authorizing any municipal corporation, using the word "City" in its corporate name, to change such word to "Town" and providing the procedure therefor.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1109—An Act to validate the organization and incorporation of municipal corporations.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1110—An Act to amend section one of an Act entitled "An Act in relation to fences, and other structures erected to annoy, and for the abatement of nuisances," approved May 28, 1913.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1111—An Act to provide for locating, surveying and maintaining a highway from Pescadero in the County of San Mateo to the California Redwood Park in Santa Cruz county, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 1112—An Act to amend sections ten hundred seventy-three, ten hundred seventy-nine, ten hundred eighty-three *a*, ten hundred ninety-four, ten hundred ninety-six, eleven hundred thirteen, eleven hundred fifteen, eleven hundred twenty, eleven hundred twenty-one, eleven hundred twenty-seven, eleven hundred twenty-nine, eleven hundred thirty, eleven hundred thirty-three, eleven hundred ninety-two, twelve hundred eighty-eight, twelve hundred ninety, twelve hundred ninety-four, and four thousand twenty-five of the Political Code; to add a new section to the same code to be numbered ten hundred eighty-three *b*, relating to the same subject matter; and to repeal sections twelve hundred eighty-five, twelve hundred eighty-six, twelve hundred eighty-seven, thirteen hundred thirty-four, thirteen hundred thirty-five, thirteen hundred forty-four, thirteen hundred forty-five, thirteen hundred fifty-nine, thirteen hundred sixty-one *a*, and thirteen hundred sixty-six *a* of the Political Code also relating to the same subject matter.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1113—An Act to amend sections eighteen hundred ninety-seven, eighteen hundred ninety-eight, nineteen hundred, nineteen hundred one of the Political Code, relating to making a roll of persons subject to military duty and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 1114—An Act to amend section four thousand forty-one of the Political Code relating to the powers and duties of county boards of supervisors.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1115—An Act to amend section twelve hundred eighty-two of the Political Code relating to the statement and record of votes cast at elections.

Bill read first time, and referred to Committee on Elections.

By Senator Breed: Senate Bill No. 1116—An Act to provide for the return to the owners thereof of any funds paid into the State treasury by any receiver in conformity with the provisions of section five hundred seventy of the Code of Civil Procedure; prescribing the procedure relative thereto; and making an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1117—An Act for making restitution to the persons who are or may become entitled thereto in accordance with the provisions of sections three thousand four hundred eight *d*, three thousand five hundred seventy-one and three thousand five hundred seventy-two of the Political Code of the principal sums by them, or by their respective predecessors in interest, paid to the State of California and thereafter deposited in the State treasury to the credit of the State School Land Fund pursuant to law, prescribing certain duties of the register of the State Land Office, the State Controller and the State Treasurer with respect thereto; and making an appropriation for such purpose.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1118—An Act to provide for the repayment to such persons as are or may become entitled thereto of moneys by them, or their assignors, paid to the State of California in consequence of illegally imposed charges for the registration of motor vehicles, or paid to the State by mistake or inadvertence in connection with the registration of such motor vehicles, and thereafter deposited in the State treasury to the credit of the motor vehicle fund pursuant to the provisions of chapter three hundred twenty-six of California Statutes of 1913, approved May 31, 1913, and known as the "Motor Vehicle Act;" making an appropriation for such purpose; prescribing certain duties with respect thereto; and providing for the retention by the State of proportionate deductions from the moneys which would otherwise be apportioned to the several counties under the provisions of said Motor Vehicle Act.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1119—An Act to provide for making restitution to the persons who are or may become entitled thereto, in accordance with the provisions of sections three thousand five hundred seventy-one and three thousand five hundred seventy-two of the Political Code, of the sums by them, or by their respective predecessors in interest, paid to the State of California as interest upon the unpaid balance of the purchase price of lands wrongfully sold, or to which the State is unable to pass title, and thereafter deposited in the State treasury to the credit of the State school fund pursuant to law; prescribing certain duties of the Register of the State Land Office, the State Controller and the State Treasurer with respect thereto; and making an appropriation for such purpose.

Bill read first time, and referred to Committee on Judiciary

By Senator Crowley: Senate Bill No. 1120—An Act to amend sections seven, eight, eight *a*, eight *b*, eight *c*, eight *d*, and nine of an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907; approved March 19, 1909; approved April 25, 1911; approved June 11, 1913.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Luce: Senate Bill No. 1121—An Act to amend section one of an Act entitled "An Act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property;" approved April 26, 1911

Bill read first time, and referred to Committee on Judiciary.

By Senator Kehoe: Senate Bill No. 1122—An Act to amend an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of State highways in the State of California, specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of state bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, 1910, A. D., by amending section eight thereof, relative to the reimbursement to the State by the several counties thereof of sums equal to the interest upon certain outstanding bonds, and the proceeds of sale thereof, sold and applied as in said Act provided, and providing for the submission of this Act to a vote of the people

Bill read first time, and referred to Committee on Roads and Highways.

Also: Senate Bill No. 1123—An Act to amend section one thousand two hundred seventy-two of the Code of Civil Procedure, relating to escheated property and the procedure in relation thereto.

Bill read first time, and referred to Committee on Judiciary

Also: Senate Bill No. 1124—An Act to add a new section to the Code of Civil Procedure, to be numbered one thousand two hundred sixty-nine *a* relating to escheated property and the procedure in relation thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1125—An Act to amend section one thousand two hundred sixty-nine of the Code of Civil Procedure, relating to escheated property and the procedure in relation thereto.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1126—An Act to amend section eleven hundred forty-two of the Political Code requiring boards of supervisors to appoint election officers from an eligible list of persons who have previously passed an examination as to their fitness and competency.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 1127—An Act to amend the Civil Code of California by adding thereto a new section to be numbered and known as section one thousand seven hundred seventy-one *a*, relating to the sale of live stock.

Bill read first time, and referred to Committee on Agriculture.

Also: Senate Bill No. 1128—An Act to amend section one hundred ninety-two of the Penal Code, defining manslaughter.

Bill read first time, and referred to Committee on Judiciary.

By Senator Brown: Senate Bill No. 1129—An Act to amend section one thousand seven hundred fifteen of the Political Code relating to the control and location of libraries.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Anderson: Senate Bill No. 1130—An Act to add a new section to the Political Code of the State of California, to be numbered one thousand five hundred nineteen *a*, relating to the furnishing of free textbooks to state institutions.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1131—An Act providing for the establishment and conduct of a State Land Information Bureau as a department of the College of Agriculture of the University of California; prescribing the powers and duties of said bureau and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

ADJOURNMENT.

At four o'clock and fifty minutes p.m., on motion of Senator Thompson, the acting President declared the Senate adjourned until nine o'clock a.m. Saturday, January thirtieth, 1915.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Saturday, January 30, 1915.

Pursuant to adjournment, the Senate met at nine o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

Upon invitation of the President, prayer was offered by the Chaplain of the Assembly, Rev. James Whittaker.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 29, 1915, the further reading was dispensed with, on motion of Senator Rush.

COMMUNICATION.

The following communication was received and ordered printed in the Journal:

By Senator Wolfe:

SAN FRANCISCO, January 26, 1915.

Honorable John M. Eshleman and Members of the Senate, Sacramento, California.

GENTLEMEN: On Thursday morning, January 28, a Coroner's jury and I will be called upon to hold an inquest into the deaths of certain Chinese, evidently murdered as the result of factional differences between rival tongs or societies. Whether these murders were committed directly by certain members of the tongs or by assassins or gunmen employed for the purpose by the officers and members of the tongs we will try to determine.

The mere question as to who these decedents are, and in what manner and when and where they came to their deaths—the circumstances surrounding their deaths—whether a crime has been committed in their cases and who is guilty thereof as principals or accessories—are the perfunctory questions to be determined by Coroner and jury.

Yet there is a higher function of Coroner and jury—that of determining not only these facts but of recommending as a result of the lesson derived from the investigation and study of the facts, means for the prevention of future similar acts. Among the duties of Coroner and jury are recommendatory legislation for the correction of evils—hence my communication to you gentlemen.

The importance of the question and why an endeavor should be made at this time to settle it once and for all time I shall not in this letter enter into, as I shall enclose our verdict in a former case, the result of a most careful and exhaustive investigation by a special jury composed of most respected and intelligent business men of San Francisco. I would request that you, sir, and each and every member of your legislative body read their verdict and recommendation very carefully and give to the serious question of these murderous tongs the investigation and legislation it deserves. To quote from the verdict, the Chinese Consul, when asked to recommend a remedy, suggested: placing the matter entirely in the hands of our officials, advising us to make new laws, enforce the present ones and generally claiming that the remedy ought to be easy and lies in our own hands—that "in other countries, viz., in England, Australia and other British possessions where the laws are more stringent they have no similar difficulties—the tongs being a purely American organization."

Following our investigation came a change in the Federal administration, the incumbent United States District Attorney who thoroughly understood the question and who had assisted very materially in the inquiry, being removed. This, together with other events supervening, convinced me that it would be futile at that time to endeavor to arouse interest or obtain action. It also seemed that the fear occasioned by the investigation had ended the matter for all time. We now know that such was not the case and a repetition of their crimes once more makes the time opportune for decisive action.

Should your honorable body desire to take up the matter for solution I will be glad to furnish you with a transcript of all the evidence taken at the time and to assist you in any way you may desire.

Trusting that you will believe me to be only one of many citizens of this State who honestly desire to see this tong evil eradicated and that you will not consider that I have overstepped my official function in thus addressing you, I remain,

Very respectfully yours,

THOMAS B. W. LELAND,
Coroner of City and County of San Francisco.

STATE OF CALIFORNIA,
City and County of San Francisco. } ss.

Inquisition taken at San Francisco on the 8th, 9th, 11th, 15th, 23rd and 24th days of April, 1913, before Dr. T. B. W. Leland, Coroner of said City and County, upon view of the body of Lee Sing, then and there lying dead, upon the oath of nine jurors, good and lawful men of the City and County, who being duly summoned and sworn to inquire into all the circumstances attending the death of the said Lee Sing and by whom the same was produced, and in what manner and when and where the said Lee Sing came to his death, do say upon their oath aforesaid:

That the said Lee Sing, male, yellow, aged 55 years, nativity China, married, occupation laborer, residence 710 Sacramento Street, came to his death at the Harbor Emergency Hospital on April 1, 1913, from shock and hemorrhage following gunshot wound of chest and abdomen;

And we further find:

From our investigation that the murder of Lee Sing is the outgrowth of trouble existing between certain so-called tongs in San Francisco; that the trouble itself was trivial in nature, originating in an ordinary street brawl in Chinatown in which a member of one tong slapped the face of a member of another tong; that this renewed a feud which had been slumbering for the past two years and had originated over the stealing of a slave girl and resulted in the loss of some seventeen lives. The present trouble led to a renewal of hostilities, negotiations for the settlement of which failing, the aggrieved tong, through its members and officers, decided to avenge the apparent injury by the wholesale murder of members of the opposing tong. This led to reprisals on the part of their rivals, and up to the present time the Bing Kong tongmen have murdered four Suey Sing tongmen and the Suey Sing tongmen have murdered five Bing Kong tongmen.

We learn from our investigation that the organization of the so-called tong was the product of the evil mind and genius of a wily Chinese well known in San Francisco as "Little Pete;" that it was created originally for evil purposes, namely, blackmail and murder, to secure control of the gambling interests in Chinatown, and for the purpose of obtaining control of the police, witnesses, jurors, judges and other officials with whom their evil doings might bring them in contact. The said "Little Pete" was eminently successful in his organization has been evidenced in the past by the downfall of a long series of officers. Although his plans met with success they eventually led to his downfall, as he finally was murdered by members of a similar rival organization. Since the days of "Little Pete," many Chinese have attempted to duplicate his efforts and success, and the present condition is a result of ambition on the part of these Chinese to acquire similar power and wealth gained by "Little Pete." It is one of the evil spots in the history of San Francisco and has cost the city unbelievable amounts of money and the needless sacrifice of human lives. Attempts have been made from time to time to suppress the tongs, most of the efforts, however, having been directed towards temporary measures such as terrifying the inhabitants of Chinatown during the height of the tong activities; their meeting places which had developed into gorgeous clubrooms for the pleasure of their members between wars were raided, and thousands of dollars worth of furnishings destroyed. Wholesale arrests and all sorts of temporary expedients were used, but without avail. Our civic authorities have been unable to cope with the situation, and at the present time the Chinese have absolutely no respect either for our civic authorities or our laws. The fear of the wrath of their own tongs is greater than the fear or respect they have for our laws. Our own people, through the frequent occurrence of these so-called wars, and notwithstanding the number of murders attendant upon them, have become apathetic and do not look upon the crimes with the feeling of horror which the crimes deserve. Our officials have become content with seeking out the actual perpetrators of the crimes, arresting the hired assassins when they can be found and convicting or dismissing them, according to whether the evidence shows them guilty or innocent - no attempt being made to reach the actual instigators of the crimes, the tongs themselves, or their officers.

We, the jury in this case, citizens and business men of San Francisco, are determined that something must and will be done to bring to a definite end this blot upon our city. We realize in the existence of this evil that there is more than the mere question of the continued murder of members of a foreign population. We find that these feuds are costing the city and county of San Francisco a sum ranging from fifty to seventy-five thousand dollars annually, and there is also the withdrawing of a large force of our police officers from duties which they could be fulfilling elsewhere.

These tongs are really conducting and promoting schools of crime. While the American born Chinese, on account of his contact with the best of our western civilization, should be an improvement upon his race and a credit to the country in which he is born, with the consequent uplifting effect of such association upon the people of his Fatherland, the American born Chinese is so dominated by the evil influence of the tong that he is educated to look upon their murderous customs as proper. He is taught a disrespect for our institutions and our laws; he is so dominated by the fear of these murderous tongs that it has become customary in San Francisco to expect a Chinese, no matter of what caste, to deliberately perjure himself before our courts and officials when called upon to testify as between the law and the tongs.

Without going deeper into this moral issue which affects the entire Chinese community, it will be readily seen that this issue is even greater than the mere financial one. The American born tong man both by the Chinese themselves and our public officials, is acknowledged to be the worst type of criminal developed by the system. We find in every witness examined, from the most humble Chinese up to the Consul

General himself, an unwillingness and fear to assist the investigation in any possible manner; all express a sincere desire to rid the city and themselves of the murderers but are absolutely unwilling and afraid even to suggest a true solution of the difficulty. The Consul General himself suggests placing the matter entirely in the hands of our officials, advising us to make new laws, enforce the present ones and generally claiming that the remedy ought to be easy and lies in our hands. An unofficial suggestion is made that deportation is more feared by the Chinese than the risk of conviction of the crime of murder with its consequences. The Consul also informs us that in other countries, namely, in England and Australia and other English possessions where the laws are more stringent, they have no similar difficulties, the tong being a purely American organization.

We have examined many witnesses in the progress of our investigation, namely, the United States District Attorney, John L. McNab, an able and fearless official willing to do all in his power to eradicate this evil; also, Dr. John E. Gardner, Federal Immigration Inspector, whom we also find to be an intelligent, painstaking official, evidently well informed on the situation, who, in our opinion, gave the best suggestions in regard to the control of the situation. These suggestions are a matter of record and will be available to those interested in the investigation. We also interrogated Chief of Police White and Captain of Detectives Mooney, also Detective Sergeant Arthur MacPhee, assigned to detective duty in Chinatown (who assisted us materially, in our investigation, ex-Detective George W. T. McMahon, stationed for sixteen years in Chinatown, District Attorney Fickert and Police Commissioner Jesse B. Cook, formerly sergeant of police, also ex-chief of police, Mr. Oliver Dibble, attorney for one of the Chinese tongs; Yee Yick Yin, president of the Chinese Six Companies; Gee Sing Sam, secretary of the Chinese Six Companies, and Li Yew, Chinese Consul General at San Francisco.

From our civil authorities we could obtain nothing but a recognition of the existence of the evil and acknowledgment of their inability to eradicate it. Our general conclusions as a result of the investigation are that unless some radical steps are taken the evil will continue to exist and will probably grow in the face of the efforts that are now being made on the part of our local officials to prevent it. That the evil is growing is evidenced by the fact that the Chinese murderers are becoming more bold as time passes; formerly their operations were restricted to the Chinese quarter and committed by means of modern weapons such as powerful automatic repeating revolvers, and during the present tong war rifles are being used, generally fired from windows or housetops, with the consequent greater ability of the murderer to escape without capture by the police. The last tong war murder was committed in broad daylight in the business section of the city in the doorway of a restaurant crowded with white patrons; in this instance an innocent white man, a pedestrian, was shot.

It has been testified to and is a matter of record that the Chinese have been engaged in actual target practice in the county of San Mateo at the Chinese cemetery; that they are perfecting themselves in the art of shooting, and we believe for no other purpose than to become expert in the use of modern weapons for tong purposes, with probable murderous intent. We recommend that the matter of target practice be called to the attention of the authorities of San Mateo county so that the actual intent of the parties concerned may be determined by said officials.

We feel that if the conditions are to be controlled much stronger measures must be used and an appeal made to the very highest authorities whose active interest may be requested. We believe that a continued, concerted and united effort on the part of our Federal, State and Municipal authorities with the great power at their command would result in the eradication of the evil; that its existence depends upon the fear that the Chinese have of their own tongs as against the fear of the consequences of the violation of our laws. At the present time the balance is in favor of the tong as against the constituted authorities. We find that we have two classes to deal with, the foreign born element which evidently can be controlled by the Federal authorities, and the American born element which can be reached by the State and municipal authorities. By a strong combination and cooperation of the Federal, State and municipal authorities we feel that the evil may be overcome. We would strongly recommend that effort be made to bring about a union of these forces to the end and the direction of the warfare upon the tongs be concentrated in some head officially authorized with the management of this campaign of the eradication. To this end we direct that the Coroner communicate with Secretary of State William J. Bryan at Washington, D. C., directing his attention to this evil as existing in San Francisco, that he be made fully aware of all the phases of it; that transcripts of this testimony or portions of it concerning this particular issue be forwarded to him with the request that he take up the matter with the representatives of the Chinese Government at Washington, and that he be requested to direct that all the powers of the Federal authorities in the State of California and other states where these tongs exist be directed to use their most strenuous efforts to attack the evil with the idea of eradicating it once and for all; that in like manner the services of Governor Hiram W. Johnson of California be enlisted so that if the present laws governing this situation are inefficient laws may be enacted by the California State Legislature which will cover the deficiency; that the municipal authorities be requested to give this matter the active attention which it deserves.

We recommend that this matter be brought to the attention of the representatives from California at Washington.

We desire to enlist the personal efforts and activities of his Honor, Mayor James Rolph, Jr.; that if his personal services can be enlisted upon the subject at issue he may be able, as the executive officer of this city, to so arouse public sentiment and the activities of his officials and commissioners that definite results may be accomplished. Some one connected with the city government must take an active directing interest in the matter. We realize that our duties as jurors in the case will terminate with the rendering of this verdict. We therefore appeal to Mayor Rolph to take this matter actively in hand, he being the one who has the necessary power to stimulate into action the various officials necessary to bring about the desired results.

We, the jury very heartily commend the action of Coroner T. B. W. Leland in his effort, he having taken the initiative in making a thorough investigation into the causes and endeavoring to find some solution of this serious problem.

We have given this problem much serious consideration and know that our time and efforts will not have been wasted if the present blot upon the name of our fair city can be removed. It can and will be done and only requires earnest and concerted effort. We trust that our request for active measures in this regard from all the authorities concerned will meet with the success which we expect.

We further find that said Lee Sing came to his death from gunshot wounds of chest and abdomen received at the hands of one Yee Lick; that said gunshot wounds were inflicted by said Yee Lick with intent to commit murder, and we hereby charge the said Yee Lick with the crime of murder. That said Yee Lick was employed to commit this murder by a Chinese secret society known as the Bing Kong tong; that the commission of said murder was ordered by the membership of said tong acting through the president and secretary, and we hereby charge the individual members of the Bing Kong tong, and president and secretary with the crime of murder and direct, in accordance with this verdict that the Coroner issue warrants throughout the several counties of the State of California for the arrests of each and every member of said tong.

IN WITNESS WHEREOF, as well as the said Coroner, the jurors aforesaid have to this inquisition set their hands and seals on the date thereof.

Charles Myer, Foreman; Isaac Geodman, Frank Woerner, F. A. McKenzie, Monroe Marks, Jesse Coleman, Chas. R. Daly, Angelo Rossi, Louis A. Gould, Thos. J. Dillion.

Approved: THOS. B. W. LELAND, Coroner.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved, That the Secretary of the Senate be and he is hereby authorized and directed to employ during the period of the constitutional recess, at a compensation not exceeding the per diem fixed by law or by resolution by the Senate for similar services and at an expenditure not exceeding $150, such assistants as may be necessary to carry out the directions of the Senate, set forth in resolutions heretofore adopted, and for that purpose he be and he is hereby given complete authority over all employees necessary in such work, and he is hereby authorized and directed to certify to the Controller each week the list of such employees and the compensation to be allowed to each for such service and the Controller is hereby directed to draw his warrant for any such amount in favor of each such employee for such sum, payable out of the unexpended portion of the $500.00 per day allowed by law for the payment of officers and employees of the Senate, and the State Treasurer is hereby directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Also:

By Senator Breed:

Resolved, That J. A. Zimmerman be transferred from the position of Assistant Sergeant-at-Arms at $5.00 per day to the position of Press Mailing Clerk at $4.00 per day.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Also: By Senator Breed:

Resolved, That the following named persons be stricken from the list of Senate attaches, and their names be stricken from the pay roll of the Senate:

Miss Anna Fitzpatrick, Stenographer to President	$5 00 per day
Eric Johnson, Assistant Secretary	6 00 per day
J. A. Miller, Assistant Secretary	6 00 per day
Jos. A. Beek, Assistant Secretary	6 00 per day
I. F. Baker, Assistant Minute Clerk	6 00 per day
Arthur S. Moore, Assistant Minute Clerk	6 00 per day
Theo. LaFayette, Assistant Minute Clerk	6 00 per day
Carrie A. Garrison, Journal Clerk	6 00 per day
Marion T. Plunkett, Assistant Journal Clerk	5 00 per day
Wellington Bowser, Assistant Journal Clerk	5 00 per day
John McDonald, Assistant Journal Clerk	5 00 per day
W. Johnston, Assistant Sergeant-at-Arms	5 00 per day
J. Dimond, Assistant Sergeant-at-Arms	5 00 per day
Wm. Vacher, Assistant Sergeant-at-Arms	5 00 per day
D. S. Millar, Assistant Sergeant-at-Arms	5 00 per day
Thos. Howard, Assistant Sergeant-at-Arms	5 00 per day
Thos. F. Whalen, Assistant Sergeant-at-Arms	5 00 per day
Andrew Cunningham, Assistant Sergeant-at-Arms	5 00 per day
Wm. Lynch, Assistant Sergeant-at-Arms	5 00 per day
Geo. Goldman, Assistant Sergeant-at-Arms	5 00 per day
John T. Young, Assistant Sergeant-at-Arms	5 00 per day
H. W. Dexter, Assistant Sergeant-at-Arms	5 00 per day
J. R. Callahan, Assistant Sergeant-at-Arms	5 00 per day
J. LeRoy Johnson, Stenographer	5 00 per day
Miss Lillian Campbell, Stenographer	5 00 per day
W. Clayton Elliott, Stenographer	5 00 per day
Jos. O'Rourke, Stenographer	5 00 per day
Miss Josephine McCann, Stenographer	5 00 per day
Miss Marie Krachen, Stenographer	5 00 per day
Samuel Marks, Stenographer	5 00 per day
Miss F. B. Hatch, Stenographer	5 00 per day
Miss Mae Mudd, Stenographer	5 00 per day
Berta James, Stenographer	5 00 per day
Mrs. M. L. Johnson, Stenographer	5 00 per day
Miss Nellie Jessen, Stenographer	5 00 per day
Eugene G. Goff, Stenographer	5 00 per day
S. Vincent Brown, Stenographer	5 00 per day
Miss Helen Barry, Stenographer	5 00 per day
Mrs. Mae Ensminger, Stenographer	5 00 per day
Miss Della W. Hoppin, Stenographer	5 00 per day
Miss Agnes Loufborrow, Stenographer	5 00 per day
M. M. Crowley, Stenographer	5 00 per day
Louisa R. Young, Stenographer	5 00 per day
N. Murphy, Committee Clerk	4 00 per day
John J. Begley, Committee Clerk	4 00 per day
J. Riordan, Committee Clerk	4 00 per day
Miss Mabel Graney, Committee Clerk	4 00 per day
Alice M. Wall, Committee Clerk	4 00 per day
W. R. Shiveley, Committee Clerk	4 00 per day
Wm. M. Reese, Committee Clerk	4 00 per day
E. G. Stuckenbruck, Committee Clerk	4 00 per day
Wm. Burwell, Committee Clerk	4 00 per day
M. Klein, Committee Clerk	4 00 per day
Wm. Walsh, Committee Clerk	4 00 per day
Horace Theal, Committee Clerk	4 00 per day
W. H. Nichols, Committee Clerk	4 00 per day
W. H. Haley, Committee Clerk	4 00 per day
A. A. Leonard, Clerk, Finance Committee	6 00 per day
W. H. Cook, Clerk, Judiciary Committee	6 00 per day
John Cooper, Committee Clerk	4 00 per day
Willard E. Bevens, Committee Clerk	4 00 per day
William Hennessey, Committee Clerk	4 00 per day
Milo R. Robbins, Engrossing and Enrolling Clerk	6 00 per day

Mrs. Zoe Dobson, Assistant Engrossing and Enrolling Clerk	$5 00 per day
Samuel Knight, Assistant Engrossing and Enrolling Clerk	5 00 per day
Miss M. Hubbard, Assistant Engrossing and Enrolling Clerk	5 00 per day
Juliett M. Berger, Assistant Engrossing and Enrolling Clerk	5 00 per day
G. M. Warren, Assistant Engrossing and Enrolling Clerk	5 00 per day
Elizabeth S. Taylor, Asst. Engrossing and Enrolling Clerk	5 00 per day
R. W. Flint, Assistant Engrossing and Enrolling Clerk	5 00 per day
W. B. Coombs, History Clerk	6 00 per day
Wilbur S. Spencer, Assistant History Clerk	5 00 per day
H. P. Angus, File Clerk	5 00 per day
A. W. Carlson, Press Mailing Clerk	4 00 per day
Mrs. H. M. Gibbs, Postmistress	4 00 per day
Mrs. Mary Finney, Assistant Postmistress	4 00 per day
T. A. McEachen, Cloakroom Clerk	4 00 per day
C. W. Wilson, Cloakroom Clerk	4 00 per day
J. J. Bisbee, Gatekeeper	3 00 per day
C. H. Twine, Gatekeeper	3 00 per day
C. Olivier, Gatekeeper	3 00 per day
Everett C. Rutherford, Page	2 50 per day
Harold Stevens, Page	2 50 per day
Raymond Mathewson, Page	2 50 per day
Wm. Easton, Page	2 50 per day
Tom Lenahan, Page	2 50 per day

Resolution read.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Maddux: Senate Joint Resolution No. 9—Relative to the re-enactment of section nine of an Act of Congress, approved June 17, 1902, entitled "An Act appropriating the receipts from the sale and disposal of public lands in certain states and territories to the construction of irrigation works for the reclamation of arid lands," which section nine was repealed by an Act of Congress, approved June 25, 1910, entitled "An Act to authorize advances to the "Reclamation Fund" and for the sale and dispesal of certificates of indebtedness in reimbursement thereof and other purposes.

Resolution read, and referred to Committee on Federal Relations.

By Senator Duncan: Senate Bill No. 1132—An Act to amend section seven hundred fourteen of the Code of Civil Procedure relative to examination of judgment debtors on proceedings supplementary to execution.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1133—An Act to permit three or more counties adjoining each other to appropriate from the general fund of the county a sum not exceeding one thousand dollars, by each county, to be used in connection with an equal sum from each of the other two counties in causing a survey to be made of a proposed highway in or through one or more of said counties.

Bill read first time, and referred to Committee on Roads and Highways.

Also (by request): Senate Bill No. 1134—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records" by making said Act also applicable to real property whose records have been destroyed among the records of another county of which it was formerly a part.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1135 An Act to amend section three of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893, and approved March 19, 1907."

Bill read first time, and referred to Committee on Elections.

By Senator Anderson: Senate Bill No. 1136—An Act to amend section seven hundred and sixty four of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and as amended March 23, 1901, and March 3, 1905, relating to the powers of boards of trustees of cities of the fifth class.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1137—An Act to amend sections one thousand eight hundred seventeen and one thousand eight hundred eighteen of the Political Code of the State of California, relating to the County School Tax.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1138—An Act to regulate the building and occupancy of dwelling houses in incorporated and unincorporated towns, cities, cities and counties, and to provide penalties for the violation thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Breed: Senate Bill No. 1139—An Act to provide for the payment of awards of court, or judgments, rendered in conformity with the provisions of section twelve hundred seventy-two of the Code of Civil Procedure, and making an appropriation therefor.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1140—An Act to amend section two hundred sixty-eight of the Political Code of the State of California, relating to the compensation of other officers and employees, salaries of officers and attaches of the Senate and Assembly.

Bill read first time, and referred to Committee on Judiciary.

By Senator Flint: Senate Bill No. 1141—An Act to amend section one thousand four hundred ninety-one *a* of the Code of Civil Procedure relating to the filing statement as to publication of notice to creditors.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hans: Senate Bill No. 1142—An Act making an appropriation for the erection, construction, equipment and furnishing of an armory for the National Guard in the City of Oakland.

Bill read first time, and referred to Committee on Military Affairs.

Also: Senate Bill No. 1143—An Act relating to collection agencies; placing them under the supervision of the bank commissioner; providing for registration and licensing the same; requiring a bond to be filed; fixing the period of time within which settlements are to be made; providing a penalty for violation of this Act.

Bill read first time, and referred to Committee on Banking.

By Senator Maddux: Senate Bill No. 1144—An Act relating to the use of the public waters of the State of California.

Bill read first time, and referred to Committee on Irrigation.

By Senator Beban: Senate Bill No. 1145—An Act to create a commission for the purpose of making a survey of local historical material in the State of California; defining the powers and duties of said commission; and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Chandler: Senate Bill No. 1146—An Act requiring retail dealers in oils and in gasoline and other inflammable fluids to display conspicuously placards showing the quality and price thereof; providing for tests of such fluids, and prescribing penalties for violation of the provisions hereof.

Bill read first time, and referred to Committee on Oil Industries.

By Senator Campbell (by request): Senate Bill No. 1147—An Act to amend section nine hundred twenty-eight of the Penal Code relating to powers and duties of Grand Juries.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 36—A resolution proposing to the People of the State of California to amend section twelve of article XIII of the constitution of the State of California relative to poll tax.

Constitutional Amendment referred to Committee on Revenue and Taxation.

By Senator Mott: Senate Bill No. 1148—An Act to amend section seven hundred seventy-seven of Act twenty-three hundred forty-eight, relating to contracting for public work in cities of the fifth class.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1149—An Act to appropriate money to pay the claim of Harve Oliver Waterman against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Jones: Senate Bill No. 1150—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by providing for the taking over and administering by counties of certain functions, powers and property previously administered by municipalities that have disincorporated.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Luce: Senate Bill No. 1151—An Act appropriating money to repay subscribers to the fund for constructing the bridge across the Colorado River at Yuma, Arizona.

Bill read first time, and referred to Committee on Finance.

By Senator Benedict: Senate Bill No. 1152—An Act authorizing the transfer of certain powers, duties and functions of certain cities and officers thereof to the officers of counties in which any such city is located.

Bill read first time, and referred to Committee on County Government.

Also: Senate Bill No. 1153—An Act to amend section four hundred fifty-two *a* of the Civil Code, relating to the formation of mutual benefit and life associations.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1154—An Act to amend section six of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1155—An Act to provide for the improvement by any city of streets, lanes, alleys, courts, places and rights of way in such city by the assessment of the cost of any such improvement upon the property located within a district determined to be benefited thereby, and for the collection of such assessments and for the issuance of bonds to represent such assessments.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1156—An Act to add a new section to the Political Code, to be numbered section eighteen hundred forty *a*, relating to the levy and collection of taxes to constitute a building and equipment fund in school districts having a population of more than two hundred thousand.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 1157—An Act to amend sections one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen and fourteen of an Act entitled "An Act providing for the organization and management of mutual fire insurance corporations and associations and defining the same, and regulating the transaction of the business of mutual fire insurance in the State of California, and repealing an Act entitled 'An Act providing for the organization and management of mutual fire insurance companies,' approved March 19, 1907," approved May 1, 1911.

Bill read first time, and referred to Committee on Insurance.

By Senator Finn: Senate Bill No. 1158—An Act to empower the Fish and Game Commission of California to control the business of catching and selling fish, and to buy fish, in order to distribute the same to the people.

Bill read first time, and referred to Committee on Fish and Game.

Also: Senate Bill No. 1159—An Act providing for the acceptance of the U. S. Ship Portsmouth by the State of California from the government of the United States and providing for repairs for said ship and for the care and preservation of the same and providing an appropriation therefor.

Bill read first time, and referred to Committee on Federal Relations.

By Senator Hans: Senate Bill No. 1160—An Act to amend section nine hundred twenty-eight of the Penal Code of the State of California, relating to grand jury examination of books of officers of a county.

Bill read first time, and referred to Committee on Judiciary.

By Senator Thompson: Senate Bill No. 1161—An Act to repeal section eleven hundred fifty-four of the Code of Civil Procedure

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1162—An Act establishing a Bureau of Child and Animal Protection, making an appropriation therefor, and defining the duties thereof.

Bill read first time, and referred to Committee on Agriculture

Also: Senate Bill No. 1163—An Act to amend section fourteen hundred ninety-one of the Code of Civil Procedure, relative to time of notice to creditors of an estate.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1164—An Act to repeal sections three thousand six hundred sixty four, three thousand six hundred sixty-five, three thousand six hundred sixty-six, three thousand six hundred sixty-seven, three thousand six hundred sixty-eight, three thousand six hundred sixty-nine, three thousand six hundred seventy and three thousand six hundred seventy-one of the Political Code, and to reenact said sections, and to add twenty-nine new sections to said Code, to be numbered sections three thousand six hundred sixty-four *a*, three thousand six hundred sixty-four *b*, three thousand six hundred sixty-four *c*, three thousand six hundred sixty-four *d*, three thousand six hundred sixty-five *a*, three thousand six hundred sixty-five *b*, three thousand six hundred sixty-five *c* three thousand six hundred sixty-six *a*, three thousand six hundred sixty-six *b*, three thousand six hundred sixty-six *c*, three thousand six hundred sixty-seven *a*, three thousand six hundred sixty-seven *b*, three thousand six hundred sixty-seven *c*, three thousand six hundred sixty-eight *a*, three thousand six hundred sixty-eight *b*, three thousand six hundred sixty-eight *c*, three thousand six hundred sixty-nine *a*, three thousand six hundred sixty-nine *b*, three thousand six hundred sixty-nine *c*, three thousand six hundred sixty-nine *d*, three thousand six hundred sixty-nine *e*, three thousand six hundred seventy *a*, three thousand six hundred seventy *b*, three thousand six hundred seventy *c*, three thousand six hundred seventy-one *a*, three thousand six hundred seventy-one *b*, three thousand six hundred seventy-one *c*, three thousand six hundred seventy-one *d*, three thousand six hundred seventy-one *e*, all relating to taxation of public service and other corporations, banks and insurance companies for the benefit of the State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Rush: Senate Bill No. 1165—An Act to amend an Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section seventeen of an Act approved March 4, 1897, entitled "An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor, and to repeal all Acts and parts of Acts inconsistent with this Act," approved

April 21, 1911; by amending section twenty-nine in subdivision one and six, and section thirty of said Act, and by adding thereto two new sections to be known as section thirty and one fourth and section thirty and one half, and to improve the quality of dairy products, to prevent fraud and deception in the marketing thereof, and to establish uniform standards therefor.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Gerdes: Senate Bill No. 1166—An Act to amend an Act entitled "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Comission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all acts and parts of acts inconsistent herewith in so far as they may be inconsistent with the provisions of this act, and to make an appropriation therefor," approved June 16, 1913.

Bill read first time, and referred to Committee on Civil Service.

By Senator Scott: Senate Bill No. 1167—An Act appropriating money to pay the claim of R. A. Sarle against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Irwin: Senate Bill No. 1168—An Act to provide for the consolidation of irrigation, reclamation, drainage, protective, and flood water districts and to provide for the acqusition or construction by such consolidated district of works for the conservation of water and the drainage of the lands thereof; and to provide for the government of such districts.

Bill read first time, and referred to Committee on Irrigation.

CONSIDERATION OF DAILY FILE—THIRD READING.

Senate Concurrent Resolution No. 4—Approving eleven certain amendments to the charter of the city of Petaluma.

On motion of Senator Slater, Senate Concurrent Resolution No. 4 was passed on file.

Senate Concurrent Resolution No. 7—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition.

In the absence of the author, Senate Concurrent Resolution No. 7 was passed on file.

WITHDRAWAL OF CONCURRENT RESOLUTION.

Senator King asked for and was granted unanimous consent to withdraw Senate Concurrent Resolution No. 9.

Senate Concurrent Resolution No. 9 ordered withdrawn and stricken from the file.

SECOND READING FILE.

Senate Bill No. 300—An Act amending section three of an Act entitled "An Act authorizing the construction of the unfinished portion of the library building of the University of California, and the construction of a building for general use as a recitation building, or a building for the use of the College of Agriculture, and of a building for the use of the College of Natural Sciences as a chemistry building, upon the grounds of said University of California at Berkeley; providing for the issuance and sale of State bonds to meet the cost of the foregoing purposes; and providing the necessary moneys for the payment of the principal and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 42—An Act to provide that the Department of Engineering of the State of California may acquire for and in the name of the people of the State of California, by purchase, donation, dedication or by proceedings in eminent domain, additional rights of way, land and trees on and along the course of any State highway.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 43—An Act to amend section one thousand two hundred thirty-eight of the Code of Civil Procedure of the State of California, relating to the public uses on behalf of which the right of eminent domain may be exercised.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 481—An Act to repeal section fifty-five *a* of the Penal Code relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

Bill read second time, ordered engrossed and on file for third reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

By consent of the Senate the following bills, etc., were introduced out of the regular order.

By Senator Butler: Senate Bill No. 1169—An Act enabling any city or town maintaining a free public swimming bath to take water therefor from a public utility water ditch, and after such use to return the water to the ditch, provided the latter is not used for domestic or municipal purposes.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 1170—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof"; which became a law under the constitutional provision without the Governor's approval, February 25, 1901, as subsequently amended, by amending section two and section three thereof relating to the proceedings for the calling of an election therefor and by adding a new section thereto to be numbered section twelve and three-fourths, relating to the consolidation of elections.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1171—An Act to amend section fifty-four of the Penal Code, relating to furnishing money for elections except for specific purposes.

Bill read first time, and referred to Committee on Elections.

Also: Senate Bill No. 1172—An Act authorizing any county and cities within such county to join in the acquisition, construction or maintenance of bridges or viaducts.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1173—An Act to amend an Act entitled "An Act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, by amending section four thereof

Bill read first time, and referred to Committee on Elections.

Also: Senate Constitutional Amendment No. 37—A resolution proposing to the people of the State of California an amendment to section nineteen of article XI of the constitution of the State of California, relating to the operation of public utilities by municipal corporations

Constitutional Amendment referred to Committee on Municipal Corporations.

By Senator Kehoe (by request): Senate Bill No. 1174—An Act to regulate the sale of food ingredients which are in part composed of butter shipped or imported into the State of California from any point or place outside of the United States, requiring the marking of all bills of fare or menu cards placed on tables or counters in establishments preparing, serving or offering for sale any such food, and fixing penalties for the violation of the same or any of the provisions thereof

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also (by request): Senate Bill No. 1175—An Act to regulate the sale of butter that has been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering same for sale, and fixing penalties for the violation of the same or any of the provisions thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also (by request): Senate Bill No. 1176—An Act to regulate the placing of cards in all packages or wrappers inclosing manufactured food products before being sold or offered for sale which are composed in part of butter shipped or imported into the State of California from any point or place outside of the United States and fixing penalties for the violation of the same or of any of the provisions thereof

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Rush: Senate Bill No. 1177—An Act to improve the milk and cream supply of incorporated cities, and of cities and counties; to promote sanitary methods in the production and marketing thereof; to establish uniform standards therefor; to prevent fraud and deception in the production and sale thereof; and to establish municipal milk commissions to supervise the production and marketing of milk and cream therein.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Brown: Senate Bill No. 1178—An Act to add a new section to the Civil Code to be numbered seventeen hundred thirty-nine *a*, relating to permanent records of conditional sales.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1179—An Act to amend section six of an Act entitled "An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Benedict: Senate Bill No. 1180—An Act to amend an Act to amend sections one, two, three, four and five of an Act entitled "An Act to provide for the division of municipalities into sewer districts and for the construction of, or acquisition and maintenance of sewers therein providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1181—An Act to amend sections one, two, three, four and five of an Act entitled "An Act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby," approved April 21, 1909.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1182—An Act to amend sections one, two, three, four and five of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, diverting, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities or cities, and cities and counties of forty thousand inhabitants or over, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 23, 1893.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1183—An Act to amend sections one, two, three, four and five of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1184—An Act to amend sections one, two, three, four and five of an Act entitled "An Act to provide for local improvements upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities, such Act to be known as "The Local Improvement Act of 1901," approved February 26, 1901.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill 1185—An Act to amend sections one, two, three, four and five of an Act entitled "An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places, within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1186—An Act to amend sections one, two, three, four and five of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1187—An Act to amend an Act entitled "An Act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement and for the assessment of the costs, damages and expenses thereof upon the property benefitted thereby, and to provide a system of local improvement bonds to represent the assessment for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, by amending sections three, four, eight, twenty four and twenty-five of said Act.

Bill read first time, and referred to Committee on Municipal Corporations.

RECESS.

At ten o'clock and twenty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until ten o'clock and forty-five minutes a.m.

RECONVENED.

At ten o'clock and forty-five minutes a.m., the Senate reconvened.

Lieutenant Governor John M. Eshelman, President of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—OUT OF ORDER.

By consent of the Senate the following bills, etc., were introduced out of the regular order.

By Senator Thompson: Senate Bill No. 1188—An Act to authorize municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance; creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abatement thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Cogswell: Senate Bill No. 1189—An Act to provide for the purchase of a portrait of former Lieutenant Governor A. J. Wallace, and to make an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Butler: Senate Bill No. 1190—An Act to provide for the protection of stockholders, investors and creditors by requiring certain copartnerships, joint stock companies and corporations to cause to be issued certified balance sheets and statements of income, profit and loss, and providing for adequate penalties for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 1191—An Act to provide for the establishment of a system of vocational education, for the qualification of instructors in vocations, and for the supervision of each instructor and for State aid therefor.

Bill read first time, and referred to Committee on Education.

By Senator Benedict: Senate Bill No. 1192—An Act to repeal article three of chapter III of title VII of part IV of the Civil Code of the State of California, and to enact a new article III of chapter III of title VII of part IV of the Civil Code of the State of California, relating to bills of lading.

Bill read first time, and referred to Committee on Public Utilities.

Also: Senate Bill No. 1193—An Act to amend section sixteen hundred twenty-four of the Civil Code, and repealing article II of Chapter III of title IV of division II of the Civil Code, and repealing sections three thousand three hundred eight, three thousand three hundred nine, three thousand three hundred ten, three thousand three hundred eleven, three thousand three hundred twelve, three thousand three hundred thirteen, three thousand three hundred fourteen, three thousand three hundred fifty-three, three thousand three hundred fifty-four, three thousand three hundred fifty-five, one thousand seven hundred thirty-nine, and one thousand seven hundred forty, of the Civil Code, chapter II of title I of part IV of division III of the Civil Code, chapter III of title I of part IV of division III of the Civil Code, chapter IV of title I of part IV of division III of the Civil Code, and to add chapters II, III, IV, V, VI and VII of title I of part IV of division III of said Civil Code in place thereof, relating to the sale of personal property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1194—An Act to repeal title XV of part IV of division III of the Civil Code of the State of California, and to add a new title XV of part IV of division III of said Code in place thereof, relating to negotiable instruments, and to make the law of negotiable instruments in the State of California uniform with the laws of other states.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1195—An Act to add a new section to the Code of Civil Procedure to be numbered eight hundred seventy-three and one half, relating to the disqualification of Justices of the Peace.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1196—An Act to amend section three hundred ninety-eight of the Code of Civil Procedure, relating to the disqualification of judges of the superior court.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 1197—An Act to add a new section to the Penal Code to be numbered five hundred eight *a*, relating to insurance premiums.

Bill read first time, and referred to Committee on Insurance.

Also: Senate Bill No. 1198—An Act authorizing municipal corporations operating works for distributing and supplying water, gas or electricity to their inhabitants; to provide for levying and collecting an annual assessment against property abutting on such works and which is or may be served therefrom, for the purpose of operating, maintaining and improving such works.

Bill read first time, and referred to Committee on Municipal Corporations.

Also: Senate Bill No. 1199—An Act to amend section sixteen hundred and seventeen of the Political Code of the State of California, relating to the powers and duties of boards of school trustees, and city boards of education.

Bill read first time, and referred to Committee on Education

By Senator Mott: Senate Bill No. 1200—An Act to amend sections four hundred twelve and four hundred thirteen of the Political Code relating to the duties and salaries of the Secretary of State and his appointees and their duties and salaries.

Bill read first time, and referred to Committee on Finance.

APPOINTMENTS BY THE PRESIDENT.

In accordance with Assembly Concurrent Resolution No. 5—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition, the President appointed Senators Finn, Breed, Luce, Campbell and Slater as such committee and requested that Hon. Newton W. Thompson, President pro tem. of the Senate, act as chairman of the committee in the place of the President as provided in the resolution.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were offered out of the regular order:

By Senator Ballard: Relative to appreciation by Republican minority of courtesy extended by Senate and the presiding officers.

Resolution read and referred to Committee on Federal Relations.

Also:

By Senator Mott:

Resolved, That a committee of three be appointed to notify the Assembly that the Senate is ready to adjourn for the constitutional recess and ask if the Assembly has any ferther communications to transmit to the Senate.

Resolution read, and on motion of Senator Mott adopted.

APPOINTMENTS BY THE PRESIDENT.

In accordance with the above resolution, Senators Mott, Gerdes and Maddux were named by the President as the committee to notify the Assembly that the Senate was ready to adjourn for the constitutional recess.

Also:

By Senator Kehoe:

Resolved, That a committee of three be appointed by the President of the Senate to notify the Governor that the Senate is ready to adjourn for the constitutional recess and ask if he has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Kehoe adopted.

APPOINTMENTS BY THE PRESIDENT.

In accordance with the above resolution Senators Kehoe, Flint and Owens were named as the committee to notify the Governor that the Senate was ready to adjourn for the constitutional recess.

INTRODUCTION AND FIRST READING OF BILLS—(OUT OF ORDER).

By consent of the Senate the following bills were introduced out of the regular order:

By Senator Thompson (by request): Senate Bill No. 1201—An Act to amend section one thousand nine hundred eighty-nine of the Code of Civil Procedure of the State of California, relating to the attendance of a witness before a court, judge, justice or other officer, out of the county in which the witness resides.

Bill read first time, and referred to Committee on Judiciary.

By Senator Beban: Senate Bill No. 1202—An Act to provide for the regulation and supervision of racing meetings; establishing a state racing commission for the purpose of administering the provisions hereof, and defining its powers and duties; prohibiting book-making; and prescribing penalties for violation of the provisions of the Act.

Bill read first time, and referred to Committee on Public Morals.

APPROVAL OF JOURNALS.

On motion of Senator Thompson, the Journals of Monday, January 25, Tuesday, January 26, Wednesday, January 27, Thursday, January 28, and Friday, January 29, were approved as corrected.

RECESS.

At eleven o'clock and thirty minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until eleven o'clock and fifty minutes a.m.

RECONVENED.

At eleven o'clock and fifty minutes a.m., the Senate reconvened. President pro tem. Thompson in the chair.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Kehoe:

WHEREAS, The State of California is most splendidly endowed with rivers and harbors, the improvement of which would have a marked effect upon not only the development of this commonwealth, but of the entire United States; and

WHEREAS, It is highly desirable, if not essential, to wise national legislation and appropriation on rivers and harbors, that the Congressional Committee on Rivers and Harbors acquire intimate and personal knowledge of conditions and possibilities with respect to California's rivers and harbors; therefore, be it

Resolved, That the Senate of the State of California, respectfully requests and urges Congress of the United States to empower and authorize its Rivers and Harbors Committee to visit the State of California with the express purpose of personally inspecting all of its harbors and its navigable rivers; and be it further

Resolved, That the Rivers and Harbors Committee of Congress be invited, and the invitation is hereby issued, to visit the State of California for such purpose; and be it further

Resolved, That the President of the Senate be authorized to appoint a Legislative Reception and Entertainment Committee, to be composed of not less than one member from each Congressional District of the State of California to be visited by the Rivers and Harbors Committee of Congress; and be it further

Resolved, That the President of the Senate and the Speaker of the Assembly, the State Engineer and the Chairman of the State Board of Control, be ex officio members of said committee; and be it further

Resolved, That said Legislative Reception and Entertainment Committee be authorized to make all arrangements with respect to the itinerary of the visiting committee of Congress; and be it further

Resolved, That copies of this resolution be immediately forwarded to the presiding officers of both Houses of the National Congress.

Resolution read and on motion of Senator Kehoe adopted.

REPORT OF COMMITTEE.

Senator Kehoe, as chairman of the committee appointed to wait upon the Governor and inform him of the Senate's readiness to adjourn for the constitutional recess, reported that his Excellency had informed the committee that he had no further communication to make to the Senate.

RECESS.

At eleven o'clock and fifty-one minutes a.m., on motion of Senator Kehoe, the President declared the Senate at recess until eleven o'clock and fifty-two minutes a.m.

RECONVENED.

At eleven o'clock and fifty-two minutes a.m., the Senate reconvened. President pro tem. Thompson in the chair.

REPORT OF COMMITTEE.

Senator Mott, as chairman of the committee appointed to notify the Assembly that the Senate was ready to adjourn for the constitutional recess, reported that they had notified the Assembly according to their instructions and that the Assembly would shortly convey a message to the Senate through their committee.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, January 30, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Concurrent Resolution No. 16—Relative to the printing of copies of a constitutional booklet—and report that the same has been correctly enrolled and presented the same to the Governor on this 30th day of January, 1915, at 11 o'clock and 30 minutes a.m.

FLAHERTY, Chairman.

Also:

SACRAMENTO, January 30, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 680—An Act authorizing the State Board of Prison Directors to fix the price, terms and conditions of sale at which jute bags should be sold for the State, providing for the prosecution and punishment for offenses under the same, and repealing an Act entitled "An Act fixing the price, terms and conditions of sale at which jute goods shall be sold by the State, and providing for prosecution and punishment for offenses under the same," approved June 16, 1913, and all Acts or parts of Acts in conflict herewith;

Also: Senate Concurrent Resolution No. 12—Relative to the adjournment of the legislature for the constitutional recess and to the reassembling of the legislature after said recess and fixing the date for said adjournment and said reassembling:

Also: Senate Bill No. 127—An Act to amend section three thousand eight hundred twenty-three of the Political Code, relating to the collection of taxes by the assessor;

Also: Senate Bill No. 369—An Act to appropriate money to pay additional salaries at the Los Angeles State Normal School for the sixty-sixth fiscal year;

Also: Senate Bill No. 370—An Act to appropriate money for additional support at the Los Angeles State Normal School for the sixty-sixth fiscal year;

Also: Senate Bill No. 451—An Act to appropriate money to pay the claim of the Petaluma and Santa Rosa Railway Company upon judgment rendered against the State of California;

Also: Senate Bill No. 463—An Act to appropriate money to pay the deficiency in the appropriation for printing and distributing constitutional amendments for the sixty-fifth and sixty-sixth fiscal years;

Also Senate Bill No. 544—An Act to appropriate money to supplement the support appropriation of the Whittier State School for the sixty-sixth fiscal year;

Also: Senate Concurrent Resolution No. 14—Approving the charter of the city of Alhambra, State of California, voted for and ratified by the qualified electors of said city of Alhambra at a special municipal election held therein for that purpose on the 14t hday of October, 1914;

Also: Senate Concurrent Resolution No. 15—Relative to printing of report of the Recreational Inquiry Committee;

Also: Senate Bill No. 636—An Act making an appropriation to defray the expense of legislative printing, and mailing handled by the Superintendent of State Printing, for the forty-first session of the legislature of the State of California;

And report that the same have been correctly enrolled and presented the same to the Governor on this 30th day of January, 1915, at 9 o'clock a.m.

FLAHERTY, Chairman.

Also:

SACRAMENTO, January 30, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 316—An Act to amend section three hundred twenty-nine of the Civil Code, relating to lost, destroyed or stolen bonds of a corporation;

Also: No. 353—An Act to amend section four thousand three hundred c of the Political Code, relating to the fees to be charged by recorders;

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

MESSAGE FROM ASSEMBLY.

At eleven o'clock and fifty-five minutes a.m., a committee from the Assembly (Mr. Brown, chairman) appeared at the bar of the Senate and announced that the Assembly had no further communication to transmit to the Senate, and now was prepared for adjournment for the constitutional recess.

MESSAGE TO ASSEMBLY.

Upon receipt of the foregoing message from the Assembly the President pro tem. announced that the Senate had no further communication to transmit to the Assembly and requested the Committee from the Assembly to convey to the Assembly the information that the Senate was now prepared for adjournment for the constitutional recess.

MINUTES APPROVED.

The minutes of this day, Saturday, January 30, 1915, were read and on motion of Senator Wolfe approved.

ADJOURNMENT.

Whereupon, at twelve o'clock m., in accordance with the provisions of Senate Concurrent Resolution No. 12, Hon. Newton W. Thompson, President pro tem. of the Senate, declared the Senate adjourned for the constitutional recess, to reconvene at twelve o'clock m. on Monday, March 8, 1915.

IN SENATE.

SENATE CHAMBER,
Monday, March 8, 1915.

Pursuant to the provisions of Senate Concurrent Resolution No. 12, the Senate reconvened at the hour of twelve o'clock noon

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry I. Stark.

LEAVES OF ABSENCE.

Senator Cogswell was, on motion of Senator Thompson, granted leave of absence for this day.

Senator Shearer was, on motion of Senator Slater, granted leave of absence for this day.

RESOLUTIONS.

The following resolutions were offered:

By Senator Thompson:

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate has reconvened after the constitutional recess, in accordance with Senate Concurrent Resolution No. 12, and is ready to proceed with the business of the State.

Resolution read, and on motion of Senator Thompson adopted.

Also:

Resolution by Senator Birdsall:

Resolved, That the President of the Senate appoint a special committee of three to notify the Governor that the Senate has reconvened after the constitutional recess, in accordance with Senate Concurrent Resolution No. 12, and is now ready to receive any communication he may have to make.

Resolution read, and on motion of Senator Birdsall adopted.

APPOINTMENT OF COMMITTEE.

Pursuant to the provisions of the above resolution, the President announced the appointment of Senators Birdsall, Hans and Irwin as a committee to notify the Governor that the Senate had reconvened.

APPOINTMENTS BY THE SECRETARY.

The following communication was received:

MR. PRESIDENT: I beg leave to report that I have this day appointed J. A. Miller and Jos. A. Beek, Assistant Secretaries, at the per diem of $6.00 each, and respectfully request the consent of the Senate thereto.

EDWIN F. SMITH, Secretary of Senate.

Senator Thompson moved that the appointments be confirmed by the Senate.

The question being on the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

APPOINTMENTS BY THE PRESIDENT.

To the Senate of the State of California:

I beg leave to announce that I have this day appointed Everett C. Rutherford, Harold Stevens, Wm. Easton, Thos. Lenehan, and Raymond Mathewson, as Pages at $2.50 per diem, and respectfully ask the consent of the Senate thereto.

JOHN M. ESHLEMAN, President of the Senate.

Senator Thompson moved that the Senate confirm the appointments by the President of the Senate.

The question being on the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Senator Duncan:

WHEREAS, The production of olives is one of the leading industries of the State of California; and

WHEREAS, This delicious fruit is comparatively little known to a large proportion of the population of the United States; and

WHEREAS, March 31st has been declared and set apart as "California Ripe Olive Day"; and

WHEREAS, One of the most effective means of introducing this delicious fruit is through the United States mails; now, therefore, be it

Resolved, That the Secretary be, and he is hereby, authorized and empowered, upon the request of any member of this Senate, to cause to be printed in red ink on the envelopes furnished by the State to such member the words: "Eat California Ripe Olives March 31st—'California Ripe Olive Day'," and upon the lower margin of the letter heads also in red ink the words: "P. S. One of the delicacies of the earth is the California Ripe Olive. Are you acquainted with it? If not, why not?"

Resolution read, and referred to Committee on Contingent Expenses.

REPORT OF SPECIAL COMMITTEE.

Senators Birdsall, Hans, and Irwin, the special committee appointed to notify the Governor that the Senate had reconvened and was ready to receive any communication he might desire to make, reported that his Excellency had advised the committee that he would soon present to the Senate a formal message.

RESOLUTION.

The following resolution was offered:

By Senator Thompson:

Resolved, That a special committee of three be appointed by the President of the Senate, to be known as the "Committee on Introduction of Bills." Each bill offered in the Senate subsequent to the adoption of this resolution shall, before suspension of section 2 of article IV of the Constitution, be referred to said committee.

Resolution read and, on motion of Senator Thompson, adopted.

APPOINTMENT OF COMMITTEE.

In accordance with the above resolution, the President appointed Senators Thompson, Jones and Campbell as such committee.

RESOLUTION.

The following resolution was offered:
By Senator Breed:

Resolved, That the following named persons be, and they are hereby, appointed to the respective positions hereinafter set forth as provided by law, the compensations set opposite their names to be payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

W. B. Coombs, History Clerk	$6 00 per day
A. W. Carlson, Press Mailing Clerk	4 00 per day
Milo R. Robbins, Engrossing and Enrolling Clerk	6 00 per day
I. F. Baker, Assistant Minute Clerk	6 00 per day
Arthur S. Moore, Assistant Minute Clerk	6 00 per day
Theo. LaFayette, Assistant Minute Clerk	6 00 per day
Carrie A. Garrison, Journal Clerk	6 00 per day
Marion T. Plunkett, Assistant Journal Clerk	5 00 per day
J. T. McDonald, Assistant Journal Clerk	5 00 per day
J. LeRoy Johnson, Stenographer	5 00 per day
Louise R. Young, Stenographer	5 00 per day
Lillian Campbell, Stenographer	5 00 per day
Miss Mae B. Mudd, Stenographer	5 00 per day
Miss Josephine McCann, Stenographer	5 00 per day
Miss Marie Krachen, Stenographer	5 00 per day
J. P. O'Rourke, Stenographer	5 00 per day
Samuel Marks, Stenographer	5 00 per day
Miss F. B. Hatch, Stenographer	5 00 per day
Mrs. M. L. Johnson, Stenographer	5 00 per day
Eugene G. Hoff, Stenographer	5 00 per day
S. Vincent Brown, Stenographer	5 00 per day
Miss Helen Bary, Stenographer	5 00 per day
Miss Agnes Loufborrow, Stenographer	5 00 per day
M. M. Crowley, Stenographer	5 00 per day
W. H. Cook, Clerk Judiciary Committee	6 00 per day
Mrs. H. M. Gibbs, Postmistress	4 00 per day
Mrs. Mary Finney, Assistant Postmistress	4 00 per day
Wm. Vacher, Assistant Sergeant-at-Arms	5 00 per day
A. Cunningham, Assistant Sergeant-at-Arms	5 00 per day
Miss Anna E. Fitzpatrick, Stenographer	5 00 per day
Mrs. W. A. Alexander, Stenographer	5 00 per day
W. M. Reese, Assistant Sergeant-at-Arms	5 00 per day
J. Dimond, Assistant Sergeant-at-Arms	5 00 per day
R. W. Flint, Assistant Engrossing and Enrolling Clerk	5 00 per day
J. J. Bisbee, Gatekeeper	3 00 per day
Miss M. A. Hubbard, Assistant Engrossing and Enrolling Clerk	5 00 per day
Thos. F. Whelan, Assistant Sergeant-at-Arms	5 00 per day
William Lynch, Assistant Sergeant-at-Arms	5 00 per day
W. H. Walsh, Assistant Sergeant-at-Arms	5 00 per day
Raymond Newford, Assistant Sergeant-at-Arms	5 00 per day
W. H. Dexter, Assistant Sergeant-at-Arms	5 00 per day
N. Murphy, Committee Clerk	4 00 per day
John J. Begley, Committee Clerk	4 00 per day
William J. Hennessey, Committee Clerk	4 00 per day
Joseph Harney, Committee Clerk	4 00 per day
Wm. Dougherty, Committee Clerk	4 00 per day

Senator Breed moved the adoption of the foregoing resolution.
The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

NOES—None.

Senator Mott addressed the Senate as follows:

MR. PRESIDENT: At this hour in Ventura County there is being held the funeral of a distinguished man.

Ex-United States Senator, Thomas R. Bard, died at his home in Hueneme on Friday last.

As Senator Bard belonged first to California, and as I have the honor to represent in this Senate the district from where his life work was directed, and having enjoyed his friendship and his counsels for nearly thirty years, I ask for a few moments of the Senate's attention that proper tribute may be paid to his memory.

Senator Bard was sent to California in 1864 by Thomas A. Scott, then Secretary of War, and later president of the Pennsylvania Railroad Company, commissioned to take entire charge of the vast oil lands of Southern California, amounting to several hundred thousand acres.

He served as United States Senator from 1900 to 1905 and gained note in connection with international problems which preceded the acquisition of the Panama Canal Zone.

He was a commissioner to organize the first county government of Ventura County, was supervisor of that county, was a delegate to the National Convention that nominated James G. Blaine for President. He was Presidential Elector in 1892, being the only Republican elected in California in the victory of Cleveland over Harrison. He was a Regent of the University of California, was a member of the California Club of Los Angeles and of the Union League Club of San Francisco, and he was an ex-president of the Scotch-Irish Society of Pennsylvania. He was well known as one of California's leading floriculturists.

Senator Bard was a hard worker for fifty years with other constructive men of California in thought, in action, and in triumph for what is now our heritage and our blessing. His work was his reward while he was living. May the example of his industry and his honor inspire to better attainments all of the sons and daughters of California and of the Nation.

Mr. President, I move that when this Senate adjourns to-day that it adjourn out of respect to the memory of the late United States Senator, Thomas R. Bard.

On motion of Senator Thompson, the remarks of Senator Mott were ordered printed in the Journal, and the Senate, by rising vote, unanimously adopted the motion, that when adjournment be taken this day it be out of respect to the memory of the late Thomas R. Bard, formerly United States Senator from California.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 8, 1915.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have made the following appointments and request your concurrence therein and consent thereto:

February 1, 1915. L. F. Sinsheimer, of San Luis Obispo, a member of the Board of Trustees of the California Polytechnic School, vice Warren M. John, deceased.

February 1, 1915. Irwin J. Muma, of Los Angeles, a member of the Board of Trustees of the California Polytechnic School, vice E. J. Wickson, resigned.

February 2, 1915. Henry Eickhoff, of San Francisco, a member of the State Board of Prison Directors, vice D. M. Duffy, resigned.

February 3, 1915. James E. Cram, of Highland, a member of the Board of Managers of the Southern California State Hospital, vice Austin F. Park, term expired.

February 4, 1915. Charles E. Perry, of Vallejo, a member of the Board of Managers of the Napa State Hospital, vice John S. Chambers, resigned.

March 2, 1915. Adolph Uhl, of Piedmont, a member of the Board of Managers of the Mendocino State Hospital, vice John L. McNab, term expired.

March 2, 1915. Thos. P. Boyd, of San Rafael, a member of the Board of Managers of the Mendocino State Hospital, vice A. J. Fairbanks, term expired.

March 2, 1915. Alfred Greenebaum, of San Francisco, a member of the Board of Managers of the Mendocino State Hospital, vice George D. Clark, term expired.

March 2, 1915. A. J. Mayfield, of Willits, a member of the Board of Managers of the Mendocino State Hospital, vice A. Hochheimer, term expired.

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

The message from the Governor was referred to the Committee on Rules.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the following resolution:

Resolved, That the Chief Clerk of the Assembly be directed to notify the Senate that the Assembly has reconvened, pursuant to resolution of adjournment taken January 30, 1915, and is ready to proceed with the business of the session, with all officers heretofore elected on January 4, 1915, present, to wit:

Speaker	Hon. C. C. Young.
Speaker pro tem.	Hon. Howard J. Fish.
Chief Clerk	L. B. Mallory.
Minute Clerk	Vincent G. Gelcich.
Sergeant-at-Arms	H. B. Miller.
Chaplain	Rev. James Whitaker.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

MOTION.

Senator Thompson moved that the committee heretofore appointed to arrange a calendar of committee meetings be instructed to revise the calendar previously prepared, so that it would include the additional meetings provided for after the constitutional recess.

ADJOURNMENT.

At twelve o'clock and twenty-five minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned out of respect to the memory of the late Thomas R. Bard, formerly United States Senator from California.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Tuesday, March 9, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators, Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—38.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry I. Stark.

LEAVES OF ABSENCE.

Senator Cogswell was, on motion of Senator Thompson, granted leave of absence for this day.

Senator Shearer was, on motion of Senator Slater, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 8, 1915, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Wolf, the privilege of the floor of the Senate Chamber, for this day, was unanimously extended to Mr. Philip B. Bekeart, of San Francisco.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 9, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 458—An Act amending section 598 of the Civil Code, relating to mortgages, sales and conveyances of real property, by religious, social and benevolent corporations.

Also: Senate Bill No. 1004—An Act to amend section four thousand one hundred thirty-one of the Political Code relating to the recording of certain instruments.

Also: Senate Bill No. 905—An Act to authorize the surveyor general of the State of California to relinquish certain lieu lands to the United States.

Have had the same under consideration, and respectfully recommend that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 458, 1004, and 905 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 16—An Act increasing the number of judges of the Superior Court of the County of San Diego, State of California, and for the appointment of such additional Judge—have had the same under consideration, and respectfully recommend that it do pass and re-referred to Finance Committee.

KEHOE, Chairman.

Senate Bill No. 16 ordered re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 654—An Act to amend section four hundred seventy-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, providing for the appointment by the Attorney General of clerks, phonographic reporter, service agent and stenographers, and fixing their salaries—have had the same under consideration and respectfully recommend that it do pass as amended.

KEHOE, Chairman.

Senate Bill No. 654 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 9, 1915.

MR. PRESIDENT: Your Committee on Rules, to whom was referred the following message from the Governor:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 8, 1915.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have made the following appointments and request your concurrence therein and consent thereto:

February 1, 1915. L. F. Sinsheimer, of San Luis Obispo, a member of the Board of Trustees of the California Polytechnic School, vice Warren M. John, deceased.

February 1, 1915. Irwin J. Muma, of Los Angeles, a member of the Board of Trustees of the California Polytechnic School, vice E. J. Wickson, resigned.

February 2, 1915. Henry Eickoff, of San Francisco, a member of the State Board of Prison Directors, vice D. M. Duffy, resigned.

February 3, 1915. James E. Cram, of Highland, a member of the Board of Managers of the Southern California State Hospital, vice Austin F. Park, term expired.

February 4, 1915. Charles E. Perry, of Vallejo, a member of the Board of Managers of the Napa State Hospital, vice John S. Chambers, resigned.

March 2, 1915. Adolph Uhl, of Piedmont, a member of the Board of Managers of the Mendocino State Hospital, vice John L. McNab, term expired.

March 2, 1915. Thos. P. Boyd, of San Rafael, a member of the Board of Managers of the Mendocino State Hospital, vice A. J. Fairbanks, term expired.

March 2, 1915. Alfred Greenebaum, of San Francisco, a member of the Board of Managers of the Mendocino State Hospital, vice George D. Clark, term expired.

March 2, 1915. A. J. Mayfield, of Willits, a member of the Board of Managers of the Mendocino State Hospital, vice A. Hochheimer, term expired.

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

Have had the same under consideration, and respectfully report the same back and recommend that the Senate advise and consent to the appointments therein mentioned.

THOMPSON, Chairman.
ANDERSON.
GERDES
BENEDICT
OWENS

MOTION CONFIRMING APPOINTMENTS OF GOVERNOR.

Senator Thompson moved that the Senate advise and consent to the several appointments of the Governor.

The President put the question, "Will the Senate advise and consent to the appointment of L. F. Sinsheimer, of San Luis Obispo, a member of the Board of Trustees of the California Polytechnic School, vice Warren M. John, deceased?"

The roll was called with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of L. F. Sinsheimer, of San Luis Obispo, a member of the Board of Trustees of the California Polytechnic School, vice Warren M. John, deceased.

The President put the question, "Will the Senate advise and consent to the appointment of Irwin J. Muma, of Los Angeles, a member of the Board of Trustees of the California Polytechnic School, vice E. J. Wickson, resigned?"

The roll was called with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Irwin J. Muma, of Los Angeles, a member of the Board of Trustees of the California Polytechnic School, vice E. J. Wickson, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of Henry Eickhoff, of San Francisco, a member of the State Board of Prison Directors, vice D. M. Duffy, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Henry Eickhoff, of San Francisco, a member of the State Board of Prison Directors, vice D. M. Duffy, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of James E. Cram, of Highland, a member of the Board of Managers of the Southern California State Hospital, vice Austin F. Park, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of James E. Cram, of Highland, a member of the Board of Managers of the Southern California State Hospital, vice Austin F. Park, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Charles E. Perry, of Vallejo, a member of the Board of Managers of the Napa State Hospital, vice John S. Chambers, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Charles E. Perry, of Vallejo, a member of the Board of Managers of the Napa State Hospital, vice John S. Chambers, resigned.

The President put the question, "Will the Senate advise and consent to the appointment of Adolph Uhl, of Piedmont, a member of the Board of Managers of the Mendocino State Hospital, vice John L. McNab, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Adolph Uhl, of Piedmont, a member of the Board of Managers of the Mendocino State Hospital, vice John L. McNab, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Thos. P. Boyd, of San Rafael, a member of the Board of Managers of the Mendocino State Hospital, vice A. J. Fairbanks, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Thos. P. Boyd, of San Rafael, a member of the Board of Managers of the Mendocino State Hospital, vice A. J. Fairbanks, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of Alfred Greenebaum, of San Francisco, a member of the Board of Managers of the Mendocino State Hospital, vice George D. Clark, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Alfred Greenebaum of San Francisco, a member of the Board of Managers of the Mendocino State Hospital, vice George D. Clark, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of A. J. Mayfield, of Willits, a member of the Board of Managers of the Mendocino State Hospital, vice A. Hochheimer, term expired?"

The roll was called with the following result:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.
NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of A. J. Mayfield, of Willits, a member of the Board of Managers of the Mendocino State Hospital, vice A. Hochheimer, term expired.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, March 9, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following bills:

Senate Bill No. 300—An Act amending section three of an Act entitled "An Act authorizing the construction of the unfinished portion of the library building of the University of California, and the construction of a building for general use as a recitation building, of a building for the use of the College of Agriculture, and of a building for the use of the College of Natural Sciences as a chemistry building, upon the grounds of said University of California at Berkeley; providing for the issuance and sale of State bonds to meet the cost of the foregoing purposes; and providing the necessary moneys for the payment of the principal and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914;

Also Senate Bill No. 42—An Act to provide that the Department of Engineering of the State of California may acquire for and in the name of the people of the State of California, by purchase, donation, dedication or by proceedings in eminent domain, additional rights of way, land and trees on and along the course of any state highway;

Also Senate Bill No. 43—An Act to amend section one thousand two hundred thirty-eight of the Code of Civil Procedure of the State of California relating to the public uses on behalf of which the right of eminent domain may be exercised;

Also Senate Bill No. 481—An Act to repeal section fifty-five *a* of the Penal Code relative to soliciting, demanding, or pledging votes for or against any particular bill or measure;

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

Senate Bills Nos. 300, 42, 43, and 481, ordered on file for third reading.

JOINT RESOLUTION OFFERED.

The following joint resolution was offered:

By Senator Benedict: Senate Joint Resolution No. 10—Relative to the purchase of the rolling stock, trackage, rights of way, terminals, and all other assets of the Western Pacific Railway Company and the operation of the said railroad by the United States Government.

Resolution read, and referred to Committee on Federal Relations.

RESOLUTIONS.

The following resolutions were offered:

By Senator Jones:

Resolved, That all constitutional amendments, whether introduced in the Senate or Assembly, that come before this Senate for consideration, shall, irrespective of what committee they may first be referred to, be re-referred to the Committee on Elections before being presented for final adoption.

Resolution read and referred to Committee on Judiciary.

By Senator Breed:

Resolved, That J. A. Zimmerman be transferred from the position of Press Mailing Clerk at $4.00 per day to the position of Assistant Sergeant-at-Arms at $5.00 per day.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, the compensations set opposite their names to be payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts, and the Treasurer is directed to pay the same.

C. Olivier, Gatekeeper	$3 00 per day
Edward H. Cavanaugh, Clerk Finance Committee	6 00 per day
H. P. Angus, File Clerk	5 00 per day
Della W Hoppin, Stenographer	5 00 per day
W. Clayton Elliott, Stenographer	5 00 per day
Nellie Jessen, Stenographer	5 00 per day
Miss Mallie Burge, Stenographer	5 00 per day
T. A. McEachen, Cloak Room Clerk	4 00 per day
J. R. Callahan, Assistant Sergeant-at-Arms	5 00 per day
Samuel Knight, Assistant Engr. and Enrolling Clerk	5 00 per day
G. M. Warren, Assistant Engr. and Enrolling Clerk	5 00 per day
W. Q. Haley, Committee Clerk	4 00 per day
Isabel Anderson, Committee Clerk	4 00 per day
C. W. Wilson, Committee Clerk	4 00 per day
W. L. Nichols, Committee Clerk	4 00 per day
J. May, Committee Clerk	4 00 per day
M. Klein, Committee Clerk	4 00 per day
Berta James, Stenographer	5 00 per day
W. Johnston, Assistant Sergeant-at-Arms	5 00 per day
D. S. Miller, Assistant Sergeant-at-Arms	5 00 per day
Mrs. G. W. Dobson, Assistant Engr. and Enrolling Clerk	5 00 per day
Eric Johnson, Assistant Secretary	6 00 per day
John T. Young, Assistant Sergeant-at-Arms	5 00 per day
John Cooper, Committee Clerk	4 00 per day

Senator Breed moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

CONSIDERATION OF DAILY FILE—THIRD READING.

SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Relative to approving eleven certain amendments to the charter of the city of Petaluma, county of Sonoma, State of California, voted for and ratified by the qualified electors of the said city of Petaluma at a general municipal election held therein for that purpose on the 10th day of June, 1913.

WHEREAS, The city of Petaluma, in the county of Sonoma, State of California, contains a population of more than thirty-five hundred inhabitants, and has been ever since the year 1911, and is now, organized and acting under a freeholders' charter, adopted under and by virtue of section 8 of article XI of the constitution of the State of California, which charter was duly ratified by a majority of the qualified electors of said city at a special election held for that purpose on the 14th day of February, A. D. 1911, and approved by the Legislature of the State of California on the 8th day of March, 1911, (Statutes of 1911, page 1799); and

WHEREAS, The city council of the said city of Petaluma did by ordinance duly adopted by said city council and approved by the mayor of said city on the 21st day of April, 1913, and pursuant to section 8 of article XI of the constitution of the State of California, duly propose to the qualified electors of said city of Petaluma, certain amendments to the charter of said city of Petaluma to be submitted to the said qualified electors at a general municipal election to be held in said city on the 10th day of June, 1913, said amendments being thirteen in number; and

WHEREAS, Said proposed amendments were, and each of them was, published for ten days in a daily newspaper printed and published in said city of Petaluma, and having a general circulation therein, to wit: The Petaluma Argus; said publication beginning on the 22nd day of April, 1913, and ending the 3rd day of May, 1913; and

WHEREAS, The city council of said city did by said ordinance, duly adopted by said city council and approved by the mayor of said city, order the holding of a general municipal election in said city of Petaluma on the 10th day of June, 1913, said day being at least forty days after the publication of said proposed amendments for ten days in said daily newspaper of general circulation in said city of Petaluma, to wit:

The Petaluma Argus; and did provide in said ordinance for the submission of the proposed charter amendments numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, to the qualified electors of said city for their ratification at said election; and

WHEREAS, Said election was duly called and held on said 10th day of June, 1913, and at said election a majority of the qualified electors voting thereon voted in favor of the ratification of and did ratify eleven of the proposed amendments to said charter; and

WHEREAS, The city council of the said city of Petaluma in accordance with the law in such cases made and provided, did meet on Monday, the 16th day of June, 1913, at their usual time and place of meeting, and duly canvass the returns of said election as certified by the election boards, and duly found, determined and declared that a majority of the qualified electors of said city voting thereon had voted for and ratified eleven of said proposed amendments to the charter of said city of Petaluma; and

WHEREAS, The said eleven subsequent amendments to the charter so ratified by a majority of the qualified electors of said city voting at said election are in words and figures as follows, to wit:

CHARTER AMENDMENT NUMBER ONE.

Section 12 of article III of said charter is amended so as to read as follows:

Section 12. To lease to corporations or individuals, for purpose of maintenance and operation, of any public utility owned by the city, and to provide for the lease of any land now or hereafter owned by the city.

CHARTER AMENDMENT NUMBER TWO.

Section 65 of article III of said charter is amended so as to read as follows:

Section 65. May expend such sum or sums, not to exceed in the aggregate, in any one fiscal year, the sum of three hundred ($300) dollars from the revenues of the city for entertainment and promotion, or entertainment or promotion.

CHARTER AMENDMENT NUMBER THREE.

Section 1 of article IV of said charter is amended so as to read as follows:

Section 1. Elections to be held in said city for the purpose of electing officers of said city, and for all other purposes, are to be of two kinds: general municipal elections and special municipal elections.

The first general election under this charter shall be held on the second Tuesday of April, 1911, and the second general election shall be held on the second Tuesday of June, 1913, and all other general municipal elections shall be held on the second Tuesday of June, of each second year thereafter.

All general and special municipal elections of said city are to be held in accordance with the provisions of the law of the state governing the holding of general elections.

The conduct and carrying on of all city elections shall be under the control of the council and the mayor. The council shall by ordinance make provision for the holding of all city elections and may district and subdivide the municipality into municipal election precincts for the holding of municipal elections and consolidate such precincts in the municipality for such elections, provided no change is made in the boundaries of the election precincts as the same are established by the board of supervisors of Sonoma county.

CHARTER AMENDMENT NUMBER FOUR.

Section 13 of article VI of said charter is amended so as to read as follows:

Section 13. No action providing for any specific improvement or the appropriation or expenditure of any public money, except a sum less than $200; for the appropriation, acquisition, sale or lease of public property; for the granting of any franchise, for the establishing or changing of the fire limits; or for the imposing of any penalty, shall be taken except by ordinance.

CHARTER AMENDMENT NUMBER FIVE.

Section 22 of article VI of said charter is amended so as to read as follows:

Section 22. If a vacancy shall occur in any elective office, by reason of death, removal, or any cause whatever, the council shall forthwith, at either a regular or adjourned, or a called meeting of the said council, appoint a person to fill such vacancy; *provided, however*, that the said appointee shall be eligible under the provisions of this charter; *and provided further*, that the appointee shall receive the affirmative votes of at least four members of the council.

CHARTER AMENDMENT NUMBER EIGHT.

Section 9 of article VII of said charter is amended so as to read as follows:

Section 9. There shall be a chief of police. The department of the police shall be under the direction of the chief of police. He shall have all the powers given to peace officers under the laws of this state and he shall perform all duties imposed upon him by the ordinances of the council.

CHARTER AMENDMENT NUMBER NINE.

Section 17½ of article VII of said charter is amended so as to read as follows:

Section 17½. The mayor of the city of Petaluma shall receive compensation for his services the sum of six hundred dollars per year, and each member of the city council shall receive a compensation of one hundred and fifty dollars per year, which said amount shall be in full payment of all services rendered said city, whether as mayor, members of the council or as members of the board of equalization. The said yearly salary shall be paid in monthly installments.

CHARTER AMENDMENT NUMBER TEN.

Section 1 of article XI of said charter is amended to read as follows:

Section 1. The council shall by resolution provide for the assessment, levy and collection of taxes, and shall act as a board of equalization in equalizing the value of property listed upon the assessment roll. During the month of September in each year, it shall levy such a tax as may be necessary to raise revenue for the maintenance of the city and the several departments during the fiscal year, but such tax levy, for all municipal purposes, except the payment of interest and principal, on the bonded indebtedness, shall not exceed the sum of one hundred cents for each one hundred dollars of assessed valuation as the same appears upon the assessment roll.

CHARTER AMENDMENT NUMBER ELEVEN.

Section 5 of article XII of said charter is amended so as to read as follows:

Section 5. No contract for lighting streets, public buildings, places or others, shall be made for a longer period than five years. All contracts for said purpose or purposes must contain a provision that the rate shall not, during the existence of said contract, be in excess of the minimum rate or rates established for the inhabitants of the city of Petaluma.

CHARTER AMENDMENT NUMBER TWELVE.

Section 1 of article XVIII of said charter is amended so as to read as follows:

Section 1. This charter may be amended as provided in the constitution of the State of California and in the general laws of said state.

CHARTER AMENDMENT NUMBER THIRTEEN.

Section 12 of article XVII of said charter is amended so as to read as follows:

Section 12. No person shall be eligible to hold office in the city whether elective or appointive unless he be an elector therein, and have resided within its present limits, for at least two years next preceding the dates of such election or appointment, except superintendents, principals and teachers, of the public schools; and city engineers, and as herein otherwise provided.

STATE OF CALIFORNIA,
County of Sonoma, } ss.
City of Petaluma.

This is to certify that we, A. W. Horwege, mayor of the city of Petaluma, and Frank B. Singley, clerk of the city of Petaluma, have compared the foregoing proposed and ratified amendments to the charter of the city of Petaluma with the original ordinance proposing such amendments and submitting the same to the qualified electors of said city at a general municipal election, called for that purpose on Tuesday the 10th day of June, 1913, and find that the foregoing is a full, true, correct and exact copy thereof and of each of them; and we further certify that the facts set forth in the preamble preceding such amendments to said charter are and each of them is true.

That as to all of said amendments, this certificate shall be taken as a full and complete certification as to the regularity of all proceedings had and done in connection therewith.

In witness whereof, We have hereunto set our hands and caused the corporate seal of the city of Petaluma to be attached, this 1st day of December, 1914.

A. W. HORWEGE, Mayor
[SEAL]
F. B. SINGLEY,
City Clerk of the city of Petaluma.

AND WHEREAS, The said proposed amendments to the charter of the city of Petaluma so ratified are now submitted to the legislature of the State of California, for approval or rejection without power of alteration or amendment in accordance with section eight of article eleven of the constitution of the State of California. Now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all members elected to each house voting for the adoption of this resolution and concurring therein), That the said amendment to the said charter of the said city of Petaluma hereinbefore set forth as presented and submitted to and adopted and ratified by the qualified electors of said city of Petaluma be, and the same are hereby approved as a whole for, and as amendments to said charter of said city of Petaluma.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Campbell, Carr, Chandler, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Resolution ordered transmitted to the Assembly.

Senate Bill No. 7—An Act to amend section one thousand four hundred fifty-four of the Code of Civil Procedure relating to the collection by surviving heirs of money in banks.

Read third time.

On motion of Senator Crowley, Senate Bill No. 7 was passed on file.

Senate Bill No. 13—An Act to amend the Code of Civil Procedure of California by adding thereto a new section to be numbered and known as section one thousand eight hundred seventy-one relating to experts, their appointment by the court, or a judge thereof and providing for their compensation and manner of examination as witnesses.

Read third time.

On motion of Senator Jones, Senate Bill No. 13 was passed on file.

Senate Concurrent Resolution No. 7—Relative to the appointment of a commission to greet the President of the United States on his official visit to the Panama-Pacific International Exposition and the California-Panama Exposition.

Senator Finn asked for and was granted unanimous consent to withdraw Senate Concurrent Resolution No. 7.

Senate Concurrent Resolution No. 7 withdrawn and ordered stricken from the file.

Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

At request0 of Senator Flaherty, Senate Bill No. 10 was re-committed to Committee on Public Health and Quarantine to retain its place on file.

Senate Bill No. 72—An Act to add a new section to the Civil Code to be numbered two thousand nine hundred forty and one-half, relative to presumption payment of mortgages ten years after maturity of the obligations secured thereby.

Read third time.

On motion of Senator Duncan, Senate Bill No. 72 was passed on file.

Senate Bill No. 273—An Act to amend section one thousand two hundred seven of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, nineteen hundred and fifteen.

Read third time.

On motion of Senator Jones, Senate Bill No. 273 was passed on file.

Senate Bill No. 255—An Act repealing an Act entitled "An Act to authorize the State of California to release and convey to the United States such portions of the sixteenth and thirty-sixth sections of land contained in the Cleveland National Forest, formerly San Jacinto forest reserve (and referred to in that certain Act entitled 'An Act to authorize the settlement of an existing controversy between the United States of America and the State of California, and making an appropriation to carry out the provisions of said Act,' approved March 21, 1907) as may remain after the settlement referred to in said Act has been consummated, for the purpose of reimbursing the United States for lands surrendered to it by the State and which said lands so surrendered were thereafter sold and patented by sand State," approved March 20, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 255 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 165—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21, and 26 of said Act.

On motion of Senator Strobridge, Senate Bill No. 165 was passed on file.

Senate Bill No. 235—An Act to amend section five hundred forty-two *a* of the Code of Civil Procedure of the State of California, relating to attachment liens.

Read third time.

The question being on the passage of the bill

The roll was called and Senate Bill No. 235 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 196—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

Read third time.

On motion of Senator Ballard, Senate Bill No. 196 was passed on file.

Senate Bill No. 9—An Act relating to the sale and carrying of dangerous weapons.

Read first time.

On motion of Senator Finn, Senate Bill No. 9 was passed on file.

Senate Bill No. 200—An Act to amend section six hundred one of the Code of Civil Procedure of the State of California, relating to challenge of jurors.

Read third time.

There being no objection, at the request of Senator Kehoe, Senate Bill No. 200 was ordered re-committed to Committee on Judiciary to retain its place on file.

Senate Bill No. 36—An Act to amend section fifty-nine of the Civil Code of the State of California, relating to marriages that are incestuous and void.

Read third time.

There being no objection, at the request of Senator Kehoe, Senate Bill No. 36 was ordered re-committed to Committee on Judiciary.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of said state, by adding to article six thereof a new section to be numbered ten and one-half, relative to the length of time a person appointed to fill a vacancy in the office of Justice of the Supreme Court, Justice of the District Court of Appeal or Judge of a Superior Court shall hold office.

On motion of Senator Benedict, Senate Constitutional Amendment No. 11 was passed on file.

Senate Bill No. 454—An Act to amend sections forty-two hundred sixty-three and forty-two hundred sixty-three *a* of the Political Code relating to the salaries of officers and fees of jurors in counties of the thirty-fourth class.

On motion of Senator Birdsall, Senate Bill No. 454 was passed on file.

Senate Bill No. 353—An Act to amend section four thousand three hundred *c* of the Political Code, relating to the fees to be charged by recorders.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Benson as a Special Committee of One, to amend as follows:

By striking out of section 1, page 2, line 8, the word "acknowledgments", and inserting in lieu thereof the word "acknowledgment".

Also, by striking out of section 1, page 2, line 25, the word "this".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 9, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 353, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Committee.

Report adopted on motion of Senator Jones.

Bill ordered to print and re-engrossment.

Senate Bill No. 280—An Act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of section three thousand six hundred eighty-two and three thousand seven hundred thirty-two of the Political Code, and to confirm, valididate and legalize all certificates of sale, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 280 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 316—An Act to amend section three hundred twenty-nine of the Civil Code, relating to lost, destroyed or stolen bonds of a corporation.

There being no objections, on the request of Senator Kehoe, Senate Bill No. 316 was re-committed to Committee on Judiciary.

Senate Bill No. 301—An Act amending section nine of an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act," approved March 20, 1903.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 301 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 471—An Act to provide for the separation of the deaf and the blind departments in the California School for the Deaf and the Blind.

On motion of Senator Breed, Senate Bill No. 471 was passed on file.

Senate Bill No. 300—An Act amending section three of an Act entitled "An Act authorizing the construction of the unfinished portion of the library building of the University of California, and the construction of a building for general use as a recitation building, or a building for the use of the College of Agriculture, and of a building for the use of the College of Natural Sciences as a chemistry building, upon the grounds of said University of California at Berkeley; providing for the issuance and sale of state bonds to meet the cost of the foregoing purposes; and providing the necessary moneys for the payment of the principal and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 300 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 42—An Act to provide that the Department of Engineering of the State of California may acquire for and in the name of the people of the State of California, by purchase, donation, dedication or by proceedings in eminent domain, additional rights of way, land and trees on and along the course of any state highway.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 42 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—32.
NOES—Senator Stuckenbruck—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 43—An Act to amend section one thousand two hundred thirty-eight of the Code of Civil Procedure of the State of California, relating to the public uses on behalf of which the right of eminent domain may be exercised.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 43 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 481—An Act to repeal section fifty-five *a* of the Penal Code relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

Read third time.

The question being on the passage of the bill.

HOUR OF RECESS EXTENDED.

At twelve o'clock and twenty minutes p.m., on motion of Senator Thompson, the hour of recess was extended until twelve o'clock and forty-five minutes p.m.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Duncan moved a call of the Senate.

Motion carried.

Time, twelve o'clock and twenty-five minutes p.m.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

The Secretary announced the following absentees without leave: Senator Rush—1.

The President then directed the Sergeant-at-Arms to close the doors.

The doors were closed.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Duncan.

The result of the roll call on passage of the bill was announced and Senate Bill No. 481 refused passage by the following vote:

AYES—Senators Beban, Benson, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Irwin, Jones, King, Luce, Lyon, Purkitt, Scott, Slater, Stuckenbruck, and Wolfe—19.

NOES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Chandler, Cogswell, Duncan, Flint, Hans, Kehoe, Maddux, Mott, Owens, Strobridge, Thompson, and Tyrrell—18.

NOTICE OF MOTION TO RECONSIDER.

Senator Duncan gave notice that he would, on the next legislative day, move to reconsider the vote whereby Senate Bill No. 481 was passed.

RECESS.

At twelve o'clock and thirty-five minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m. the Senate reconvened. Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

APPOINTMENT BY THE PRESIDENT.

To the Senate:

I beg to announce that I have appointed Charles Noonan to the position of page at a per diem of $2.50, and respectfully request the consent of the Senate thereto.

JOHN M. ESHLEMAN, President of the Senate.

Senator Thompson moved that the Senate consent to the appointment by the President.

The question being on the confirmation of the appointment by the President.

The roll was called, and the appointment confirmed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Butler, Campbell, Chandler, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Thompson, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 276—An Act authorizing any municipal corporation, using the word "city" in its corporate name, to change such word to "town" and providing the procedure therefor;

Also: Assembly Bill No. 41—An Act to validate the organization and incorporation of municipal corporations;

Also: Assembly Bill No. 232—An Act to amend section two of an Act entitled "An Act to create a State Board of Charities and Corrections, prescribing its duties and powers and appropriating money therefor," approved March 25, 1903, and amended by Act approved May 1, 1911;

Also: Assembly Bill No. 206—An Act to amend section six hundred twenty-six *h*, of the Penal Code of the State of California, relating to the protection of fish and game.

L. B. MALLORY, Chief Clerk of Assembly.

Assembly Bills Nos. 276 and 41 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 232 read first time, and referred to Committee on Finance.

Assembly Bill No. 206 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 266—An Act to amend an Act entitled "An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," by amending section four of said Act;

Also: Assembly Bill No. 74—An Act to add a new section to the Penal Code, known as section 930, relating to the selection of a foreman pro tem. for a grand jury.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 266 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 74 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 20—An Act to regulate the distribution of date palms and date palm offshoots and to hold the same in quarantine under the supervision of the State Commissioner of Horticulture until they are free from Marlatt scale (*Phoenicococcus marlatti*) and Blanchard scale (*Parlatoria blanchardii*) when introduced from, or grown in, any infested locality within this State or from other states or if of foreign introduction, after they have been released by the Federal Horticultural Board, and to fix a penalty for violation of this act;

Also: Assembly Bill No. 286—An Act authorizing the issuance of letters patent to P. W. Fahey for certain swamp and overflowed land in Tuolumne County, California;

Also: Assembly Bill No. 326—An Act amending section three of an Act entitled "An Act authorizing the construction of the unfinished portion of the Library Building of the University of California, and the construction of a building for general use as a recitation building, of a building for the use of the College of Agriculture, and of a building for the use of the College of Natural Sciences as a chemistry building, upon the grounds of said University of California at Berkeley; providing for the issuance and sale of state bonds to meet the cost of the foregoing purposes; and providing the necessary moneys for the payment of the principal and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 20 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 286 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 326 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 217—An Act to amend section one hundred sixty-two *a* of the Political Code, establishing the legal distance from the county seat of Imperial County to Sacramento:

Also: Assembly Bill No. 64—An Act providing that any person, firm, association or corporation or agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor and providing that said accused employee shall have the opportunity to be confronted with the person making such report and providing for the punishment for the violation thereof:

Also: Assembly Bill No. 43—An Act to amend section one hundred thirty-seven of the Civil Code of the State of California:

Also: Assembly Bill No. 265—An Act to add a new section to the Penal Code to be numbered 556 relating to the sale of coal.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 217 read first time, and referred to Committee on County Government.

Assembly Bill No. 64 read first time, and referred to Committee on Labor and Capital.

Assembly Bills Nos. 43 and 265 read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE.

The following report of committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SACRAMENTO, March 9, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Concurrent Resolution No. 4—Relative to approving eleven certain amendments to the charter of the city of Petaluma, county of Sonoma, State of California, voted for and ratified by the qualified electors of the said city of Petaluma at a general municipal election held therein for that purpose on the 10th day of June, 1913.

And report that the same has been correctly engrossed.

FLAHERTY, Chairman.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER, March 9, 1915.

MR. PRESIDENT: Your Committee appointed to prepare a schedule for meetings of the standing committees of the Senate during the second portion of the session, have had the same under consideration and respectfully report as follows:

That the times of the meetings of the standing committees of the Senate be and the same shall be as follows:

Agriculture—At 9 a.m. on Tuesday and 4 p.m. on Friday of each week.

Banking—At 8 p.m. on Monday of each week.

Civil Service—At 9 a.m. on Monday of each week.

Commerce and Navigation—At 9 a.m. on Friday of each week.

Corporations—At 9 a.m. on Thursday of each week.

County Government—At 8 p.m. on Tuesday and 8 p.m. on Thursday of each week.

Drainage, Swamp and Overflowed Lands—At 4 p.m. on Tuesday of each week.

Education—At 4 p.m. on Friday and 8 p.m. on Tuesday of each week.

Elections—At 4 p.m. on Monday and 4 p.m. on Wednesday of each week.

Federal Relations—At 9 a.m. on Monday of each week.

Finance—At 8 p.m. on Monday and 8 p.m. on Thursday of each week.

Fish and Game—At 4 p.m. on Tuesday and Thursday of each week.

Hospitals and Asylums—At 9 a.m. on Tuesday of each week.

Insurance—At 9 a.m. on Saturday and 4 p.m. on Wednesday of each week.

Irrigation—At 9 a.m. on Thursday of each week.

Judiciary—At 8 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday of each week.

Labor and Capital—At 4 p.m. on Wednesday and 8 p.m. on Friday of each week.

Military Affairs—At 9 a.m. on Monday of each week.

Mines and Mining—At 9 a.m. on Wednesday of each week.

Municipal Corporations—At 8 p.m. on Monday of each week.

Oil and Oil Industries—At 9 a.m. on Tuesday of each week.

Prisons and Reformatories—At 4 p.m. on Tuesday of each week.

Public Health—At 4 p.m. on Tuesday and Thursday of each week.

Public Morals—At 8 p.m. on Tuesday of each week.

Public Utilities—At 8 p.m. on Wednesday of each week.

Revenue and Taxation—At 9 a.m. on Wednesday of each week.

Roads and Highways—At 4 p.m. on Monday and Thursday of each week.

JONES, Chairman.

Report read, and on motion of Senator Jones adopted.

ADJOURNMENT.

At two o'clock and fifteen minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Wednesday, March 10, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry L. Stark.

LEAVE OF ABSENCE.

Senator Shearer was, on motion of Senator Slater, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 9, 1915, the further reading was dispensed with, on motion of Senator Rush.

RESOLUTION.

The following resolution was offered:
By the Committee on Contingent Expenses:

Resolved, That the Controller be, and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Senate in favor of Wallace [illegible] for three days' work as Assistant Sergeant-at-Arms at $5.00 per day, and Mr. Gibbs, one day at $4.00 per day, for labor performed during the constitutional recess, and the State Treasurer is hereby directed to pay the same.

BEBAN, Chairman.

Resolution read.

Senator Beban moved that the resolution be adopted.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Cohn, Crowley, Duncan, Flaherty, Flint, Gates, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson and Wolfe—30.

NOES—None.

CONSIDERATION OF DAILY FILE—THIRD READING.

Senate Bill No. 7—An Act to amend section one thousand four hundred fifty-four of the Code of Civil Procedure relating to the collection by surviving heirs of money in banks.

There being no objections, at the request of Senator Kehoe, Senate Bill No. 7 was ordered recommitted to Committee on Judiciary.

MOTION TO RECONSIDER.

Senator Duncan moved to reconsider the vote whereby Senate Bill No. 481—An Act to repeal section fifty-five *a* of the Penal Code relative to soliciting, demanding, or pledging votes for or against any particular bill or measure—was refused passage.

On motion of Senator Wolfe, the further consideration of the motion to reconsider the vote whereby Senate Bill No. 481 was refused passage, was continued until the next legislative day.

CONSIDERATION OF DAILY FILE—(RESUMED).

Senate Bill No. 13—An Act to amend the Code of Civil Procedure of California by adding thereto a new section to be numbered and known as section one thousand eight hundred seventy-one, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

On motion of Senator Jones, Senate Bill No. 13 was passed on file.

Senate Bill No. 72—An Act to add a new section to the Civil Code to be numbered two thousand nine hundred forty and one half, relative to presumption payment of mortgages ten years after maturity of the obligations secured thereby.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Duncan moved to refer to Senator Luce, as a Special Committee of One, to amend as follows:

By striking out of section one, line 10, the semicolon and the word "provided" and inserting the following: "*provided*, that this section shall not apply to recorded mortgages during the period of the administration of the estate of any deceased mortgagor where the claim upon said mortgage is filed and of record as an allowed claim in the superior court of the county in which the mortgaged property is situated, *and provided further*."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 10, 1915

MR. PRESIDENT: Your Special Committee of One, to whom was referred, Senate Bill No. 72, with instructions to amend, respectfully reports the same back, amended as per instructions.

LUCE, Committee.

Report adopted on motion of Senator Duncan.

Bill ordered to print, and re-engrossment.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At ten o'clock and fifteen minutes a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

CONSIDERATION OF DAILY FILE—(RESUMED).

Senate Bill No. 273—An Act to amend section one thousand two hundred seven of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, nineteen hundred and fifteen.

On motion of Senator Jones, Senate Bill No. 273 was passed on file.

Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21, and 26 of said Act.

On motion of Senator Strobridge, Senate Bill No. 105 was passed on file.

Senate Bill No. 196—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

In the absence of the author, Senate Bill No. 196 was passed on file.

Senate Bill No. 9—An Act relating to the sale and carrying of dangerous weapons.

On motion of Senator Finn, Senate Bill No. 9 was passed on file.

Senate Bill No. 200—An Act to amend section six hundred one of the Code of Civil Procedure of the State of California, relating to challenge of jurors.

In the absence of the author, Senate Bill No. 200 was passed on file.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of said state, by adding to article six thereof a new section to be numbered ten and one-half, relative to the length of time a person appointed to fill a vacancy in the office of Justice of the Supreme Court, Justice of the District Court of Appeal or Judge of a Superior Court shall hold office.

On motion of Senator Benedict, Senate Constitutional Amendment No. 11 was passed on file.

Senate Bill No. 454—An Act to amend sections forty-two hundred sixty three and forty-two hundred sixty-three *a* of the Political Code relating to the salaries of officers and fees of jurors in counties of the thirty-fourth class.

On motion of Senator Birdsall, Senate Bill No. 454 was passed on file.

Senate Bill No. 471—An Act to provide for the separation of the deaf and the blind departments in the California School for the Deaf and the Blind.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 471 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND-READING FILE.

Senate Bill No. 458—An Act amending section five hundred ninety-eight of the Civil Code, relating to mortgages, sales and conveyances of real property, by religious, social and benevolent corporations.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1004—An Act to amend section four thousand one hundred thirty-one of the Political Code relating to the recording of certain instruments.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 905—An Act to authorize the Surveyor General of the State of California to relinquish certain lieu lands to the United States.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 654—An Act to amend section four hundred seventy-five of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, providing for the appointment by the Attorney General of clerks, phonographic reporter, service agent and stenographers, and fixing their salaries.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Amend Senate Bill No. 654 by striking out the word "other" in line 10, page 1 of the printed bill.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

JOINT RESOLUTION OFFERED.

The following joint resolution was offered:

By Senator Stuckenbruck: Senate Joint Resolution No. 11—Relative to the dredging and improvement of the Mokelumne River.

Resolution referred to Committee on Federal Relations.

RECESS.

At ten o'clock and twenty-five minutes a.m., on motion of Senator Wolfe, the President pro tem. declared the Senate at recess until eleven o'clock a.m.

RECONVENED.

At eleven o'clock a.m., the Senate reconvened. Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

QUESTION OF PERSONAL PRIVILEGE.

Pursuant to his notice given on a previous day, Senator Wolfe arose to a question of personal privilege and addressed the Senate as follows:

MR. PRESIDENT AND GENTLEMEN OF THE SENATE: After I had given my notice, Mr. President, and had time to calm down, I was deliberating whether, after all, I would be justified in taking up the valuable time of the Senate of this State in discussing what appeared to be peculiarly a personal matter; and I wavered, until I read that which was written, after the action of the Senate on the report of its Special Committee, and about the time that the decision became public property. I made up my mind that it was my duty, as I originally understood it, to address my colleagues upon the floor of the Senate upon a matter that affects me very, very deeply, and upon which I feel very deeply; and when I am through, I doubt if there will be a man upon the floor of the Senate who, were he in my situation, would do otherwise than what I am going to do, or a man who would refrain from replying to those things which have been said about me. I venture that there isn't a man upon the floor of this Senate, and I do not underestimate, here and now, the calibre and personnel of the gentlemen with whom I am associated, that would not, under my circumstances, do as I am about to do. But let me say this to you, Mr. President, and gentlemen of the Senate, time heals many things, and therefore, I confess to you that I do not approach the discussion of this question with malice in my heart nor with the same degree of bitterness with which I was imbued when I gave my notice. I do not wish to hurt any one's feelings unnecessarily, but I wish to call the attention of the Senate, and of those gentlemen who are in charge of legislation which purports to perfect the recall system of the State of California, which legislation I shall support, that perhaps they can at the same time recommend other legislation which will protect citizens of this State in the exercise of their rights granted to them by the constitution.

I was defeated for the Senate in 1912 by 95 votes in a district in which I had never run before, and in a great portion of which I was a stranger. There were 16,200 registered votes at that election, and 11,100 or thereabouts, were cast. There was a very bitter fight made against me—a very bitter fight, a very nasty fight; but one must expect that; and I was defeated, and I took my defeat gracefully and went about my business, not intending, as long as life should last, ever to become a candidate for Senator in the State of California again. The papers later on became filled with articles on the recall of the gentleman who had been successful in the contest of 1912. I had naught to do with that; I never signed a recall petition. My friends were asked by me to keep away from it, and I had no part in it at all, and, to my amazement, I found an announcement in a paper that the recall against Mr. Grant had been perfected, and that the Governor of the State of California had called a special election to be held on the 8th of October. Thereupon my friends came to me and asked me to become a candidate at that election, and I refused. I refused a dozen times to become a candidate at that election, and it was only within a week—five or six days—of the time when, under the constitution, a man must file his nomination papers, at the earnest request of business men, of labor representatives, of all classes of my friends and neighbors, that I, in a moment of weakness, permitted myself to become a candidate at the recall election.

Mr. President, I didn't have to ask anyone's consent to do that. The constitution of this State says that any person may be nominated for an office which is to be filled at any recall election, under a petition signed by electors, etc. So that I exercised my right under the constitution, to become a candidate at that recall election for this office; and then something happened. Then there were circulars and editorials and attacks upon me, which were undeserved, which were false, and which were most malicious. The first circular that was sent out in my district, I will read to you:

> "A recall election will be held in this district Thursday, October 8th, 1914. The purpose of this election is the recall of Senator Edwin E. Grant. Senator Grant was elected by a majority of the voters in this district two years ago for a term of four years. Two recall petitions have been unsuccessfully circulated against him, but a third one has resulted in the coming election. We have investigated Senator Grant's legislative acts, and, irrespective of whether or not we believe in all the measures he has supported, find that his record has been clean and straight. He is the author of the Red Light Abatement Act, the purpose of which is to keep prostitution out of residence districts. The bill prohibiting saloons in the Fair grounds, which Senator Grant voted for, did not prohibit the serving of California wines. The present recall is simply an attack made on him by the vice element, and in our opinion, is not aimed at Senator Grant so much as at all legislators who have not voted in favor of the vice interests. Through the Grant recall, this element is seeking to club our legislators into line—their line. Are you going to ally yourself with them? Almost every decent man has a wife or a mother, a sister or children. The man who opposes Grant can not escape the charge that he is the candidate of the vice masters, the prostitutes and the dive keepers. The man who cares for his good name, for the happiness of his family, will be slow to accept the consequences of such a candidacy."

That was circulated all over my district, was copied in the smaller press, and was followed by attacks in the newspapers along these lines. "Well, Wolfe was smoked out. Eddie Wolf, candidate of the underworld in the Nineteenth Senatorial District, is out in the open as the man who seeks to succeed Senator Grant, attacked because he fought for the red light bill. This is the same Eddie Wolfe who for years was head and front of the railroad lobby at Sacramento, and who, when California was freed from railroad domination, was sent to the discard. There is an old saying in the boxing game with which Wolfe doubtless is familiar. It is commended to his consideration: 'They never come back,' is what the box fight fans say, and time has proved it true. If Eddie Wolfe, standpatter, reactionary, lobbyist, hired man of the old boss-ridden days thinks he can climb again into place on the shoulders of the dive keepers of San Francisco, he has another think coming. What the decent voters of the Nineteenth will do to him if that recall election is ever held will be sufficient. That election, if Grant's injunction and exposures of wholesale forgeries do not prevent its being held, will be a test whether the decent people of the Nineteenth District want clean rule or want to be represented by a man whose strength is most largely in the ranks of those who live 'away down in the dark.'"

That was followed by the circulation of a paper, or, rather a copy of a paper by Franklin Hichborn, and weekly papers in San Francisco—one in particular which prints Mr. Hichborn's little publications, had articles along the same line, "vice masters," "fraud on Senator Grant," and "forgeries," and "fraud," and stuff of that kind.

Now, I said I had nothing to do with getting up this recall. That was proven in the testimony that was taken before this committee; it was proven, particularly, by the testimony of a man named Andrew Einsfeldt. Now, let me tell you about Andrew Einsfeldt. When I ran for the Senate in 1912, and I was taken around by my friends to meet my new constituents—because I had been representing another district for many years. You remember the legislative legerdemain which took me out of my own district, many of you; I was taken around and I was introduced to a man named Einsfeldt, and it was said to me: "Oh, don't bother about him; he is for Grant; he don't amount to anything—move along." Now, who is Einsfeldt? What does the testimony disclose? He is the man that got up this recall against Mr. Grant, absolutely, and individually; it is sworn to in the record, and uncontroverted, that out of his own pocket, he paid the expenses of this recall, and perfected it. What part did he play in the election of 1912? I had no bitterer opponent; I had no man that fought me harder than Andrew Einsfeldt. He was with Mr. Grant morning, noon and night; he was his mentor, his guide, his philosopher, who, according to the testimony—and I speak by the record—sworn to before the Justice of the Peace in San Francisco, the forum provided by our Code for the trial of these contests—backed Mr. Grant's candidacy financially, and fought me very, very bitterly. As to the character of Mr. Einsfeldt, the fact that he was the associate of Mr. Grant, his colleague, his friend, ought to speak for itself; because, as I said here in January, as I have said all over my district, and as I say here now, there never has and there never will be an unkind word pass my lips about the gentleman whom I succeeded upon the floor of the Senate. I would be false to myself if I did that, and I don't believe in doing it, and even if I did, I couldn't say anything against him.

But Mr. Einsfeldt was the friend, confidant and financial backer of Mr. Grant's campaign in 1912, and in 1914 he was the man that got up this recall. But I had naught to do with it; that I have already referred to, and that is a matter of record and a matter of evidence.

During the taking of the testimony before this committee, to whose absolute fairness I have borne public testimony before, a witness was called, a man of intelligence, a man who had occupied a position in San Francisco at one time as the foreman of the Grand Jury; and he was presented the recall petition, and he was asked: "Did you sign Mr. Grant's recall?" He said: "No, I didn't sign it." "Is that your signature?" "Yes, that is my signature." "This is a recall petition for Mr. Grant." "Well, I didn't know I was signing a recall petition." "Well, what were you signing?" "Well, I didn't know. I thought perhaps it was for prohibition or something of that kind."

Well, eliminating that, the point that I call attention to is this: I asked the privilege of cross-examining him—and, mark you, Mr. President, and gentlemen of the Senate, we never presented one word of testimony to this committee excepting that portion of the record that was taken before he justices of the peace prior to the convening of the Legislature—and as I asked the privilege to cross-examine that man, he was the first one that I did, I asked this question: "Who got you to sign this petition?" He said: "Andrew Einsfeldt." "How long have you known Mr. Einsfeldt?" "Ten or twelve years." "What is his character for honesty and integrity?" He said: "Excellent, excellent." So they all say. A peculiar man, a poor man, living in one district and neighborhood for over thirty years; recognized on every side; denying himself even the necessaries of life, to support a widowed sister and her children; Andrew Einsfeldt, the man who perfected this recall, who is entirely and solely responsible for it all. It was said on the ballot, that he approached a Senator and asked him to defeat the Red Light bill, and that if he didn't do that, there would be political ruin. And now, I am not going to even read to you the testimony on that subject, nor am I going to present to you the affidavit that I have on that subject, because, as I said, I prefer to say naught that could in the remotest degree reflect upon the man whom I defeated.

Now, as to the Red Light bill: Mr. President, during this campaign, in the month of October, prior to the election, there came to San Francisco, Everybody's Magazine, containing an article by one Creel, whose claim for fame here is that he is the husband of a famous and favored lady, who was an actress and a Californian. This article—perhaps you have read it—I presume many of you gentlemen have read it, because it contained an outrageous attack upon his Excellency, the Governor of the State of California, an unjustifiable attack upon him. But prior to that, he had something to say about "one Eddie Wolfe." Now, let me read it to you. What women have done. An article on what women have accomplished since they have had the suffrage in California. "Women have also wiped out gambling of all kinds, and taken complete possession of the local option law, have succeeded in placing one half the territory and one fourth the population on the dry side. In his authoritative story of the 1913 Legislature, Franklin Hichborn makes this comment: "and it goes on to quote from a little paper about the members of the 1913 Legislature. "With the institution of woman's suffrage in 1911, however, racetrack gamblers were practically eliminated from California politics, and organizations of women on moral issues became the most potent power in the State. The members of the 1913 Legislature gave repeated evidence of appreciating this fact thoroughly." "The specific instance," says Mr. Creel, that he had in mind—Mr. Hichborn—was the Red Light law, which places the responsibility of disorderly houses upon the property owners instead of the wretched inmates. "This bill, as introduced in 1911, was killed with ease and despatch, Senator Eddie Wolfe wielding the principal axe."

Gentlemen of the Senate, when I read that, I was amazed. I didn't recall any Red Light bill that I had killed by wielding the axe; I didn't remember that such a bill ever came before the Senate of this State, and I hunted the record and found no such bill in the Senate; but I wasn't satisfied with my own judgment; I enlisted the assistance of the gentleman who has charge of a bureau outside here, representing us all, to have him run down the record to see wherein I had aught to do with the Red Light bill—wherein I had killed it or even voted against it. This is what he handed to me: "Assembly Bill No. 1014 of 1911, by Wiley. An Act to enjoin and abate houses of lewdness, assignation, and so forth, and to declare the same to be nuisances," and so forth. And the following calendar of legislative business of 1911, and from the Journal, the Assembly Journal—it never got to the Senate—the following appears: "February 1—read first time. To Printer. Feb. 6—From printer. Feb. 7—to committee. March 7—From committee with recommendation: Do pass as amended. March 9—Read second time, amended and to third reading. Mar. 11—From printer. Mar 13—Correctly engrossed. Mar. 16—Re-referred to Committee on Judiciary. Mar. 23—Dropped from file." It never came to this Senate; I had naught to do with it. I don't know that I would have voted against it, if it had come to the Senate, but I had naught to do with it; and yet, quoting the man who sits upon the floor of this Senate, sitting here, as our judge and censor, I am charged, in the language that I have read to you with being the tool of those interested in these kinds of institutions, and killing it upon the floor of the Senate. **That it is false has been demonstrated**

Now, that fight in that little district of ours created a great deal of a sensation, Mr. President, and a great deal of excitement. There were many meetings, many meetings. I must have spoken to three or four thousand men and women of the district; and at every one of them I said that I did not claim, nor did I say, that the reasons given in the recall petition for the recall of Mr. Grant were sufficient to justify his recall. I said, "That's up to you, ladies and gentlemen. You are the judges of whether that is sufficient. If you don't think it is sufficient, why, vote against the recall; and if you think it is sufficient, then, do as you please." At that election, nearly 9,000 votes were cast, at a special election, on October 8th, in the senatorial district that, at the general election, cast eleven thousand one hundred and some odd votes, there were nearly 9,000 votes cast. And while, at the general election, I was defeated by 95 votes, at that election I received a majority of 530 odd, or, rather, 530 odd was the majority for the recall, and 140 to 150 more votes were cast for my candidacy which were not counted because they did not first vote on the question of the recall of Mr. Grant. I was practically elected by six or seven hundred majority, a pretty fair majority, considering that it was a recall election. Now, then, what happened—what happened then? I wasn't through my troubles then. Immediately the press had little squibs about "fraud" and "[illegible]" and "conduct of election officers," and every imaginable thing, and finally it culminated in the filing of a contest for this office. I said upon the floor of the Senate that that contest charged practically everything from pitch and toss to manslaughter. I say again that it charged everything that a lawyer could think of to warrant coming before a body such as this to base the grounds for a contest of the seat of a man that was declared elected. It charged connivance in fraud on the part of the registrar of San Francisco; in fact, a declaration was made before this committee in an upstairs room that one hundred and fifty odd names were permitted fraudulently to be registered in that district, with the connivance and the consent of the registrar. It charged illegal registration; it charged that people did not know what they were signing when they signed the recall; it charged that nine men had signed their signatures with a mark, that they had not complied with some section of the Political Code in some formalities connected with that. It charged that one hundred and seven names were improperly on the petition, because the man who secured those signatures was not registered at the time that he secured them, and so on, *ad libitum*, all kinds of charges. The findings of the committee are sufficient answer to that. Forgeries! Oh, my! There were any amount of forgeries charged in this contest, and what was the result of that investigation? Well, people were brought, three or four, who questioned their signatures, and when the committee examined the signatures on the recall petition with the signatures that they had them make right there in their presence, there was not much doubt as to the genuineness of their signatures; and in only one case was there any reasonable doubt, and as the committee say in their findings, "the evidence is insufficient to sustain the charge."

But, Mr. President, there were lots of ladies who testified there that they had signed under misapprehension; they did not know they were signing a recall petition. And I do not wonder that they made that statement. It is not to be wondered at that they made their statement, that they wanted to clean their skirts from connection with it, because of the continual repetition of charges of fraud and conspiracy and of worse in connection with it. But sufficient for that. It then came to the Senate, and the Senate sustained the findings of its committee, and I was seated by an unanimous vote.

It has been said to me: "Why, why aren't you satisfied with that? Why don't you let the matter go? What do you want to dig up? You have got your seat?" Why, I never had any doubt about getting my seat, in the slightest. I knew the calibre of men that sit upon the floor of this Senate, most of them, and I knew that they would not rob me of my seat; they would not unseat me unless the evidence showed that I had come there improperly; and if the evidence had disclosed that, they would not have had to unseat me—I would have been the first man to get out, to offer my resignation. I had confidence in these gentlemen; it was never disturbed. But mark you, these people who instituted this contest—and the gentleman to whom I have referred by name, was very, very closely connected with the institution of that contest—their minds were not big enough to grasp the mental force and calibre of the members of this Senate. They said: "Oh, Eddie Wolfe! Why, he is *persona non grata* with the administration. Why, they will throw him out upon any pretext. Why, put in your contest, make your charges, they will be only too glad to get rid of him"; and they did file it, but they did not understand the high character of the members of this Senate, and the gentleman in charge of the administration of the affairs of this State at the present time; they tried to bring them down to their level.

Well, now, you would think, after the Senate committee had decided that unanimously, Mr. President, that there would be a cessation—a cessation of attack and of abuse and of insults. Let me show you what one paper said about my election. This was before the contest—and then I will ask any member of the Senate within the sound of my voice if he would remain silent after being attacked in this wise. This is an Oakland paper—a paper with which I have not agreed in the past, with which I had some differences four years ago on the question of a proposed constitutional amendment with reference to annexation and the right to grow, and so forth. Read this: "The Shame of San Francisco. San Francisco has done the expected thing, and done it in the true San Francisco spirit. It has placed its heel upon decency and civil morality, and taken to its bosom open vice, political debauchery and the degradation of women. It has embraced true Republican doctrine setting the seal of its disapproval upon righteousness; it has recalled Senator Grant and elected in his place the notorious vice promoter, Eddie Wolfe. The result of this infamy will count strongly against the success of San Francisco's Fair. The odium which Thursday's election has cast upon San Francisco will not soon be forgotten. It advertises that city as an unsafe place for women and girls to go to; for it establishes the fact that the controlling influences of that city are adverse to civic and social morality. Thursday's election should be a warning to the decent people of California, regardless of party. It means that Republican victory in November would be a victory of vice, of every conceivable kind. The domination of that party in power would mean the enthronement of every vicious element in California," etc.

Mr. President, if I were a thousandth or a millionth part of what that paper charges me with being, would I be standing upon the floor of the Senate of this State addressing my colleagues and the people of California, and reading that character of an editorial?

And that is not all. There was some other detestable paper which was very closely connected with some bulletins that are published which said precisely the same thing. "Evidently, Senator Grant's reputation as an honest, righteous gentleman, was unknown to his constituents when they voted for him, two years ago; they did not want that kind of a man; they wanted an advocate of Red Light corruption and damnation. Red Light corruption and damnation, and they desired the supremacy of moral rottenness, and in Eddie Wolfe, they got what they wanted. Being misrepresented by a man of high character and independence, they did right in dethroning him, but, oh, the pity of it, and the disgrace to San Francisco."

Now, the same Oakland paper, after the decision of the committee, said: "We do not question the strict legality of the dismissal of the Grant contest recommended by the Senate committee yesterday. Doubtless the committee is wholly justified in the action taken, basing that action upon the evidence adduced in the investigation made by it. It was hardly to have been expected that in a matter so susceptible of confusion and one in which exhaustive investigation was rendered impossible by lack of ample funds and time to gather facts bearing upon the case, any other conclusion could be reached. Notwithstanding the probability that Grant's full case has not been presented; that there is some probability that, could all of the facts have been marshalled in his support, his contest would have been sustained, still the committee's recommendation was the only possible one under the circumstances," etc. "If Senator Grant had accomplished nothing more than to give the State the Red Light Abatement Bill, of which he was author, his services to the State, in that alone, were enough to give to him a permanent position as one of the most efficient legislators we have ever had." But "Grant has been made a victim of circumstances. He represented a San Francisco district in which there was a very large and very powerful tough element—an element which stood for vice in every form, and was restive under any restraint, or the menace of restraint. This element of the Nineteenth District was assiduously cultivated by the Republican ward heelers in the recall campaign which defeated Mr. Grant. Every dive, every saloon, every house of prostitution and every gambling joint therein was made to contribute money and active workers to down Grant because he was too clean to represent them."

"Every dive keeper"! Let's see. The impression has gone abroad that I represent, upon the floor of this Senate, what is known as the tenderloin of San Francisco. Gentlemen of the Senate, there is not, within the boundaries of that district which I have the honor to represent, and which perhaps I will represent for the last time—or any district—there is not, within the confines of that district one dive, one brothel, one disreputable place of the kind referred to. You do not have to take my word for it. I will read to you some things that I took the precaution to bring to you. There is one territory in that district that is composed of one hundred and forty square blocks, from Maple street, which is the westerly boundary of my district, to Van Ness avenue, which is part of the easterly boundary of the district, speaking conservatively; and from Sacramento and Green street and to Union street, that is, twenty blocks one way and seven blocks another. Excepting upon Fillmore street, there are not five saloons in the entire neighborhood. It is a respectable residence district, a district of homes and of schools and of churches, composed of the better class of our citizenship, if you measure them from the standpoint of worldly possessions—one hundred and forty square blocks. Here is a proof of it:

> DEAR SIR: In reply to your communication of the 5th inst., will state that our records show that there are nineteen saloons in the district bounded as follows, commencing at the northeast corner of Sacramento and Maple street, thence along the northerly side of Sacramento street to the east side of Van Ness avenue, thence along the east side of Van Ness avenue to Green street, thence along the southerly line of Green street to Maple street, and thence along the westerly line of Maple street to the point of beginning. Of course, you will understand, of these nineteen saloons, the largest number will be found on Fillmore street.
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> Signed:
>
> CHARLES F. SKELLY,
> Secretary the Board of Police Commissioners.

From the Registrar's books:

> The registration of the blocks bounded by Maple, Green, Van Ness avenue and Sacramento streets is 6,872, which means a population of about 30,900.

From the Chief of Police of San Francisco:

> Referring to our conversation of several days since, in reference to the general character of that portion of the city bounded by Maple, California, Baker, Pine, Laguna and Sutter streets, Van Ness avenue, Leavenworth and Filbert streets, and interlying between these points and the bay of San Francisco and known as the Nineteenth Senatorial District, I respectfully advise the following: This district embraces the most extensive of the select residential portions in the city and county of San Francisco. Not alone this, but within its confines are a number of choice business districts, the reputations of which are entirely above reproach.
>
> Very respectfully yours,
>
> D. A. WHITE, Chief of Police.

The dive-keeper, the brothel, the vice masters in the Nineteenth Senatorial district! So these attacks on me, inspired by this sort of stuff that was sent through my district, and which misrepresented me, if ever a man was misrepresented in this wide world, and which reflects upon the character of the community that I represent, and upon the citizenship of San Francisco, which needs no defense from me upon the floor of the Senate. Unfortunately, there is a disposition on the part of some men to get into the lime light, and to speak of large cities as being dens of iniquity where vice prevails. Let me say to you, gentlemen of this Senate, that I have traveled all over this county and all over the large cities of Europe, and I say it, and I defy contradiction, there isn't a cleaner city, morally, in the civilized world today, than the city and county of San Francisco. Vice does not flaunt itself in the faces of decent men and women. Those who seek vice know where to find it, and experts on the red light districts and on red light measures—they know more about vice than do the good men and women of San Francisco. And any woman is safe upon our streets, every hour of the day and every hour of the night; she is not affronted, and not insulted, and a drunken man upon the streets is a great rarity seen, maybe once in three months or once in six months. Have I not a right, Mr. President, to call your attention to these animadversions, these outrageous attacks upon me and upon the citizenship that I represent in part—the citizenship of the great city and county of San Francisco?

Now, I have said that I have been criticised by a gentleman whose name I have mentioned, in his reports. It will be said of him that he is actuated by high motives; that his purpose is to point out to the people of California how their legislators stand upon moral and public questions; that he is not actuated by personal animus; that, as he himself has said in one of his little sheets, he does not sit in judgment upon us—not at all; he lets others sit in judgment upon us. Well, I might have been inclined to believe that, if this matter had ended there, but it didn't end there. When the report of this committee was practically understood and it was known that I was to be seated, articles appeared in country papers on a different line. And they got their instruction from this very man, because I will show it to you from the paper. They were going to reach me some other way; they couldn't influence—they couldn't impress the committee that was appointed by the evidence that was offered; therefore, they were going to belittle me in the estimation of my colleagues by a flank movement. They were going to show me up in a different light entirely. And here is what I found. They started an attack, not only on me, but also on gentlemen who happened to be my friends, and one of the gentlemen whom they attacked because of his friendship for me was the man who occupied the office of Chaplain of the Senate of the State of California for four years, the Rev. Father Wyman, a venerable and lovable gentleman who had the respect and the confidence of every man upon the floor of this Senate; who, when he prayed, there was more devotion than I had seen in all of the years that I had been up to that time in the Senate of the State of California. They attacked him and me and I will show you how.

(Reading.) "From the Colton, California, Courier, January 24, 1915: The California Senate."—now, that was within a day or two of the filing of the report of this committee; they had concluded their work; they decided to go no further with their investigation, and the matter even then almost dropped: "The California Senate seems to have fallen into strange ways, notwithstanding that it is supposed to be controlled by the best element in the political parties of the State. Hichborn's legislative bulletin tells how that party recently elected Rev. Father Stark as its Chaplain, and the Sacramento Bee recounts something of that delectable gentleman's history, which, by the way, is particularly recalled by the writer hereof, who was at that time engaged at Sacramento." This refers more particularly to Father Stark, I notice. "In 1907, Senator Eddie Wolfe, over whose election," well, they have misplaced the line. "Senator Wolfe became miffed because the Chaplain in his prayer over the Senate each morning had much to say about Christ. Now, Wolfe is of Jewish birth. He made bold to offer a resolution that the Chaplain forget that Christ came into this world to save sinners, in fact, that he came in at all, and not to use the name in his prayers. That raised a rumpus, but Wolfe won his point. Then the next year a man named Blake was caught in a trap set for him when he attempted to bribe one of the Ruef jurors. This resulted in a lawyer named Frank J. Murphy being arrested for bribery and at his trial his witness for good character was Rev. Father Stark, just now elected Senate Chaplain at four dollars per. A fellow priest with Father Stark was Father Wyman, and the following year he was elected Senate Chaplain at the behest of Senator Eddie Wolfe, and he, too, omitted the name of Christ in his prayers. Now we have Father Stark following the Wolfe dictation, and the Wyman fashion. Some of these days, the Senate will come to its senses, likewise the House, and there will be no chaplain elected."

(Reading.) "Palo Alto, California, Times: Some legislative items. Senator Frank Benson has introduced a resolution to abolish the office of Chaplain of the State Senate. This may shock the nerves of some conservative churchmen who are not familiar with the question by actual contact. To those who know, it will be regarded as a proper move." Not so. Of course, it isn't true,—that portion isn't. I know I haven't heard it; I am sure it wasn't true, but that doesn't make any difference: it is in the paper, so it must be true. "This may shock the nerves of some conservative churchmen who are not familiar with the question by actual contact. To those who know, it will be regarded as a proper move. Commercialized piosity." I guess that is the correct pronunciation,—"commands no respect. The only function of the Chaplain is to offer a formal three-minute prayer at the opening of each day's session and to draw eight dollars of the public's money therefor." It is only four, but that doesn't make any difference. "This job is regarded as a neat bit of patronage to hand out to some clerical friend of a Senator. This latter fact, being well known, detracts from the office any odor of sanctity that it might otherwise have. An additional item of interest is the allegation of Franklin Hichborn, also of this county, that at least two recent Chaplains of the Senate have received their nominations at the hands of Senator 'Eddie' Wolfe of San Francisco, who is a Jew. Wolfe slips in the request to them that they omit any reference to Jesus Christ in their prayers, and it is amiably done to please him. So Wolfe, the Jew, gets credit for broadmindedness for nominating a Gentile parson, the latter adjusts his devotions to suit, and the public pays the bill."

Will any man within the sound of my voice say that these articles are inspired by motives for the public good? Will anyone say that there is any justification for this attack on this reverend gentleman? Father Wyman, the Paulist Father of San Francisco, a venerable gentleman, whose life is spent in acts of gentleness, of kindness, of charity and of religion; whom I have seen in the stress of weather, in storm or in the heat of the day, on foot, going to the bedside of the sick, offering religious consolation to those of his faith, when they were dying, in season and out of season; Father Wyman, who is beloved by all that know him; and I am not of his faith, but I honor and I respect him. Father Wyman, through Mr. Hichborn, is accused of selling his religious convictions for four dollars per day, and they would have you believe that sort of stuff is done for the public good! They refer to Mr. Hichborn, who in his paper on this subject, dips into the past, revives this, and that is the basis of all these scurrilous attacks referred to here. This article dipped into the past, and he implies here that these clergymen were implicated in the graft scandals in San Francisco. Why? With what basis does he make this charge? Because Father Wyman testified upon the trial of Frank Murphy in San Francisco that he knew him to be a man of good character, or answered the code question that you lawyers know is asked of a character witness. And Frank Murphy was acquitted by a jury at San Francisco! What difference does that make to that gentleman, whether he was acquitted or not? Why, he was accused—therefore, he must be guilty. The verdict of the jury means naught with that kind of man; he has made up his mind that he is guilty, the verdict of the jury to the contrary notwithstanding. And in this article, which revives something that occurred several years ago—in 1907, when I was compelled to rise, also, to a question of personal privilege, for the reason that I had been attacked on this very prayer incident—let me tell you about that incident; and I am going to read to you what was said at that time by the Sacramento Bee, an editorial that I have preserved from that day to this; and if I couldn't get another copy of it, I wouldn't sell it for $500.00. It is true that I am a Jew. Yes, I learned that at my father's knee and drank it in at my mother's breast; it is the greatest and best heritage that I have, and I wouldn't exchange it for anything in this world. But I don't wear my religion on my coat sleeves; I am a strict religionist, a strict believer, and I like every man to stand up for the faith of his fathers. I like every man to be as loyal to his faith as I try to be to mine. (Great applause).

And we had a Chaplain in those days, and I was the President pro tem. of the Senate at that time. He prayed through the Saviour, and I, believing in prayer, and wanting to pray with him and the members of the Senate in a respectful and deferential way asked him if he could not without doing violence to his conscience, so pray that I might pray with him as a member of the Senate; and I said: "If it violates your conscience in doing it, pay no attention to me at all and do that which your conscience dictates." Somehow, that got out into the papers, and you could imagine what they said about me—the newspapers that didn't like me, and there are some that don't—imagine what they said about me, and what articles were at that time flareheaded across the faces of the newspapers that were fighting me, particularly; and I was attacked in the pulpit; and I was attacked out of the pulpit; and ministers made me, and that question, the theme of their sermons; and I was compelled to take it up on the floor of the Senate of this State and explain my attitude. And let me say to you, the very first letter that I got after I had made my speech and it was published was from the bishop and the [illegible] the other bishop of the Protestant church in Sacramento, in which he said that he gloried in my stand, and approved it. And the next letter that I got was from a Roman Catholic priest that had words of the same nature. Listen to this (reading an editorial from the Sacramento Bee):

> "The religions of the Senate and the prayers therein. To read the formulations of some ministers, one would think these to be still the dark and gloomy days of persecution, when to be a Jew was to be despised and spat upon by all men. Professed ministers of that Christ who put aside the old patriarchal creed of bigotry and religious hatred, and who was the first to bring message of peace and tolerance, are anathematizing the Jews in the Senate, and particularly Senator Wolfe, whose crime is that they respectfully and in a deferential manner asked that the religion of their fathers be respected in the daily prayer of the Chaplain. One minister at Davisville recounts again the story of the crucifixion, and declares of the two Hebrews in the Senate that they hate his name.
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> Surely, it is time such shameful language be forever obliterated from the minds and tongues of men who claim to deliver the message of the Prince of Peace; that man whose followers were Jews; that man himself a Jew; that man who was not done to death by the Jews, but by the Romans; done to death under Roman laws, executed by order of a Roman tribunal, crucified for alleged agitation against the peace of a Roman province; put to death by Roman soldiers, while his followers, the Jews, endeavored to save him.
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> Surely, the day is here when the ranks of all religious creeds should be respected. Certainly the hour is at hand when civilization should show by its affectionate tolerance and respect for all religious beliefs, its veneration for the dark eyed maid of Judea, the mother of that Babe who subsequently suffered on the cross for Jew as well as for Gentile.
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> Senator Wolfe's speech to the Senate this morning upon this matter will be found in full in another column. It is a manly speech. It is the speech of a Jew, proud of his race and glorying in the religion of his fathers. It is a gentlemanly speech; its tone of respectful and yet manly pride is in strong contrast to the shameful language which has come from some Protestant pulpit—language directly at variance with the teachings of that gentle Jesus these ministers profess to be endeavoring to save from Jewish degradation in the Senate.
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> Senator Wolfe and his co-religionists in the Senate of California have been right in this matter from the very first. Instead of being assailed and denounced and blackguarded, they should be everywhere complimented for a stand that is an honor to themselves, a credit to the mothers who bore them, and a glory to the creed they are not ashamed to uphold and defend."

And yet, and yet, after the lapse of these years, it is necessary to bring this question into the contest of Mr. Grant—Mr. Grant's contest of my seat, and my right to sit here—to revive that onslaught, and to revile and to attack men whom we ought to respect, and whom most of us do respect, and as to whom, some of us are barely worthy to kiss the hem of their garments.

It would seem, Mr. President, after I have shown you these facts, and recalled to you what is back of this contest, that my colleagues will agree with me that I am justified in thus addressing you. And why—why have I been thus attacked? What have I done to warrant the accusation of this class of newspapers in their attacks on me? I am supposed to be a reactionary, a standpatter; I am a man of the old days; I represent the old regime. Why, that is a thing of the past. I do not claim that in all of the bills I stood for—and I stood for them honestly and conscientiously—I never have claimed that I have always been right, but I have always thought I was right, and whenever I thought so, I stood and fought my battle, no matter what might be the consequences. But, Mr. President, to be a candidate of the vice masters, of the brothel and of the dives, there must be something concrete in the public record of a man to warrant an accusation of that kind. Why, I recall in the many years that I have served in this Senate, that there is not a constructive moral law for the protection of the home, womanhood, children, the church and the school, that I have not cast my vote in favor of, and that I have not advocated by my voice upon the floor of this Senate. I introduced into the Senate of the State of California—and I ask you to indulge me if I speak of myself, because I am compelled to in self defense—I introduced into the Senate of this State at the request of good women and good men, the juvenile court laws of California. I am the author of child labor laws, the author of a bill for oral education of deaf and dumb children. At the request of clergymen of every denomination, I introduced a constitutional amendment exempting church property from taxation. I am the author of the bills making it a felony for men to live off the earnings of poor, unfortunate and fallen women, and the author of the bill to make it a felony for any miscreant to make it possible for a woman to be in that position. I, the candidate of the vice master, of the dive keepers and the brothel! What an infamous—what an infamous charge!

The normal school in San Francisco, I fought for. I could show you telegrams and letters from men and women throughout this State—which would not be becoming to me, because it would look as though I was getting conceited or something of that kind, but I repeat that every measure, I don't care by whom it was presented—if it was constructive moral legislation, I voted for it. I voted to raise the age of consent, and I had some doubts about it when it was presented; but I prefer to err on the right side, and I voted for it. And there is only one bill—let them search through the archives of this State for any law affecting the morals of the State of California—but there is one bill that I can recall to my memory, only one bill of which it might be said that I was on the wrong side, if you consider it a bill involving morals, and that was the racetrack bill, and how they have hunted that out from that day to this how they have attacked me, because I refused, with one fell swoop, to close up the racetracks that had been recognized for years as legitimate and as representing large investments in California, and drive hundreds of people out of employment; because I favored regulating them in such a way that they could run only for a limited period, etc., etc. But nevertheless, it is true; it is true I voted against the racetrack bill. Is that a crime? Does that warrant a man saying that I am a representative of the dive keepers and of the brothels? Why, they know that is false, they know it is false. They thought they could kill me off by that kind of an attack, and they have failed.

I admit I was not always on the right side—of course not. I did not see the light as quickly as some people did. I voted against the initiative and the referendum. But they say—the gentlemen whom I have named said that I tried my best to defeat the direct primary law in California; and that has been sown broadcast. Let me tell you the history of that. I was a member of the convention and of the Committee on Platform and Resolutions that wrote into the Republican platform the plank declaring in favor of a direct primary. I pledged myself to my constituents that I would support a direct primary law, and it passed; it was adopted and the Legislature passed it. We were confronted with this situation: A bill had been prepared by some two or three gentlemen and it was offered, and the man who dared offer an amendment to that bill, whether he changed the cross of a "t" or the dot of an "i"—the man who dared offer an amendment to that bill was denounced as an enemy to the direct primary, and as the representative of the corrupt interests of the State of California. I made my fight for my amendments, right in that seat where sits Senator Thompson; I made it, because I had a right to make it, and the character of one of the amendments that I wanted was to insure to a man who was a candidate of his party, that he had at least the vote of a sufficient percentage of that party to make it possible for him to win out on election day. Well, we made our fight, we were defeated. They defeated us; 27 to 13, I believe, was the vote, and the moment that fight was over, I turned to the people in charge of the direct primary and said: "I have made my fight and lost; do with me as you will; I will take your program. I will vote for this bill, and I will help you pass it." And there was a conflict between the two houses, and it was necessary to appoint a Committee on Free Conference. I was, if I remember right, the chairman of that committee, or at least I was a member of that Committee on Free Conference. Now, Mr. President, you are familiar, and so are you, gentlemen, with the rules—that the report of the Committee on Free Conference is final. They can write everything into the bill that they want; they could write a new bill. Had I been what they have charged me with being, I would have insisted on writing into that bill those amendments for which I fought upon the floor of the Senate; but I did not. I had given my word, and we made a fight for it, and the bill was reported back and it was passed, and it became a law. And yet, it is said of me that I was the enemy of the direct primary—that I did my best to bring about its defeat.

And that is the character of the accusations that have been made.

I was against the recall—yes, sure, I was against the recall. Strange to say, I was one of its beneficiaries, if I may use that term. I was not opposed to the recall in its entirety. I asked them to divide it, so we might vote upon the question of judges; then, I would vote for the rest of it. But they would not have it, and so I opposed the recall and the initiative and the referendum; but I opposed them because I had not seen the light, because I had not understood their importance to the people of this State, because I stood by the platform of my party, and because, further, there was no active Republican fight being made for those things. Mr. President, they are the laws of this State today, and I know them to be good laws. But they are at best experimental, and there is no man that can clothe himself or hedge himself around with divinity and say that those laws, as good as they are, are necessarily a panacea for all our political evils. In the final analysis, good government, after all, is that which brings happiness and prosperity to the people, and employment to labor. And I am coming to the conclusion of my talk, Mr. President, when I speak of labor.

It is said in these papers that I was the hireling of the railroad. I have stood by labor through all of the sixteen years that I was in this Senate, and I ask you this question: Can a man serve two masters, Could a man be the hireling and the tool of the corporations, and at the same time be the loyal and constant and sincere friend of labor? That is why I had the support in my fight of 1912 of labor men like Andrew Furuseth,—and who will say a word against him? That is why he spoke at my meeting, and that is why Mr. Andrew Gallagher signed my circular that was sent out, because they knew they could trust me; and here, in this screed that is sent all over this State by some one, it is said that I am pretending to be a friend of labor and seeking to get into office on their backs.

Mr. President, I have taken up a great deal of your time, and of your patience—much longer than I had intended to—but I felt that I was justified in reviewing this situation, to show you the kind of fight that has been made against me, and what was behind that kind of a fight; and then to compare, if I was permitted to do it, my record upon the floor of the Senate of the State of California, with the accusations and the charges that have been made against me. I am a married man, happily married,—married going on to thirty-two years; have a daughter that is the apple of my eye, married also. We live together. I live in a pure and a clean and a refined atmosphere. They have had to read these things that this kind of men have sent out through this State; they have had to read these charges and these facts. And I tell you, Mr. President, the man who wouldn't rise and defend himself under these circumstances would be a man worthy of the contempt of all people. I am here in this Senate today, and I want you to know my position. I recognize the change that has come in this State, and I tell you frankly that I wouldn't go back if I could. I recognize the high character of this administration, and I am not here in opposition to this administration, excepting, it may be, as to one or perhaps two measures. I recognize that the people have spoken in California; that the men in control have the right to control; that they have a right to frame and to father the bills which they stood for before the people of this State; because I believe in the voice of the people. I am going to support that class of legislation, without sacrificing my Republicanism, and yet without being able to call myself a Progressive, but I am not here in the spirit of fighting the things that I fought for before; for the people have decided in a manner adversely to me, and their judgment is my judgment. I am on the floor of this Senate as you are, trying to do that which is right for the people of California, and hoping that the time may come when this kind of rancor and this kind of bitterness and these kinds of animosities may disappear from the earth forever; when men may recognize the right of others to advocate their own ideas, and to give them credit for honesty of purpose; when kindliness and good will may prevail instead of the kind of situation that I have had to refer to in my remarks today. (Great applause.)

QUESTION OF PERSONAL PRIVILEGE.

Senator Benson arose to a question of personal privilege and addressed the Senate as follows:

MR. PRESIDENT: I feel that the majority of us would rather that Senator Wolfe had seen fit to have followed his first inclination to have let this matter rest where this body in its judicial determination decided that it should be. As the Senator has said, this body has given him his full meed of legal right; they have listened to the testimony in the contest case and they have granted him his seat, and it would have been pleasanter to all of us if the incident might there have closed. If it were so closed, then we might have gone along, and might have made our records from that time forth, and not have had to delve into the past, to have picked up old rancors. It would seem that a man might be big enough, if not to be a good loser, at least to be a good winner. It would seem that after the record is made, and after the final judgment is entered, that then the matter might have stood at rest and that we might have gone on attending to the business of the State of California. Particularly it appeals to those of us who at the present time are turning our eyes and our hearts with affection and enthusiasm toward the city of San Francisco in the great undertaking which San Francisco has on now. There is a sympathy throughout the State of California that those people from San Francisco do not realize. They have never been able to grasp the sentiment of the people of the State of California outside of San Francisco toward the city of San Francisco. They can not understand the love and affection which we have for our metropolis, the interest which we have in her material welfare, and the interest which we claim we have a right to evince in her moral welfare,—for, after all, the city of San Francisco is not a Chinese city with a wall around it; it is the heart of the great State of California. To the city of San Francisco we send our sons and our daughters. To the city of San Francisco we direct our choicest and our highest ambitions. There we go to transact our most important business. It is our city, and we have a right to raise our voices against the things that we protest against, that are taking place in that city.

I haven't the power to look into the heart of Senator Wolfe and see what motives animated him. I haven't the power to look into all the details of the campaign that resulted in his elevation to the position which he holds now; but sweeping aside all of the subtle eloquence with which he has treated you, this fact stands out clearly; there was but one issue in the recall election at which he succeeded Senator Grant, and that was the issue of vice against decency. Whether Senator Wolfe was responsible for that or not, I have no way of knowing. He says he is not, and so far, the record is with him. But the situation was there, and he took advantage of that situation. Senator Grant was recalled because he stood for the Red Light Abatement bill, and let not all this subtlety give you any impression that any other condition prevailed. Was there any other reason why the people of San Francisco rose up against Senator Grant? You men who come here representing labor, you men who are here because the laboring people have sent you here, what objection did you have to the record of Senator Grant? In the last session, I stood upon this floor, fighting the battles of labor, not because you gentlemen were for labor, not because there were labor people in my vicinity; there are more people that are against labor than there are labor people there; but because I thought these votes were right. I went to the bat on labor propositions and I put myself out of sympathy with these men who were naturally friends of mine, who couldn't understand my viewpoint. But in every fight where I went to the bat in the interests of labor, Senator Grant was fighting by my side. His labor record was clean and straight. Why are you gentlemen sitting here in the attitude of opposition to Senator Grant? Is it because he did anything wrong for labor? No; it is because you disagree with his stand upon the Red Light Abatement bill, and that is the reason that Senator Grant was recalled, and that is the reason that Senator Wolfe occupies his seat today. That may not have the subtlety that he affords to it; I am not going to appeal to your religions. I have no tremulous talk to make about my family or things of that kind, but there is the fact, and you can't get away from it.

I know Franklin Hichborn, and I stand here performing this unpleasant duty, because I do know him; I have known him since he came from school, a stripling, and here he is now, a gray haired man. I have known every public action of his. Sometimes I have disagreed with him; sometimes we have not been in political accord; but always, Franklin Hichborn has aimed to be right. Whenever there was a battle in my county, when it took strength and courage, Franklin Hichborn was on the firing line. We have done some things in our county for which we are proud. We have cured some conditions down there, and there isn't a milestone along the path of progress there that you can't find upon it the mark of Franklin Hichborn. He has done great things for the State of California. He has fought his fight honestly and earnestly; he has gone on the firing line when it was hard to be there; he has battled with his back against the wall, and I would be less than a man, knowing Franklin Hichborn as I do, if I stood here, even braving the experienced skill of Senator Wolfe, and declined to say these things of him which I know.

Why is Franklin Hichborn picked out as the one person against whom these attacks were made? Was Franklin Hichborn the whole publicity of the State of California? Let me illustrate the subtlety with which all of this was showered upon one man. Senator Wolfe read an article, and I am going to read it again—as he read it, he can't take any offense.

> It is difficult to believe that a decent man could be induced to accept a recall nomination in opposition to Grant. Almost every decent man has a wife, or a mother, a sister or children. The man who opposes Grant can not escape the charge that he is the candidate of the vice masters, the prostitutes and the dive keepers. The man who cares for his good name, for the happiness of his family, will be slow to accept the consequence of such a candidacy.

You heard those words read, and you thought that Franklin Hichborn used those words; you thought that that was an attack on Senator Wolfe, after he became a candidate. That is an editorial from the San Francisco Morning Call of August 21, 1913, before Senator Wolfe became a candidate. Let me read you what some of the citizens of San Francisco said before Senator Wolfe became a candidate.

(Senator Benson read from the San Francisco Chronicle beginning: "A petition containing the requisite number of names," and ending about some "school book bill," and further on, the Chronicle submits: "Such a performance * * * is possible" * * * and ending "by such a performance.")

Every paper in San Francisco declared what the purpose of this recall election was before Senator Wolfe saw fit to get into the fight. The issue was made before he got in there. I am not saying that he started this thing. I do not even charge him with planning it. I charge that the people that were against the red light law started this recall battle, and whether Senator Wolfe got in at their request, or whether in some other way he got in, I know not; but nevertheless, he took advantage of that situation, and it was in order to punish Senator Grant for standing for the Red Light Abatement bill that Senator Grant was recalled and Senator Wolfe took his place. It matters not in this discussion, whether the Red Light Abatement bill is a good bill or not. The important fact is that Senator Grant believed it was a good bill. There is no one in San Francisco that doubts that Senator Grant voted for that bill honestly and conscientiously. They did not have the courage and the manhood to put on their recall petition: "We petition to recall Senator Grant because he voted for the Red Light Abatement bill." No! With slinking cowardice, they put upon their petition that they were going to recall him because he voted for some marriage bill, a bill requiring five days' notice before a marriage could be performed. How many of you gentlemen know whether you voted for that bill or not? It was a bill absolutely of no importance and attracted no attention before the people of this State. He voted for some bill in regard to school books—some bill that most of you gentlemen could not identify to save your necks, and nobody in San Francisco cared one whoop about! They said that he voted for a bill preventing bars at the exposition at San Francisco. There are no bars at the exposition at San Francisco now, and I don't notice the people of San Francisco rising in their holy wrath about it. They are perfectly satisfied with the situation; and it is true that liquor is served with meals at the exposition. And these bills that Senator Grant voted for—it is a cowardly subterfuge, and everybody in the State of California knows it was not the reason. There was only one reason for his recall, and that was the Red Light Abatement bill. I grant you that there are no dives in the district represented by Senator Wolfe. I know nothing about it, but I take Senator Wolfe's statement that there are no dives kept there. But it is not the dive keeper, particularly, that is hurt by the Red Light Abatement bill. It is the sleek individual that lives in the big house on the hill that is hurt; the man that owns the real estate, the merchant prince that sells the silks and satins that cover the shame of these unfortunate women. It is the capitalist that is hurt by the Red Light Abatement bill, and the fact that the capitalist lives in that district is no argument that the element that was back of Senator Grant's defeat was not that Red Light Abatement bill.

I say that a blot has been placed upon the State of California by the recall of Senator Grant; that Senator Grant stood for a thing that he believed was right, and that a majority of 50,000 people of the State of California believed was right. He stood up and fought manfully, in the face of threats and menaces, and then he was defeated by subterfuge, by a small portion of the city of San Francisco. I would like to have forgotten that. I wish that the State had been allowed to forget it. I wish that this incident never had taken place, that we might at once have turned our whole attention to the great undertaking that San Francisco has on now. Whatever satisfaction the Senator from the Nineteenth District may have achieved by reason of standing here and directing his attack at Franklin Hichborn, and, subtly, at Senator Grant, it seems to me he might well have foregone in the interest of patriotism, and for that love of State which should be engendered, not for San Francisco as a little isolated community; not for this community or for that, but for our whole State of California. We were willing to forget it; we were willing to grasp his hand in friendship; we were willing to go on working with him for the best interests of the State of California. And he, in order to have a field day, in order that these men may stand here and chuckle over his subtleties and his jokes, in order that he may get into the lime light, in order that he may be heralded in the press tomorrow morning, in order that the flaying which Franklin Hichborn and Senator Grant have got may be chortled over in every bar and brothel in San Francisco tomorrow morning, he is willing to do this thing; and I say that it has been unfair to the State, unfair to the city of San Francisco that the thing should have been allowed today, and that it would be better if we would wash it from our memories, forget the incident and go on about our duties attending to the business of the State of California. (Great applause.)

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the hour of recess was extended until twelve o'clock and forty minutes p.m.

RECESS.

At twelve o'clock and forty minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m. the Senate reconvened. Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

QUESTION OF PERSONAL PRIVILEGE.

Senator Chandler arose to a question of personal privilege and addressed the Senate as follows:

Mr. President: I had not expected to speak on this question until it came up today, but I feel, owing to the conditions, that it is proper that I should. I have been a member of the Legislature for six sessions beside this. There is just one other person in this Legislature that has served longer than I have, and that is the Senator from San Francisco—Senator Wolfe. I was a member of the Legislature when the Senate was organized in the lobby of the Capital Hotel, all the way from two days to two weeks before the Legislature met. The Legislature was organized by representatives of the larger interests, represented in most instances by Walter Parker. I was a member of the Legislature of 1905 when a United States Senator was to be elected to succeed Senator Bard. At that session the Speaker of the house, as is customary, asked each member to name the committees on which he would like to serve, and I, with others, passed in my list. I never had met the gentleman until I was introduced to him by another member, and I stated to him if, in looking over the lists, he should find committees on which he thought I could serve better than on the others that I had named, to put me on them; that I had come to the Legislature to work. He said he liked to hear a man talk that way, "but," he said, "I will tell you, gentlemen, I have got to see somebody else." He said: "They came to me first, and now I have got to go to them." I didn't know who he meant by "them"; he did not tell me. But I know that the man who was elected Speaker was instructed by his constituents—a member of those constituents is on the floor of this Senate today—and when his constituency instructed him to vote for Senator Bard for United States Senator, he said to them: "So I am informed," and that it was not necessary for them to instruct him to vote for Senator Bard. He said: "I am a Bard man." At that time, he had not evidently aspired to be Speaker of the Assembly. He was made the Speaker of the Assembly, and he voted for Senator Flint. It was after that that I suggested to him that I be put on certain committees, and he said he would have to go to others. I have been a member of the Legislature when some of us did not get very much legislation. I was a member of one session of the Legislature when another gentleman on this floor did not get a single bill through the Legislature; and the reason was because he did not train with the crowd that controlled the Legislature. In 1910 there was a change; there was an uprising; there was practically a revolt. The Legislature of 1907 was so bad that those that were in control, themselves, had to admit that they had gone too far. One of the measures that is impressed on my memory the strongest, because it was a day of the greatest tension under which I ever remember having been—and that was the day on which we took the final vote on the capital removal bill. It was over in Red Men's Hall. It required a two-thirds vote of both houses to pass the resolution to move the capital from Sacramento to Berkeley. I never knew just why those people who were in control of the Legislature at that time wanted to move the capital to Berkeley. We have a fine building here, we have fine grounds. Perhaps if we located the capital again, we might not locate it in Sacramento, but we have property here that it would take ten millions of dollars, in a rough statement, to duplicate, and yet, by a two-thirds vote of the Legislature of 1907 voted to remove the capital from Sacramento to Berkeley. The only reason that I know of that might have influenced those that controlled the Legislature at that time was one of two things. In the election preceding, Sacramento County had given a majority to Bell, and they wanted to punish Sacramento for not supporting Mr. Gillett, or else they wanted to convince the Legislature that they absolutely owned it, and they convinced the Legislature that they did own it; because, as I say, it took two thirds of both houses to pass that resolution, and it was passed and put up to the people, and the people defeated it. During the debate on capital removal I was under the greatest tension that I ever remember of passing through in my life. I see several faces here of those that were members of the Legislature at that time. There were perhaps one hundred messages delivered to the members during the day. One of the members—and the gentleman who told me that is here today, but he is not a member of either house—made a little talk and he said he intended to support the measure. He said: "I am against it; I don't believe it ought to pass, but I am going to support it because my constituents are sending me telegrams that they want me to support it." The same gentleman told me afterwards that in conversation with his constituents he was informed that they never had sent him any telegrams; and yet he had been receiving telegrams that day to vote for this measure—presumably telegrams—as it turned out afterwards that they were fake telegrams. Somebody had written them on the blanks of the Western Union and sent them to him to support this measure, and he told me that his constituents informed him afterwards that they had sent no such telegrams. I recite this to show you the pressure that was brought to bear on the members of the Legislature on that day; and, when I went out at the end of that day's session. I almost collapsed. The air was full of it. There were at least one hundred messages delivered.

As I started to say, early in 1910 there was a revolt. Things had gone too far. Then our present Governor came out as a candidate for the nomination; he was nominated and elected. During the session of 1911, we passed twenty-two constitutional amendments practically revolutionizing the constitution of this State, and the people adopted every one of them. Some of the men in my vicinity asked me what I thought of certain constitutional amendments to be voted upon in the fall of 1911, when there was a special election called to vote on them; I usually told them what I thought of them—always did, in fact—and, in a great many instances, their reply would be something like this: "I don't know very much about these. I haven't had the opportunity to familiarize myself with them, but I have got confidence in the administration, and the administration has approved them, and I am going to support them"; showing that the people at that time had confidence in the administration.

During the session of 1913, there were other important measures passed, and at the election last fall the people of the State endorsed the administrations of 1911 and 1913 by a vote of more than 180,000 plurality, a vote that was unprecedented and undreamed of until the ballots were counted.

Prior to this session of the Legislature, there was a recall election held in the Nineteenth Senatorial District in San Francisco. I have a copy of the petition for that recall, and it reads something like this:

> "The removal of Edwin E. Grant from said office is sought by us on the grounds, to wit: That as a member of the California Legislature since January 6th, 1913, he has voted against the wishes of his constituents." Now, that was the day that the Legislature met—January 6, 1913—and it says: Since that day, "he has voted against the wishes of his constituents."

Now, I construe that to mean that every vote that Senator Grant took during that time was against the wishes of his constituents. Further along in the document, it states: "That on April 17, 1913, he voted for Senate Bill No. 384, known as the 'Dry Fair Bill'," which proposed to keep saloons out of the Fair. "That on April 14 1913 he voted against Senate Bill No. 534. This bill provides that no marriage shall be solemnized until at least five days after issuance of license unless in an extraordinary or emergency case." Then farther on: "That on April 9, 1913, he voted against Senate Bill No. 1307. This bill provided that school books compiled, printed and published in California, when equally as good and at the same or less cost, shall be used to the exclusion of all others."

In the time that I have had to look up the measures that were voted on during the session of 1913, I find such measures as these: "The Red Light bill"; "Workman's Compensation"; "Weights and Measures"; "Immigration and Housing"; "Eight Hours for Women"; "Closing of Saloons from two to six a.m."; "Alien Land Act"; "Full Crew Act"; "Minimum Wages for Women"; all of these measures, Senator Grant voted for. Some of the other important measures I have been unable to look up, such as the "Blue Sky Law," and several others, and they say in this petition that in voting for these measures, Senator Grant has misrepresented them.

You will remember that in 1911 there was quite an effort—a successful effort—to secure for San Francisco the place of holding an international exposition. From all over the State an appeal was made to have it held in San Francisco. I presume that Senatorial District Nineteen was included with those making that appeal. I assume from the nature of that recall, that we had a right to believe that they opposed all of the measures that I have mentioned, and that they would rather they would not have been enacted.

Now, if I have drawn a wrong conclusion, I leave it to you to decide for yourselves. I had concluded from the fact that he had, as they say, misrepresented them since the Legislature met, that all of these bills for which he voted they disapproved.

Now, I assume by that, that when they invited not only the people of the State of California, but all the world to San Francisco they construed it in this way: that when you and I brought our wives and daughters to San Francisco, we would enjoy it better if we had a wide open town, if prostitution and the saloons were running right and left; that a man could not go to San Francisco and enjoy the Fair if he was prevented from going into a saloon after two o'clock in the morning; that he could not enjoy himself next day if he did not have access to the saloons during the full twenty-four hours; that he could enjoy himself best next day by being in the saloon from two to six in the morning; and because Senator Grant voted to close the saloons between those hours, I presume that

Senatorial District Nineteen was opposed to such closing; I assume that everything that he supported they were opposed to. I think the man representing that Senatorial District had a right to say, as he had been instructed by the votes of his people, that he would oppose all such legislation as I have just referred to. I assume that Senatorial District Nineteen would recall every man in this body and in the other branch of the Legislature that voted for such measures as I have just read, if they had the opportunity, because they recalled their own Senator for so doing. I assume that they have thus set the standard of manhood and womanhood for which Senatorial District Nineteen stands, by recalling a man who dared to get up and vote for clean measures.

I arose to make these remarks because I felt that it was a slur on the Legislature, and I personally feel grieved that we have a senatorial district in this State that will recall a man for standing by the measures that Senator Grant voted for. I have nothing to say abort Senator Grant personally, nor nothing to say for or against the man who succeeded him; but I do say that by that vote they have said to the balance of us: "We prefer that you would not enact any more legislation of that character."

Now, Senator Grant was recalled by a substantial majority. The same question, under what was known as the administration measure, was adopted by the State of California by 180,000 plurality; and I can not believe that the people of Senatorial District Nineteen stand for the things that they have instructed others by their votes not to stand for. I can not believe that those people condemn a man for voting for such measures as the "Eight Hour Law for Women"; the "Full Crew Act"; "Alien Land Act"; "Minimum Wage for Women," and many other such Francisco in 1911—that no state in the Union had enacted so much legislation measures. I do not wish to throw any bouquets at the last administration, but I have been proud of it. There has been no administration in my judgment in any state in the Union that has accomplished as much for the average man and the average woman as this State has accomplished in the last four years. One of the great men of this Nation—Theodore Roosevelt—made the statement in San Francisco in 1911: "that no state in the Union had enacted so much legislation and had made such great strides toward cleaner and better politics than had California during the session of the Legislature of 1911.

I wish to digress for a moment, as long as I have the floor, to say that in this reaction which has taken place since the year 1910, if we are not careful, we are going to go too far the other way. There is some danger of the pendulum swinging too far back and thereby injuring legitimate business.

In conclusion, I want to say this: If Senatorial District Nineteen recalled Senator Grant for the reason for which it states it did recall him, thereby setting its standard of manhood and womanhood, God pity the district.

QUESTION OF PERSONAL PRIVILEGE.

Senator Ballard arose to a question of personal privilege and addressed the Senate as follows:

MR. PRESIDENT, when Senator Wolfe notified the Senate during our first session that he would on this day rise to a question of privilege, I questioned his judgment. I thought then that, having been seated by a committee, by their unanimous verdict, as a member of this august body and acquitted in their eyes and in the eyes of the Senate, it was best to let the matter rest at that point. From his exposition today, I feel that his position at that time was well taken, and I am glad that he had the opportunity and the goodness to tell the Senate and the spectators—some of whom perhaps are his constituents—what his position was and why he arose to that question of privilege.

I think it would have been better far to have closed this debate with his statement, and if there was any error in judgment in regard to this matter, it was on the part of Senator Benson and Senator Chandler. What matters it whether this administration is, par excellence, superior to any that ever convened in the State of California, upon this question of privilege? If Senator Chandler's argument is worth anything at all, it is a concrete example of the viciousness of the recall which I never endorsed, and so help me God, I never will unless I am made over. If Senator Grant was a man,—and we concede it,—perhaps above reproach, like Cæsar's wife, he never would have been ousted from his office if it had not been for the recall privilege of the people of the State of California, but that has nothing to do with this. Here was a Senator of the State of California accused of being a vice promoter. Just think of it, gentlemen: The advocate of the underworld, guilty of fraud and doing that which, if it were true, you nor I would not sit in the same seat with him in the halls of this Legislature. The immortal bard has well said and truthfully said that "He who steals my purse steals trash; but he who robs me of my good name, enriches not himself, but leaves me poor indeed." Every Senator here within the sound of my voice and every citizen in the State of California had rather have his name unsullied than to have all the riches of Midas. When you clothe a man with honor and uprighteousness, with truth, veracity and correct procedure, his raiment shines far greater and brighter than all the purple and fine linen worn by the idle rich, the courtesan or the gambler. Give me the man that can stand before the Senate and say he is not the advocate of the underworld or a vice promoter, and if I am convinced of the truth of his statement, I care not how he voted on the woman's suffrage question or anything else, if I am satisfied that he acted from conscientious and pure motives, according to his education and belief, he is my brother Senator, and I extend to him the right hand of fellowship.

It was the Senator's duty, and I was pleased to hear his statement today exculpating himself in the eyes of his wife and his daughter who love him with perhaps as great intensity as a wife or daughter of you or I. What would they think of him if he sat still in his chair in this Senate with all of these accusations unanswered? If he did not make a statement and make himself clear before his little family and the people who elected him? I do not come to his rescue; he has made his own rescue, and it needs not any words from me to add to what he has said. I do not come to his rescue, because he and I stand here among you forty Senators as the only exponents of the old time Republican doctrines. It makes no difference to me, gentlemen, what measures come up during this session of 1915, whether they are administrative measures or otherwise, they will receive my support and vote if I believe they are proper and necessary. That is the kind of reactionary I am. I am not wedded to my idol, the old time idol. Senator Chandler said that at one time there was a revolt. Revolution is going on throughout the broad enlightened world. It is not alone in California. The old days are gradually passing away and being dissipated by experience. It is true, in California there are some people that might say that by kicking out the old machine, they kicked in another one. It does not make any difference to me whether one is true or the other, we are all here to do our duty as God gave us intelligence to do it, and that is our intention and purpose. So I say that Senator Wolfe is entitled to that courtesy and kindness that his exoneration entitles him to. He has not spoken and I give him credit for not saying one word against Senator Grant, and probably no Senator here had anything against him. They are willing to accord him that probity of character as a legislator and a citizen that he was entitled to. Senator Wolfe never alluded to him excepting in the kindest terms. His only purpose was to show to you and I, which I think he did successfully, manfully and rightfully, that so far as he was concerned at any time in all of these proceedings, he was faultless and blameless, and he only pointed out the fact that there were those who falsely, maliciously I believe, accused him without any foundation; that it makes no difference whether those accusations come from friends of Senator Benson or otherwise, whether he believed them to be responsible, and if they made those accusations in good faith and honestly, they were false, and that is the crucial test.

Senator Wolfe has my reverence and my thanks for putting me straight in this matter and I believe that the general run of Senators here will accord him the right hand of fellowship and say: "You are standing here among forty Senators clothed in honesty and uprightness just the same as each and any of us." (Applause.)

QUESTION OF PERSONAL PRIVILEGE.

Senator Luce arose to a question of personal privilege and addressed the Senate as follows:

MR. PRESIDENT: As a new member of this Senate, I have been trying to determine in my own mind why the Senator from San Francisco raised this question at this time, and what he expected to accomplish by it. I had not supposed that it was the custom for Senators to come here to this body after their election and hold post-mortems over their campaigns, or to rehearse their speeches for the coming campaign. If I had thought that was the custom, I should have been glad to have brought with me a little pile of clippings that I have saved for about seven years, clipped from the reactionary Republican newspapers in my district. What they said about me for several years was very similar to what was said about Senator Wolfe; but I adopted the course that seemed to me to be open, and that was to force them to make a retraction; and I wrote my own retraction for the paper, and the matter was settled.

Now, it seems to me that we have no interest, and this Senate has no interest in the little newspaper fights with these legislators during their campaigns; and I would suggest to Senator Wolfe that he take his fight to his own home papers in San Francisco, as they understand the situation, and that he force them to make a retraction if their statements are at fault, as he claims they are. From hearing his speech, we would be entitled to suppose that all of these charges were the outgrowth of a conspiracy on the part of Mr. Franklin Hichborn; that he put them before the public, and that he is the person who is responsible. Now, I have come from another section of the State, and I am not very familiar with the political complexion of San Francisco or of this particular contest; and all the knowledge we could gain is what we obtained from the San Francisco newspapers. And while we are able, sometimes, to determine which side we should follow by reading certain newspapers, when we find every newspaper in the city of San Francisco agreeing on a proposition, we should generally conclude that they knew what they were talking about. So it seems to me that it is of interest at this time to see just what the papers in San Francisco thought about this contest. In the first place, Senator Wolfe read an extract this morning from the San Francisco Call, and which was quoted again by Senator Benson—the San Francisco Morning Call of August 21, 1913; and, while I have followed the San Francisco Call to some extent in its ups and downs, I am unable to say at this particular time what political policy it is following. But there was an article on the recall election in the San Francisco Chronicle, and we can not say that the San Francisco Chronicle ever gave Senator Wolfe the worst of it. My recollection of politics in San Francisco is that it has been his champion at all times, and it stated, as was quoted by Senator Benson this morning, that such a recall was a shame and a wrong—the attempt to recall Senator Grant—and it said, facetiously, which may be a little comfort to some of my reactionary friends, that, "as there were in the neighborhood of four thousand bills before the 'freak' Legislature, of which two thousand probably came to a vote in the Senate, it may be assumed that Senator Grant voted in accordance with the wishes of his constituents on nineteen hundred and ninety seven bills, more or less, but should be recalled because he guessed wrong three times."

I do not suppose it would be of any interest to read an editorial from the San Francisco Bulletin of July 16, 1914, because we assume that that paper has consistently taken a course in opposition to Senator Wolfe. The San Francisco Daily News has an editorial in which it says:

> "Wouldn't you have thought that Eddie Wolfe, since his old railroad lobby stronghold was wrecked, and his old comrades in arms were scattered to the winds, would have had enough? Well, if reports are true, he hasn't. It is freely stated that Wolfe is really the man behind the attempted recall of State Senator E. E. Grant, which the powers of the Tenderloin are straining every nerve to accomplish. Should Grant be denied an injunction, sought in the superior court to prevent the recall election set for October eighth, it is stated Wolfe will prove to be the real candidate against him."

Now, that was September 5, 1914, before the Senator had announced his candidacy. And it goes on with more in that same editorial. We have a statement of citizens published in the San Francisco Examiner and the Examiner can not be said to be in sympathy with the present administration. The San Francisco Examiner says in an editorial of October 7, 1914:

> There is no concealment of the purpose of the recall movement. There is no charge against Senator Grant. He is to be recalled because he stood sponsor in the late Legislature for the so-called Redlight Abatement Law—an act for the suppression of houses of ill fame. As this reason would not look very convincing in print, the men behind the recall omit it in their statement on the ballot, and put as their reasons for recalling Senator Grant that he voted for legislation against the liquor traffic, and was willing that children should have the privilege of getting school books that were not written by Californians. Of course, no respectable body of California voters would think for a moment of recalling any official on such grounds. But there is a very great danger that most voters will stay away from the polls, and leave the election to be decided by the dive keepers and their parasites.

Now, that is not a statement of Mr. Franklin Hichborn; that is not a statement from any of the rest of us in the State of California, but it is a statement of the San Francisco Examiner, in San Francisco.

> "San Francisco can not afford to have such a splash of mud put on the city's reputation. The decent men and women of the Nineteenth Senatorial District owe it to their city to spare enough time from their private business to go to the polls on Thursday and smash this conspiracy of the city's dregs."

Now, Mr. President and fellow Senators, it seems to me that Senator Wolfe should commence at home; that he should start in on these newspapers, if they have libeled him and maligned him, and the courts are open to him to make them retract those things. We have thrown no mud at San Francisco, but if there is any mud that has been thrown, it has been thrown by every newspaper in the city of San Francisco, and they have in effect said that if Senator Grant were recalled, it would be a disgrace on the city of San Francisco.

Now, the Senator has stated that he did not tell the people of San Francisco that those statements in the recall petition were sufficient to justify a recall, but he left it to them. But when the Senator took the field against Senator Grant, he tacitly approved of every one of those charges in the recall petition, and he put himself in the position of being sponsor for the recall movement. If Senator Grant had done his duty, and had represented his constituents, why should the Senator take the field against him? And he places himself in the position of absolutely approving of the recall charges and of the whole recall matter, when he takes the stand against Senator Grant. And if the Senator is loyal to his own city, why does he take the field against a man who has been loyal to his own city? So he can not avoid the responsibility of this thing by merely saying that he did not approve, or that he did not tell the people of his district that he approved of those recall charges. Now, I am not going to say anything against this district for having recalled its representative. It has a perfect right to do that; and I wish to say that I am as much in favor of the recall now as I ever have been, and, perhaps, more so; and if the people of the Nineteenth Senatorial District were at the time offended with their representative, they had a perfect right to change their representative, and they did so, and with that we can not quarrel. But, as this has been made a State issue by the Senator, we have a right to express our disapproval of the views that were expressed by the people of that district, and we assume that he was recalled because he had voted for those splendid measures; and the rest of the people of this State should stand by Senator Grant in his attitude, whether the people of the Nineteenth Senatorial District do or not. The Senator from San Francisco would be surprised if he knew in what esteem the people of the State of California holds Senator Grant, and the fact that he has been recalled by his district detracts nothing at all from the splendid character and the splendid reputation that he made while here in this Senate.

QUESTION OF PERSONAL PRIVILEGE.

Senator Benedict arose to a question of personal privilege and addressed the Senate as follows:

MR. PRESIDENT: A sense of fair play and justice impels me to say a word concerning the subject under discussion. During the entire course of Senator Wolfe's remarks, his entire attack was made on a man who has been sitting with us for years, not as a member of the house, but as one of the most valuable men that has ever served in any capacity in the legislative halls. I refer to Franklin Hichborn, who is beloved all over the State as a man, who has made the good fight, has fought it under adverse circumstances and against all odds. Why did not Senator Wolfe attack the Call, the Chronicle, the Examiner and the other papers of the State that do not agree with him? Why did he attack the man who has no opportunity to come upon this floor and reply, or to retaliate as a newspaper might? There is good reason why he did not attack the big journals, the big papers, but it is absolutely unfair that he should attack a man who is unable to take the floor, as he has done, and thus occupy an hour and fifteen minutes of the time of the Senate, discussing his own affairs. Franklin Hichborn, I consider one of the ablest men in the State, one of the most valuable men we have ever had. And, taking Senator Wolfe's own words, that he would not for a minute return to the old condition of affairs, Senator Wolfe must acknowledge that the work Franklin Hichborn did in his "Histories of the Legislatures," has accomplished more towards bringing about the new conditions than any other one agency in this State. While the fight was on, and it was not popular, he made plain the actions of those who were not acting in the interests of the State. It was largely due—I say, in quite a large measure due—to his activity that this revolt, this upheaval, to which Senator Chandler has referred, occurred in the State of California. And I say for Franklin Hichborn (and it may well be said of him upon the floor of the Senate today), to those who are opposed to what he has done and said heretofore, that he will go down in history beloved of all men, and all women of the State of California who believe in and love free government.

QUESTION OF PERSONAL PRIVILEGE.

Senator Brown arose to a question of personal privilege and addressed the Senate as follows:

MR. PRESIDENT: It is indeed regrettable that the Senator from San Francisco deemed it necessary to parade before this body, in all of its gruesome details, an incident that can only reflect discredit upon the Nineteenth Senatorial District of the State of California. However, Mr. President, if this incident will serve to emphasize the efficient work of two of the most faithful servants that the State of California has ever possessed, it shall not have been in vain.

I know Senator Grant, and I know him well, and during the last session of this Legislature, in the struggle to rid this State of the prize fight game, Senator Grant came to my aid. Despite the violent protest of his district in San Francisco, he had the manhood and the courage and the caliber of a hero, and he came despite the great pressure that was brought to bear upon him.

Mr. President, persecution and crucifixion are the early reward of every reformer, and this reward has already been meted out to Senator Grant and to Franklin Hichborn. Mr. President, it has been my experience that whenever any moral legislation has been presented to this body which in any way affected San Francisco, there has been heard the old biblical wail: "Let us alone! Why hast thou come to torment us before our time?" Just as Senator Benson has pointed out, San Francisco is not the metropolis to San Francisco alone; it is our San Francisco. The entire State of California has a right to take an interest in its moral welfare and betterment, and we propose to do so. It was for engaging in this great work of uplifting the moral conditions of San Francisco that Senator Grant was punished, and went to his defeat.

It is the solemn duty of this Legislature to take an interest in the moral conditions of San Francisco, as in the moral conditions of every other city in the State; and it was in the performance of his duty that he went to defeat and punishment. What Senator Grant was trying to accomplish in the Senate, Franklin Hichborn was trying to accomplish outside the Senate; and how well they have succeeded, history now records. Franklin Hichborn, through his writings, has succeeded in awakening the political conscience of this State, and as a result of that awakening it has received a better, saner and cleaner condition of politics. And, Mr. President, I predict that when the roll of honor of California shall have been compiled, no brighter names shall be thereon inscribed than Senator Grant and Franklin Hichborn.

QUESTION OF PERSONAL PRIVILEGE.

Senator Jones arose to a question of personal privilege and addressed the Senate as follows:

MR. PRESIDENT, AND MEMBERS OF THE SENATE, I would not be true to the district which I represent and of which Mr. Hichborn is a constituent—I would not be true to those principles of good citizenship which I have been taught to cherish, and I would not be true to the fundamental principles of Democracy, if I did not allude briefly to utterances that have been made this morning by the Senator from San Francisco. While his remarks were made under the guise of personal privilege, they are of a far deeper significance than any personal consideration. While they have dealt with personal matters, what he has said has to do, not with the personality of himself alone, not with the work of Senator Grant alone, not with the personality of Mr. Hichborn alone, but with the fundamental principles of the freedom of the press itself. As I have listened to the remarks that have been made with regard to the activity of the press in political campaigns, the activity of the attacks by the press upon the Senator from San Francisco, my mind has gone back to a similar instance of a newspaper man conducting a fight when the conditions were unfavorable. In my mind I have gone back to the early thirties when William Lloyd Garrison founded the Liberator in the city of Boston. He was criticized, he was maligned as probably no other man in this country has been because he had the nerve and the courage and the hardihood to oppose what was then the greatest entrenched system in the United States—a system having in its control the national government itself, and controlling all the wealth of the southern states of the Union. He was called an incendiary just as Mr. Hichborn, upon this floor was called, some time ago, a menace. William Lloyd Garrison was called an incendiary and a menace to the institutions of the country, was denounced, villified, and pursued by a mob; the building in which he lived was set afire; his shop was destroyed, he was arrested, he was tried and thrown into jail. This he suffered because he had the hardihood to speak the truth and to fight for an unpopular cause. And, Mr. President, it has always been true that whenever a man stands for political progress, social progress or moral progress, he is a menace to institutions. Mr. President, when Patrick Henry stood in the old Virginia Legislature and addressed that assemblage of Tory legislators, he was regarded as a menace. When Daniel O'Connell, greatest of Irish patriots, made his fight, he was denounced as a menace. Mazzini, who dreamed of a free and united Italy, was a menace. Louis Kossuth was a menace; Koscinsko, dear to the hearts of the Poles, was a menace. It is impossible for any man to stand for advancement, whether national, political, social or moral, without being a menace to entrenched and existing institutions. And, Mr. President, if the time shall come, if the time ever comes, that I can point personally to a small tithe of the work that has been performed by Mr. Hichborn, I personally shall be willing to be accounted a menace to some institutions that he has so long been fighting. To hear the denunciation that has been made of him, one would suppose that he was here as a hireling of great corporate wealth; that he was sent here not to fight for principles, but because he was paid. Now, he has been called a menace, Mr. President, and I am ready to concede that Mr. Hichborn, in this State, has been a menace. When the fight was on here a few sessions ago for an anti racetrack gambling bill to do away with the system that caused embezzlment, ruin and suicide to clerks and young men in our cities, Mr. Hichborn was a menace to that existing institution. When the fight was on in this Legislature and in the State of California for a system whereby the people of any given community could decide for themselves whether they wanted the liquor traffic to exist, Mr. Hichborn was a menace to the interests that opposed such democratic legislation. When the fight was on for judicial reform, reform in our procedure to make justice more workable, Mr. Hichborn was a menace to the institutions that were fighting that legislation; and when the great revolt was on in San Francisco, when the corruption was unearthed there which brought the blush of shame to the cheek of every true citizen of California, Mr. Hichborn was a menace to the political system existing in the city of San Francisco. And last night I saw upon the streets of Sacramento one of the saddest sights that it is possible to see. A young woman staggering with intoxication, a victim, doubtless, of the red light system—the system which Mr. Hichborn has been opposing. I would ask you, I would ask any member upon this floor, whether the sorrowing mother of that young woman, whether the broken hearted father of that girl regards Mr. Hichborn and his work as a menace to the good citizenship of the State of California? As I have said, to hear a newspaper man denounced because of his fearless attacks, as Franklin Hichborn has been, one would assume that he is sent here by great aggregations of wealth, that he was here fighting a popular cause, and that he was being immensely compensated. Mr. President, Mr. Hichborn lives in my district but a short way from my own home. I know the circumstances in which he lives. I do not think that I am divulging too much of a personal nature when I tell you that the system, that the interests which he has attacked have attempted to prevent him making a livelihood, have prevented or attempted to prevent him selling his books, have attempted to prevent him from procuring positions on newspapers when I tell you, gentlemen of the Senate, that Mr Hichborn has mortgaged his own home to carry out the fight that he has been conducting these many years in this State.

Mr. President, Mr. Hichborn has a son and three daughters, and I presume that there was no fairer dreams of the future for him than the welfare and education of those children. He is willing to sacrifice himself, but when a man is willing to jeopardize and sacrifice even his family for the sake of a principle, Mr. President, I have the highest honor and consideration for that sort of a man.

As I have listened to this denunciation of the press and of newspaper men here today, I could not help thinking of what is embodied in the constitution of the United States guaranteeing as one of the fundamental principles the liberty of the press. I could not help thinking of the Declaration of Independence wherein it is recited that the denial of that right was one of the causes of separation; I could not help thinking of the provisions in our own constitution forever guaranteeing the liberty of the press. And Mr. President, as I have sat here today, I have gazed upon the calm and placid countenance of Washington, whose picture adorns the front of this Senate, a name so dear to the heart of every American citizen, that we deem there is no page white enough upon which to print it. I have thought of his leading the Continental armies to the principles of liberty, freedom of speech and freedom of the press and as this right was attacked, as the freedom of the press has been jeopardized, Mr. President, in my imagination I thought that I could see a scowl come across that placid countenance and those pictured lips burst forth in rebuke at the sentiments that have been uttered here today. And Mr. President, I could not help thinking also that the Senator from San Francisco comes from a district, if I am correctly informed, where lie the ashes of the old "Grey Eagle of Liberty," Edward Dickerson Baker, beloved by all early Californians. I could not help thinking as I listened to the sentiments expressed today by a representative of San Francisco, how different they were from the remarks of United States Senator Edward Dickerson Baker in reply to Senator Breckenridge, when Senator Breckenridge demanded that the press of the north be curbed in order that slavery might not be jeopardized. I have here, Mr. President, an extract from his remarks, one of the most splendid tributes to the freedom of the press ever uttered:

> Sir, the liberty of the press is the highest safeguard of all free government. The violation of that right was one of the great causes that impelled us to the separation. Our government could not exist without it. It is with us, nay with all men, like a great exulting and abounding river. It is fed by the dews of heaven—it gushes from the rill, it breaks from the deep caverns of the earth. It is fed by a thousand affluents that dash from the mountain top. On its broad bosom it bears a thousand barks. There Genius spreads its purling sail. There Poetry dips its silver oar. There Art, Invention, Discovery, Science, Morality, Religion may safely and securely float. It wanders through every land. It is the genial, cordial source of thought and inspiration, wherever it touches, whatever it surrounds. Sir, upon its borders, there grows every flower of grace and every fruit of truth. I am not here to deny that that river sometimes overflows its banks—but I am here to say that without it, civilization, humanity, government, all that makes society itself, would disappear and the world would return to its ancient barbarism.
>
> We will not risk these consequences even for the Union itself.

Now, Mr. President, others of longer experience than myself in the affairs of the Legislature have told of the new order that has come into the political conditions of this State. It is not necessary for me to rehearse or recount them. Of all men who have had a part to do with that progress and certainly so far as newspapermen are concerned, there is no one to whom the State of California owes a greater debt of gratitude for having fought the valiant fight at the time when it was unpopular, than Mr. Hichborn.

QUESTION OF PERSONAL PRIVILEGE.

Senator Scott arose to a question of personal privilege and addressed the Senate as follows:

MR. PRESIDENT: I did not intend to say anything on this subject until the replies to Senator Wolfe were commenced. After hearing my friend Hichborn lauded here today and the principle of the freedom of the press being imposed on, I had to take issue. I do not think that the Senator meant at all to interfere with the freedom of the press. He wanted to confine it to truthfulness; that is all. He would not have objected at all if it had stated the truth about him. What he objected to was the infamous misrepresentations they had made. I have not heard anybody on this floor today deny that he had been misrepresented in many instances. Now, the idea of complaining because he takes this opportunity of speaking to the multitude! Why, it is his only opportunity to speak. How can any man fight the press? How can any man defeat the pen of a man that speaks to thousands of people through the columns of the press every day? The press has every advantage over him, and in it takes an unfair advantage of him, he can not retaliate. Senator Wolfe took his opportunity as a question of personal privilege here today to reply, as his only recourse. The only mistake he made is that he did not follow the program. The same old program that they had in years gone by when perhaps we used to administer it. If he had taken the report of that committee and said nothing, everything would have gone along smoothly. But, no. He thought that he ought to reply to the manner in which he has been assailed here. I want to say that I have been in the political game for quite a long time and we have made some reform. Among those reforms was that famous Red Light bill. I voted for that bill, and I came from San Francisco, too; and I can say reforms along those lines have been made regardless of that bill. Many districts of the city have been cleaning up those conditions regardless of the bill. I can not see that anything has been done yet under the terms of that bill. The conditions were becoming better. These movements for reform have been going right along, regardless of the writings of Franklin Hichborn or any other particular individual. As a matter of fact, the people have been getting better, have been looking for better things. Why, as a matter of fact, Hichborn's books could not sell for enough to pay him for writing them. I have seen that statement many times; so it is not due to him particularly that these reforms have been made in California. It is a matter of these uplifts—the general uplifts—and looking onward and upward for a higher standard. We are all responsible for them. Now, as a matter of fact, the statements on that recall petition are not the real reason that Grant was recalled. The man that got that up told me personally that he was a political ingrate; that he did not make good his promises, and politics is politics just the same today as it was a few years ago. It is just the same today as it will be several years hence. If a man does not make good with his political managers, and they have in their hands the recall, they could very easily get enough signatures to put it before the people and perhaps recall him. Now, that is the real reason that this recall was started. I know the old gentleman, who started this recall. He is a cigar dealer on Fillmore street and he smarted under the treatment that Grant had given him. I do not know why Grant treated him that way, but I do know that the man did not like the treatment he received, and he started that thing. Now, Grant had a manager in the first campaign, and he had this fellow that was capable of successfully managing a recall petition. He did not have that manager when he came to the recall. He had lost his political supporter. He had to go out and make the battle alone, and he was not competent to get votes to retain his position. That is the reason he was recalled. It is not the sentiment of the people of the Nineteenth District, as my good friend, Senator Chandler, whom I honor highly, intimates, that they would not have thus acted without the legislation that had been passed by this administration, of which he was a part. These people are the best people of this State, no matter where they come from. We could criticize other citizens of this State. I have seen writings in various papers, in various cities, that anybody could criticize. I can mention those things here today, and it is not for anybody to point the finger of scorn at San Francisco, and particularly the Nineteenth Senatorial District. I hope that this thing will stop right here, but I do not believe it will. I believe that the power of the press, as it has done in the past, will keep this thing going. Do you mean to tell me that Franklin Hichborn will not write a story after this discussion here today? I should say not! He will have the last say every time, and I honor and I glory that my seat mate, Senator Wolfe, has taken this opportunity to reply to these things that have been said about him. I have known him for years. I have associated with him fraternally and politically, and I honor him, and I know that he is a highly respected man. And if he did not quite conform with our ideas of progress and government as it is today, he has been one of the stars—one of the bright shining stars—in this State for years, and I take it that we are not all so very righteous that we do not remember when we perhaps were in the old camp ourselves. I glory in him.

QUESTION OF PERSONAL PRIVILEGE.

Senator Irwin arose to a question of personal privilege and addressed the Senate as follows:

MR. PRESIDENT: There have been enough that have taken part in these deliberations, but as we are a body of men, where every Senator is presumed to be the peer of every other Senator, where we are elected from our respective districts because the majority of the people in the district have seen fit to send us here. I want to say to you that so far as the Red Light Abatement bill is concerned, it did not take that act to put the red light district out of the State of California. I happened to be the district attorney of my little county for eight years, and I want to say to you that in every town and every city in that little county, the red light district prevailed, as it did in every other district, in the same proportion; but two years before the Red Light Abatement bill went into effect, I, as district attorney of that county, gave those people notice to leave that county, and from that day to this, there has not been a red light district in the county of Kings. I want to say further that I am heartily in favor of that red light bill. I am heartily in favor of woman's suffrage; and when a speaker of this State came to Hanford to speak upon the question of woman's suffrage there, I was the only man in Hanford that would go upon the platform and introduce him; but I want to say to you, without woman's suffrage, without the women's votes which redeemed the State, in our own little city of Hanford two years ago we had an election where the men voted. They voted that city dry by 234 votes. We have had woman's suffrage, and last April they had an election in the city of Hanford and it went wet by 350 votes. (Laughter.)

Now, then, gentlemen of the Senate, this is the saddest spectacle that I have ever seen in my life. Here is a man who has been accorded a seat in this Senate. At the last session he told you that he would rise today at 11 o'clock to address you upon a question of personal privilege. Gentlemen of the Senate, in my opinion that incident was closed when Senator Wolfe took his seat. I came here to the Senate unacquainted with Senator Wolfe. I had him pictured to me as a devil, as pictured to you in the magazines, with horns; but I want to say to you that Senator Wolfe is one of the most affable gentlemen that it has ever been my pleasure to become acquainted with; and I say to you again that when he took his seat on this question of personal privilege, I say the question so far as this Senate was concerned, was closed; and I am sorry to see men in this Senate rising here and saying in effect in respect to Senator Wolfe "You have been guilty of everything that has been said about you by the press of this State." And from my point of view, gentlemen, I do not believe that Senator Wolfe has been guilty of one thing that he has been charged with by the press of this State. Now, then as to Senator Grant. I had the pleasure of meeting him. He is a gentleman; he has a lovely little wife. Personally I would like to have seen Senator Grant retain his seat on the floor of this Senate, because, as I do not believe that he was recalled under circumstances that does credit to the Nineteenth Senatorial District. That is not true. Senator Wolfe has risen to a question of personal privilege. It is not the province of every member of this house, as I see it, to get up here and present a certificate of good moral character to Mr. Hichborn, a man with whose affairs it is not the purpose of the Senate to have anything to do. And I hope I shall never see this spectacle repeated on the floor.

QUESTION OF PERSONAL PRIVILEGE.

Senator Kehoe arose to a question of personal privilege and addressed the Senate as follows:

MR. PRESIDENT, AND MEMBERS OF THE SENATE. There is another view than that which has just been expressed by Senator Irwin which may be taken of the unfortunate situation that appears on the floor of this Senate today. Like Senator Benson, I regret very much that Senator Wolfe was not content to let this remain a closed incident. But since he has opened it, as he has, I feel that those members who have been in this body, who have been in the Legislature for the past few years, who have been making the fight that the present administration of the State of California has made, can not afford to let go unchallenged the attack that has been made today upon one of the prominent workers in that fight. If the Senator from the Nineteenth district had been content to arise on the floor and confine his remarks to explaining the situation with reference to the contest that we have heard so much about, a different problem would have been presented. But he has gone beyond that. He has seen fit to single out one representative of the press, Mr Hichborn, whom he has tried to discredit and tried to reflect upon in his remarks this morning. But the statements that Senator Wolfe read to you today were not the statements of Mr. Hichborn; they all came from the newspapers of the land and not from the pen of Mr. Hichborn. Senator Wolfe read from the Star, and some other small newspapers, but there were articles that he could have read from the Call, the Chronicle, the Examiner, the Bulletin, the Star, the Daily News, all papers of San Francisco, telling of the conditions, the fight, and the issues of the campaign waged for the recall of Senator Grant; and yet no attack has been made by Senator Wolfe upon those papers. His denunciation was all addressed to the one man, Franklin Hichborn. The Senator read from "Everybody's Magazine," a portion of an article containing an excerpt from Hichborn's "History of the 1913 Legislature of California." Creel, the author of that article, quoted Hichborn as follows: "Up to the 1911 session, the organized gamblers were, on a moral issue, the most potent group at legislative sessions. They actually directed committee organizations in their own interests. With the institution of woman's suffrage in 1911, however, the racetrack gamblers were practically eliminated from California politics, and organizations of women, on moral issues, became the most potent power in the State. The members of the 1913 Legislature gave repeated evidence of appreciating this fact thoroughly." That was the quotation made from Mr. Hichborn's work. That was all that Mr. Hichborn said on that subject. Then Creel, the author of the article, having taken the above quotation from the work of Mr. Hichborn, commented as follows: "The specific instance that he had in mind was the 'Red Light' law which places the responsibility of disorderly houses upon the property owner instead of the wretched inmates. This bill, first introduced in 1911, was killed with ease and dispatch, Senator 'Eddie' Wolfe wielding the principal ax." That was the statement of Mr. Creel, but as I listened to Senator Wolfe's reading of it this morning, and to his statement that the bill had not been introduced in the Senate at all and therefore that the statement read was false, I thought that he was reading the official work of Franklin Hichborn written in connection with the California Legislature and was charging a falsehood against Hichborn; but upon reading the article I find no inaccuracy or mistake or misrepresentation on the part of Franklin Hichborn; but instead the misrepresentation, or false statement, if such occurred, was on the part of Mr. Creel. Now, it may be that Senator Wolfe did not intend to convey the false impression that went out that Mr. Hichborn had made a statement that was untrue. But that was the impression that his utterance made on me and I assume that others got the same impression. For that reason I desired to explain that part of the Senator's statement that no one might be misled by it. Conditions in the State of California have not always been as they are today. There was a time when the Legislature of California was a corrupt body of men. There are members who are sitting on this floor today who remember the time when members walked into this body in the morning and found rolls of currency stored away in their desks to influence their votes on measures during the day. There were times, as some can recall, when members of the Legislature, though novices at the game of poker, could win from the most expert poker players acting as lobbyists, large sums of money almost at will. Those conditions existed in the State of California but a few years ago.

Disgusted at such conditions a few men got together and set about to change those conditions, to reform things, to take the control of our State government out of the hands of the few privileged corporations that owned and corrupted it and place it back into the hands of the people. One of the most active of these men was Franklin Hichborn. And the improved conditions that exist in the State of California today are due as much to his efforts as to those of any other man in the State of California. You remember, before our present Governor made his memorable first campaign, Franklin Hichborn had written the history of the 1909 Legislature. And througout California that history of Hichborn was used in the campaign with such effect that the old members who were here in 1909 remained at home while new members came to the 1911 session to inaugurate reform in California. And now at this day we find an effort being made to discredit the man who has produced those histories, who helped to bring about that result. In that effort there is a purpose. If they can discredit Franklin Hichborn with the people—if the people can be induced to believe that Franklin Hichborn is unreliable, if they can be deceived into ignoring his work, they hope there will be an opportunity to again lull the people to sleep and allow the old forces to again get control.

When the Senator from San Francisco stated before the recess that he would today rise to a question of personal privilege he said that he was going to do so because we had upon the floor of this Senate, a menace and a danger to this Senate and to the people of the State of California, and that when he arose on the third day after the recess, he intended to point out that menace to us. From the fact that the only individual that he has pointed out today is Franklin Hichborn, the inference is plain that it was to him that he referred as a menace and a danger to this Senate and to the people of this State. Now whom do we consider a menace? Whom do we consider a danger to ourselves or to the people? Certainly not the men who work shoulder to shoulder with us. If people accord with our views, we think they are right, we do not consider such to be a danger or a menace. It is only people who disagree with us that we think a danger or a menace. Therefore, when the statement was made that Franklin Hichborn was a menace to this body and a menace to the State of California, it meant merely that his views, ideas and ideals were different from those who considered him a danger and menace. But for one, I do not care to be classed with those who look upon Mr. Hichborn as a menace or a danger. When he stood for the Red Light Abatement and Injunction Bill, he was not a menace to me, because he stood for the bill that I stood for. When he stood for the local option law, he was not a menace to me. I stood for it also. There were people in the State of California who did consider him a menace when he stood for the red light abatement and injunction law; there were people in the State of California who considered him a menace when he stood for the local option law, but for one, and as a member of this Senate, I do not care to be classed in the list with those who consider a man a menace and danger because he stands for such principles and ideals. He stood, a few years ago, for the anti-racetrack gambling bill. There were people in the State who then considered that he was a menace to them and to the State of California, but again I say I do not want to be classed in the list with those who consider that a man who stands for a law of that character is a menace and a danger; and I do not believe that many of the members of this Senate would want to be classed with those who believe that Franklin Hichborn is a menace and danger to the members of this Senate and to the State of California, because he stands for morality, decency, and purification in government, because he can be a danger and a menace only to those people who oppose such principles. He is not a danger to this Senate as a whole but each member of it can best determine for himself as to whether he is a danger to him as an individual. I hope that we will never again hear it charged on the floor of this Senate, that a man who stands for measures of that character, who has had the record behind him that Franklin Hichborn has, is a menace to the Senate, because it stands as a reflection upon every member of the body in which such a statement is made. Let those who want to take that position—let those who want to put themselves in that attitude, let those who are in danger of a man because he stands for the principles that Hichborn stands for—put themselves in that class if they will, but let them not put this entire Senate in that category; let each member select for himself.

QUESTION OF PERSONAL PRIVILEGE.

Senator Finn arose to a question of personal privilege and addressed the Senate as follows:

MR. PRESIDENT: I have a few words only, and I will take but a very short time. I feel it is my duty to answer some of the statements made by Senator Chandler. Senator Chandler has made a statement that he believes that ex-Senator Grant was recalled because he voted for the eight hour law, workmen's compensation law and other laws of that kind. Now, I want to say that if it were not for the support of San Francisco, none of those measures would be in operation today. All of these measures originated with the labor people. I want to state further that those laws did not originate with Senator Grant; they originated with the people. I want to say further that I know something of the reason for Senator Grant's recall. I am very positive of the fact that he comes from a strong Republican district. He was elected by a small majority; in fact, he was elected by a mere chance, by a very small plurality. The people were not satisfied with the way that he voted on certain measures under consideration in this Senate. One of his actions was voting for a bill that would have made everything around the Exposition in his own district dry. The people in that district were up in arms on that vote. Another action which antagonized his constituents occurred in the Committee on Public Morals of the Senate. The exposition people asked for a hearing and Senator Grant refused to second the motion or even give them any hearing in the committee. These were undoubtedly the kind of things for which Senator Grant was recalled. His district is far from my own; I knew nothing about his recall. I know that the manager of his fight, when he was elected, was the manager of the recall election which ousted him. This man told me one day in the lobby when he came from San Francisco that Senator Grant was opposed to boxing and he was against him because of that. We all thought it was a joke at that time, but he made good his threat as you have seen.

I want to say that I have been in the Senate as colleague to both Senator Wolfe and Senator Grant. Senator Wolfe has ably represented his district, and always has made a record which compares favorably with that of any man in this Senate. He has the confidence of the people. He has the confidence of the San Francisco delegation. I want to say further that he had a right to rise here to a question of personal privilege; that it is true that some of the statements—in fact, nearly all the statements read about him there—were absolutely false. We all know that. How could he deny it if he did not deny it here? Some Senators have stood up and acknowledged that their minds have been absolutely changed since they heard Senator Wolfe's statement. How could he bring these matters to their attention if he did not tell of them on the floor of the Senate? He had no other way. I am not going to take up another minute. Let me add just one more thought: That the San Francisco Senators and Assemblymen voted for all those good bills that Senator Grant voted for, and which were mentioned by Senator Chandler.

QUESTION OF PERSONAL PRIVILEGE.

Senator Butler arose to a question of personal privilege and addressed the Senate as follows:

MR. PRESIDENT AND GENTLEMEN OF THE SENATE: I stand, not upon the floor of this Senate to eulogize the name of Franklin K. Hichborn. He needs no encomiums from me. He needs no encomiums from any man. A man who has stood in the vanguard of the firing line for so many years as has Mr. Hichborn, striving for what he conceives to be right, working for the best interests of the people of the State of California as he conceives them to be, needs no encomiums from any one.

His name will be remembered as one man who fought the good fight and did what he conceived to be his duty fearlessly and absolutely to the best of his ability.

Neither am I here to criticise unjustly or harshly, Senator Wolfe, but I do seriously doubt the expediency of the course that he has taken in this instance.

I think it would have been far better to allow the matter to sleep in its ashes and not resurrect it therefrom. I think he should not have inflicted upon this Senate the thing which he has inflicted upon it.

Regarding the recall of Senator Grant, it matters not what may have been the ostensible reason given for his recall; it is a fact well known to every thinking person familiar with the facts that Senator Grant was recalled, and I thank Senator Finn for having given the reason, that he voted for a dry exposition in San Francisco. Senator Finn might have gone a little farther and stated that the fact that he voted for the Red Light Abatement Bill was also a contributing cause. And it matters not however hard they may try to get away from it, the Nineteenth Senatorial District must bear the stigma of that recall and it is also reflected upon the candidate who ran against Senator Grant in that election, and the fact remains that Senator Grant was recalled because he did his duty as he saw it and understood it.

The man elected to take his place was an old campaigner; a man who has fought many political battles and won them all I believe, but one. He knew at the time he entered into that contest because the lines had been squarely drawn and the issue was before the people before he entered the campaign. He knew that he would subject himself to attacks that would be more or less bitter in that campaign and it seems to me he should have taken his medicine like a little man when he had won the contest. He should have been a good winner and permitted the matter to rest there.

Last evening, when we were so beautifully entertained at the Sacramento Hotel by the Chamber of Commerce in this city, some artist had drawn a little sketch on a button given to each guest, representing Sacramento as the heart of the State of California. Let us assume that to be correct. We will place the head down in the southern part of the State, the heart resting in Sacramento. Then, to the extreme left, representing the Bay City district and the Nineteenth Senatorial District in particular, is the spleen; and I am sorry the gentlemen from San Francisco has seen fit to vent that spleen as he has done.

QUESTION OF PERSONAL PRIVILEGE.

Senator Wolfe arose to a question of personal privilege and addressed the Senate as follows:

MR. PRESIDENT: Nearly all of my colleagues that have spoken today on the subject have said at the outset that they wished that I had remained silent; that it would have been better had I remained silent, had I enjoyed the fruits of my victory, suffering and smarting under the attacks that have been hurled at me and been content with my near victory and forever held by silence. I knew that well. I knew very well that I could have avoided all this discussion had I chosen to adopt that course. I knew very well that if I did adopt the course which my honor and my conscience and my manhood dictated, that there would be those for whom I have respect who would take occasion to reply to me and to bring in subject matters that after all are foreign to the question that I raised. I could have been a coward, Mr. President, and remained in my seat and let these charges go unanswered, or take my chances on the floor of this Senate with the gentlemen who saw fit to disagree with me. Now, gentlemen of the Senate, things have been said here to which I can subscribe. I can subscribe to nearly everything that you have said, Senator Jones. I do not think you made a statement here, perhaps except one or two, to which I can not fully subscribe. I am for the liberty of the press. I honor and respect George Washington; I know all about Patrick Henry and those great men, and I stand by you in admiration of them, but no issues of that kind—when those men fought for liberty—were involved as compared to the questions that are involved or that I have raised upon the floor of this Senate. I have not attacked Mr. Hichborn, and I challenge contradiction. I have not taken exception to his course in the past, except as it referred to me and except insofar as it was absolutely false and incorrect as referred to me. And is there a man within the sound of my voice who values his manhood so lightly, and his love for what is so great, that he will sit silent here because he has only a seat in the Senate, and leave his honor and his manhood that has been attacked and assailed without replying to it? I have not attacked the course of this gentleman. I have no fight with him except as he has the fight with me; he has fought me and fought me unfairly, and I will give you a concrete illustration of it. In his review of the legislators in the wicked days of the past, he pointed out that Senator Wolfe had been absent from thirteen or fourteen roll calls—dodged or ducked—he did not say those words, but intimated that I dodged or ducked those roll calls. No one knew better than Franklin Hichborn that I was lying in a sick bed with a nurse by my side during all of that time unable to be on the floor of the Senate of California, suffering from illness; and yet he did not have the manhood—this great journalist did not have the fairness to say in his record: "absent because of sickness." Now, I have no quarrel with this man. He has attacked me. Has there been a man that has arisen upon the floor of this Senate today that has replied to those things which I read, which my good friend—I hope I may call him so—

Senator Benson, said I should not have brought into this discussion? Has any man risen here and defended Franklin Hichborn—dare any man rise here and defend Franklin Hichborn—for attacking those reverend gentlemen because they happened to be my friends? Why, if he has the privilege to write what he pleases there, let him write fairly and let him write justly. There are men today that have been for two years past voting with you gentlemen who have in the years past voted with me. You did not see them criticized in Mr. Hichborn's publication. They are all good today, all purified, white as the driven snow, all except Eddie Wolfe. (Laughter.) Eddie Wolfe of whom he writes the name in quotation, "Eddie" in quotations—what does that mean? That means to imply that it is an assumed name, that I am a rounder, that I am a hoodlum, that I am something different from the average man. In all of his miserable papers, and in this article in Everybody's magazine, there is "Eddie" in quotations. My name is Eddie. Why, I have been called that so long that I am ashamed to confess just how long. I have six sisters; one of them has gone to the Great Beyond. They all called me Eddie. My wife calls me Eddie; all my friends call me that; they don't call me Senator. They call me Eddie. I am thankful to God today that I have behind me in 1915 every friend that I started with in 1896; and they are decent and respectable people, many of whom stand highly in the community. Some are in the lowly walks of life, but I value their friendship. I am not backed by the men who have billions of dollars, but they call me Eddie. Why is it necessary for this gentleman who is working in the cause of reform—granted from whose work I do not wish to detract—why is it necessary for him, if he wants to be fair, if he wants to be just, to use these tactics? Senator Chandler has said that he read from the ballot the reasons given for the recall of Senator Grant. Now, what are the facts? The constitution covers that question; and if the Senator will hand me that ballot I will be much obliged to him so that I may refer to it.

SENATOR CHANDLER: That is not the ballot; that is a copy of it, taken from the proceedings before the committee.

SENATOR WOLFE: I had the original ballot here, but I think I have given it to the stenographer. The constitution covers this question. You gentlemen who fought for the recall, you, who made that one of the great issues in your campaign which you had a right to do, stood for that bill in its entirety. You would not permit of any amendment; you would not permit of the suppression of the question of the recall of the judiciary. No; you stood for that bill in its entirety. And that bill says—and it is the constitution of the State of California—"That provision shall contain a general statement of the grounds on which the removal is sought, which statement is intended solely for the information of the electors and the sufficiency of which shall not be open to review." That may mean review by the courts, or it may mean review by you gentlemen. The sufficiency of the reasons stated for the recall are not open to review. Now, Mr. President, Senator Chandler has said, reading from this statement, that because it contained the words "That as a member of the California Legislature since January 6, 1913, he has voted against the wishes of his constituents." That he has construed that to mean that every bill that he had voted for was against the wishes of his constituents and that therefore the Nineteenth Senatorial District which does not seem to stand very high in his estimation, has written itself down as being opposed to every humane statute, to every good law that was passed through the Legislature of the State of California. To me that is *reductio ad absurdum* of the proposition, because that district is just as much in favor of the eight hour law, of the workmen's compensation bill and employers' liability act and every humane measure of that kind as is the distinguished Senator from Fresno. And think you it would have been much easier to recall Mr. Grant than it was, had he voted against those measures to which he has referred?

Now, what were the real reasons? I did not go into that in detail; neither did I cover all of the data that I have collated; but what are the reasons that actually brought about the recall of Mr. Grant, justly or unjustly, properly or improperly? The reasons have been in part stated by Senator Kehoe. Senator Kehoe of Humboldt introduced a bill which provided that any fair that had received State aid, within 450 feet of the exterior boundary of that fair—Senator, if I misquote the bill, please correct me, because I am not quite sure about that—within 450 feet of the exterior boundaries of the fair—and that would mean commencing at First avenue away down Van Ness avenue—that every place that sold liquor with meals or sold it at all, excepting the gilded palaces with 200 bedrooms or that could seat 100 people in the dining-room at one time—that the sale of liquor was prohibited. Now, what does that mean? That within two blocks of the exterior of a fence around that magnificent exposition, that wonderful exposition, every little café, every little hotel, every boarding house, every restaurant—and there are hundreds of them—would be compelled to close their doors during the continuance of that exposition. Is that right, Senator?

SENATOR KEHOE: Not to close their doors—not to sell liquor.

SENATOR WOLFE: Well, not to sell liquor; that would be in effect closing their doors. That is, you see, every café would have to close its doors because they were engaged in the business of selling liquor, and if they could not sell that, they would have to close. Now, do you wonder that the people in that section of the district voted to recall Mr. Grant? He may have been right in the way he voted. I did not question his vote. I never have impugned his motives and never will. But is it a wonder that these people rose up in their might and said this man has misrepresented us in this; that it will permit liquor to be sold in sight of the World's Fair in hotels with 200 bedrooms or more where you can seat 100 people at the same time, and deny that privilege to the little café with ten, twenty or twenty-five rooms and a little dining-room that will seat twenty-five people. Do you wonder at it? Was it necessary to enter into that proposition to make those people rise in their might against that kind of a bill? Not necessarily against the man, but against that kind of an unfair measure.

Another thing a bill introduced by Senator Finn—was this, and gentlemen of the Senate, I pledge you my word of honor that that is what took me into this fight in that district; that is the thing that got me to run for this office; the man that was interested in that bill was the man who induced me to run, and that bill provided that whenever textbooks for use in the public schools of California were published, printed and compiled in this State and were of equal educational merit, that in the awarding of the contract for those books, preference would be given to the California publication. That bill meant the steady employment of at least from two hundred to two hundred and fifty men and women in California all the year round. And it was the representative of labor, the business agent of these organizations that were affected by that bill, that finally persuaded me to become a candidate for the office. It has been said: Why don't you attack the big newspapers in San Francisco? Why don't you attack the Call and the Examiner? I will tell you why: because in all of their articles on this recall, there never was a single reference to me. Had they implied by what they said, as a general business principle, an attack on me, I would have denounced them upon the floor of this Senate just as readily as I did these little magazines from which you have heard me read today. I take no exception to the nice things you have said of this gentleman from Santa Clara County. It is proper. He is one of your constituents. I have never said an unkind word about the man except as he has misrepresented and attacked me. And I repeat that it is because of the things that he has written that an impression has gone throughout this State that I am, as has been said by Senator Irwin, a monster with horns, a representative of all that is vile in public life and in private life. It is because of those articles which have been sent under Mr. Hichborn's name—I have them here—in which he said at the top "Use as much of this as you want with or without my name."—Franklin K. Hichborn. I have it; he can not deny it. In the attack upon me, upon everything connected with the recall, he intended first to raise an impression throughout the State as to my character, and possibly to have an influence upon the members of this Senate in the event I was elected after that contest was started. Gentlemen of the Senate, that contest was framed up before the election. They were going to contest, no matter what, for the reasons that I stated to you today.

Mr. President and gentlemen of the Senate, I wish that I could have refrained from talking. I would not like to forfeit the good will of any of my colleagues. I value that naturally, as men value the good will and esteem of their associates; but I would have been unjust to myself and to those that are near and dear to me if I did not rise upon the floor of this Senate and prove the falsity of the accusations that have been made against me. I have no fight with the press of the State. I know the power of the press; I know it well. And when properly directed, it is indeed a paladium of liberty; it is the bulwark of our liberty; but there comes some time when liberty changes its character, when liberty becomes license, and there is no greater menace—and I use that word again—to the perpetuity of our institutions than that condition of men in California.

Mr. President, I wanted to say a word in reply to what each of these gentlemen have said, but I think I have covered it all. I know this: I know that I try to live a clean life. I know I am no saint; I do not profess to be a saint, but I try to live a clean life, so that I may have the confidence of my colleagues and my friends, and, thank God! I have it in the places where I am known—I have their confidence. I have been at the head of two of the greatest fraternal organizations in this country; I have their confidence and their esteem. Only two weeks ago they honored me by electing me to a higher office. I am proud of these things, because I wish to do that which is right, which is clean and which is honest and which is just, and if it becomes necessary for me to differ with men upon questions of public policy, all I ask of them is to accord me what I accord to them; honesty of purpose and sincerity.

It is not necessary for me to reply to the innuendoes and slurs that have been made upon the city and county of San Francisco in this matter. That is not necessary. As one of these gentlemen has proclaimed, it is theirs as much as it is ours, and I am happy to have him say it. I will join them at any time in supporting any constructive moral law that is fair and just to our citizenship in any portion of the State of California. I will act with them at all times for any measure that will upbuild the State, that will help those who are employed, those who earn their bread by the sweat of their brow, but so long as God gives me health and strength, that time shall never come when I will be afraid to rise on the floor of the Senate and defend my good name and my honor. (Applause.)

MOTION.

Senator Thompson moved that the statements of Senators Wolfe, Benson, Chandler, Ballard, Luce, Benedict, Brown, Jones, Scott, Irwin, Kehoe, Finn and Butler, and the closing remarks of Senator Wolfe be printed in full in the Journal.

COMMUNICATION.

The following communication was read, and ordered printed in the Journal:

SACRAMENTO, CAL., March 10, 1915.

Honorable John M. Eshleman, President, and members of the Senate of the State Legislature of the State of California.

GENTLEMEN: The Chamber of Commerce of Sacramento desires to issue a hearty invitation to all the members of the State Legislature to be its guests on a trip by rail to Meridian and from Meridian to Sacramento by boat on the Sacramento River.

It is desired to leave Sacramento by special train over the Northern Electric Railway on Sunday, March 14th, at 7 o'clock in the morning. The train will leave from the corner of J and Eighth streets.

The train will arrive at Meridian at 9 o'clock and the return trip by steamer will begin at 9:30. Our guests will be served with luncheon on board the steamer.

You are well aware that numerous bills are pending, dealing with the problems incident to swamp lands, flood control, reclamation and drainage, and you are therefore no doubt anxious to become acquainted with all of the physical facts in connection therewith. The purpose of this trip, therefore, is to give the members of the State Legislature the advantage of an intimate knowledge of flood conditions in the Sacramento Valley.

The State Reclamation Board will be the host, on Saturday, March 13th, to the committees of the Assembly and Senate to which the various measures in question have been referred. The trip on Sunday will be supplemental to the one on Saturday, and those who go on Saturday are also included in the invitation for Sunday's event.

Owing to the importance of this subject, the Chamber of Commerce sincerely hopes that every member of the Legislature will make it convenient to accept this invitation.

Yours very truly,

S. GLENN ANDRUS.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, the compensations set opposite their names to be payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Willard E. Bevans, Committee Clerk	$4 00 per day
E. G. Stuckenbruck, Committee Clerk	4 00 per day
Maud Allen, Committee Clerk	4 00 per day
Elizabeth S. Taylor, Asst. Engrossing and Enrolling Clerk	5 00 per day
Juliett M. Berger, Assistant Journal Clerk	5 00 per day
T. L. Kaford, Committee Clerk	4 00 per day

Senator Breed moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Also:

BY THE COMMITTEE ON CONTINGENT EXPENSES AND MILEAGE.

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law:

Officers	Address	Mileage	Amount
President: J. M. Eshleman	El Centro	1,578	$157 80

Dist.	Senators	Address	Mileage	Amount
39	Anderson, John N.	Santa Ana	962	$96 20
38	Ballard, John W.	Los Angeles	894	89 40
18	Beban, D. J.	San Francisco	180	18 00
34	Benedict, Henry Stanley	Los Angeles	894	89 40
27	Benson, Frank H.	San Jose	256	25 60
3	Birdsall, E. S.	East Auburn	74	7 40
15	Breed, A. H.	Oakland	168	16 80
37	Brown, William E.	Los Angeles	894	89 40
31	Butler, Edwin M.	Los Angeles	894	89 40
17	Campbell, A. E.	San Luis Obispo	686	68 60
36	Carr, William J.	Pasadena	914	91 40
26	Chandler, W. F.	Fresno	338	33 80
33	Cogswell, Prescott F.	El Monte	924	92 40
7	Cohn, P. C.	Folsom City	44	4 40
22	Crowley, John Jos.	San Francisco	180	18 00
6	Duncan, W. E., Jr.	Oroville	172	17 20
23	Finn, Thos. F.	San Francisco	180	18 00
24	Flaherty, Lawrence J.	San Francisco	180	18 00
11	Flint, William R.	Hollister	346	34 60
21	Gerdes, Fred C.	San Francisco	180	18 00
14	Hans, George J.	Oakland	168	16 80
32	Irwin, J. L. C.	Hanford	428	42 80
28	Jones, Herbert C.	San Jose	256	25 60
1	Kehoe, William	Eureka	624	62 40
30	King, Lyman M.	Redlands	1,036	103 60
40	Luce, Edgar A.	San Diego	1,146	114 60
29	Lyon, Henry H.	Los Angeles	894	89 40
12	Maddux, L. J.	Modesto	154	15 40
25	Mott, D. W.	Santa Paula	948	94 80
9	Owens, James C.	Richmond	156	15 60
4	Purkitt, Claude F.	Willows	175	17 50
5	Rush, Benjamin F.	Suisun	82	8 20
20	Scott, William S.	San Francisco	180	18 00
2	Shearer, Wm. B.	Yreka	590	59 00
8	Slater, Herbert W.	Santa Rosa	180	18 00
13	Strobridge, Ed. K.	Hayward	196	19 60
10	Stuckenbruck, J. W.	Acampo	78	7 80
35	Thompson, Newton W.	Alhambra	910	91 00
16	Tyrrell, Edward J.	Oakland	168	16 80
19	Wolfe, Edward I.	San Francisco	180	18 00

BEBAN, Chairman.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

REQUESTS FOR INTRODUCTION OF BILLS.

Senator Owens requested permission to introduce a Senate bill:

An Act to add a new section to the Penal Code to be numbered section six hundred fifty-three *f*, relating to the restricting of the number of individuals who may learn a trade.

Request referred to Committee on Introduction of Bills.

Also:

Senator Scott requested permission to introduce a Senate bill:

An Act providing for the manner of construction and equipment of window sashes in certain classes of windows.

Request referred to Committee on Introduction of Bills.

ADJOURNMENT.

At four o'clock and thirty minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Thursday, March 11, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry I. Stark.

LEAVE OF ABSENCE.

Senator Shearer was, on motion of Senator Slater, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 10, 1915, the further reading was dispensed with, on motion of Senator Rush.

CONSIDERATION OF DAILY FILE—THIRD-READING.

Senate Bill No. 13—An Act to amend the Code of Civil Procedure of California by adding thereto a new section to be numbered and known as section one thousand eight hundred seventy-one, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

On motion of Senator Jones, Senate Bill No. 13 was passed on file.

Senate Bill No. 273—An Act to amend section one thousand two hundred seven of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, nineteen hundred and fifteen.

On motion of Senator Jones, Senate Bill No. 273 was passed on file.

Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21, and 26 of said Act.

On motion of Senator Strobridge, Senate Bill No. 105 was passed on file.

Senate Bill No. 196—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benson moved to refer to Senator Jones as a Special Committee of One, to amend as follows:

By inserting in line 16, on page 2 of the printed bill, immediately following the comma after the word "engineer" the following: "fireman," and a comma.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 196, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report adopted on motion of Senator Benson.

Bill ordered to print and re-engrossment.

Senate Bill No. 9—An Act relating to the sale and carrying of dangerous weapons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 9 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Mott, Rush, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—30.

NOES—Senators Ballard, Maddux, Owens, Purkitt, Slater, and Stuckenbruck—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 11.—A resolution to propose to the people of the State of California an amendment to the constitution of said state, by adding to article six thereof a new section to be numbered ten and one-half, relative to the length of time a person appointed to fill a vacancy in the office of Justice of the Supreme Court, Justice of the District Court of Appeal or Judge of a Superior Court shall hold office.

AMENDMENT BY AUTHOR.

During the consideration of Senate Constitutional Amendment No. 11, the following amendment was offered by the author:

Strike out everything in the printed bill after the colon in line 7, page 1, and insert the following in lieu thereof:

Sec. 10½. Whenever the governor of the state appoints any person to fill a vacancy in the office of justice of the supreme court, justice of the district court of appeal, or judge of the superior court, and the term of office of the justice or judge, whose place is so filled by appointment, is fixed by law to expire on the first Monday in January after the next succeeding general election, then the person so appointed shall hold office for the remainder of the unexpired term for which such justice or judge was elected or appointed.

Amendment adopted.

COMMITTEE AMENDMENT.

During the consideration of Senate Constitutional Amendment No. 11, the following committee amendment was offered:

On line 11, page 1 of the printed constitutional amendment, after the word "term" insert the words "of office".

Amendment lost.

Constitutional Amendment No. 11 ordered to print and engrossment.

Senate Bill No. 454—An Act to amend sections forty-two hundred sixty-three and forty-two hundred sixty-three *a* of the Political Code relating to the salaries of officers and fees of jurors in counties of the thirty-fourth class.

On motion of Senator Birdsall Senate Bill No. 454 was passed on file.

SPECIAL ORDER RESET.

On motion of Senator Duncan, the motion to reconsider the vote whereby Senate Bill No. 481 was refused passage, was reset as a special order for consideration on the next legislative day in the regular order of business.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Owens for permission to introduce a bill entitled:

"An Act to add a new section to the Penal Code to be numbered section six hundred fifty-three *f*, relating to the restriction of the number of individuals who may learn a trade";

Also the request of Senator Scott to introduce a bill entitled:

"An Act providing for the manner of construction and equipment of window sashes in certain classes of windows";

Have had the same under consideration and respectfully recommend that the requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section two of article IV of the Constitution and the report adopted by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced:

By Senator Owens: Senate Bill No. 1203—An Act to add a new section to the Penal Code to be numbered section six hundred fifty-three *f*, relating to the restricting of the number of individuals who may learn a trade.

Bill read first time, and referred to Committee on Judiciary.

By Senator Scott: Senate Bill No. 1204—An Act providing for the manner of construction and equipment of window sashes in certain classes of windows.

Bill read first time, and referred to Committee on Labor and Capital.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following:

Senate Bill No. 458—An Act amending section five hundred ninety-eight of the Civil Code, relating to mortgages, sales and conveyances of real property, by religious, social and benevolent corporations;

Also: Senate Bill No. 1004—An Act to amend section four thousand one hundred thirty-one of the Political Code, relating to the recording of certain instruments;

Also: Senate Bill No. 905—An Act to authorize the Surveyor General of the State of California to relinquish certain lieu lands to the United States:

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

REQUEST FOR INTRODUCTION OF BILL.

Senator Chandler requested permission to introduce a Senate bill entitled:

An Act relating to the use and furnishing of stamps, coupons, tickets, certificates, cards, or other similar device, for or with the sale of goods, wares and merchandise, imposing a license thereon and providing a penalty for violation thereof.

Request referred to Committee on Introduction of Bills.

MESSAGES FROM THE GOVERNOR.

The following messages received from the Governor were read and ordered printed in the Journal:

STATE OF CALIFORNIA, EXECUTIVE OFFICE,
SACRAMENTO, March 11, 1915

To the Legislature of the State of California:

I have received from the Governor of the State of Oregon, the following telegram:

SALEM, OREGON, February 24, 1915.

Governor of California, Sacramento, Cal.

Our Secretary of State has sent to you by telegraph copy of Senate Joint Memorial Number Six, relative to proposed water power conference as adopted by our legislature. I sincerely hope that you will use your best efforts to see that your State cooperates fully with us in this work, which I am confident will be of material benefit to each one of us and will pave the way toward sound development of our resources. I shall be glad to receive word that your legislature accepts the invitation to participate in conference at Portland, Oregon, this summer.

JAMES WITHYCOMBE, Governor of Oregon.

Also: From the Secretary of State of the State of Oregon, the following telegram:

SALEM, OREGON, February 23, 1915.

The Governor of California, Sacramento, Cal.

The following memorial of the Oregon Legislature is sent you for transmission to the Legislature of your State:

SENATE JOINT MEMORIAL NUMBER SIX.

WHEREAS, There is now pending in the Congress of the United States legislation designed to encourage the development of the water power resources of the West; and

WHEREAS, It is contemplated by such legislation that the interest and control of each State in the water power which may be developed, under the provisions of such legislation, shall in some particulars be no more than one-half, the other half accruing to, or resting in, the Government of the United States; and

WHEREAS, In other particulars, said legislation would give to the Government of the United States a preferential reversionary interest in water powers developed thereunder: be it therefore

***Resolved by the Senate, the House concurring,* That it is now wise and opportune for the State of Oregon, and the whole people thereof, through their legislative assembly, respectfully to assert for the guidance of their Senators and Representatives in Congress, and for the information of the Congress of the United States, the following principles as just and equitable in the premises: That the title to the beds of all non-navigable streams and the water powers within their banks now unappropriated and as yet not alienated by the State of Oregon, and the title to the beds of all navigable streams within the State of Oregon, and the water power within their banks (subject only to the rights of commerce) is vested exclusively in the State of Oregon and the whole people thereof. That the unappropriated or reserved or withdrawn government lands on the banks of said streams, wherein water power is available, while necessary to the development of said power, are in no case of value equal to the value of the water power within said banks, and owned by the State of Oregon. That the State of Oregon does not concede that the proportionate value of said water power to the value of said lands necessary to its development is less than the ratio of fifty to one. That under such conditions it is to the benefit of public policy that the government of the United States relinquish to the states its title to lands needed for water power development, under such terms as will safeguard the public from monopolistic or speculative control. That of importance equal to the water power development is the creation of hydroelectric markets now interfered with by burdensome restrictions on the settlement of public lands and on the utilization of mineral and timber products extending in Oregon alone over tracts equal to nearly sixty per cent of the area of the State; and be it further**

***Resolved,* That for the purpose of declaring in more specific detail the principles which the water power and public land states of the West deem a just and equitable basis for developing their resources, the Legislature of the State of Oregon does hereby invite each of the Governors of the States of Washington, Idaho, Montana, Colorado, California, Wyoming, Utah, Nevada, South Dakota and North Dakota, and five delegates to be appointed by the legislatures of the said states to meet with five delegates to be elected by the Legislature of the State of Oregon in conference at Portland, Oregon, in the summer or fall of the year 1915; and be it further**

***Resolved,* That the Governor be selected as chairman of the Oregon delegation, and that the Senate select two delegates and the House two delegates, provided that in those states where the legislature will not convene before the time of conference, the Governor be requested to appoint the delegates, and that the Governor of the State of Oregon appoint the time for such conference in accordance with the desires of the several states herein mentioned; be it further**

***Resolved,* That copies of this resolution be transmitted to the Oregon Senators and Representatives in Congress, to the Speaker of the National House of Representatives, to the President of the United States Senate, to the Secretary of the Interior, and the Governor of each state invited to the water power conference herein provided, for transmission to the legislature of his state.**

Adopted by the House, February 20, 1915. Ben Selling, Speaker of the House. Adopted by the Senate, February 20, 1915. W. Lair Thompson, President of the Senate.

BEN W. OLCOTT, Secretary of State.

I transmit to the Legislature these documents for such action, if any, as the Legislature may deem appropriate.

Respectfully submitted. HIRAM W. JOHNSON, Governor.
March 9, 1915.

Message referred to Committee on Federal Relations.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 9, 1915.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have this day made the following appointments and request your concurrence therein and consent thereto:

Charles F. Crothers, of San Jose, a member of the Board of Trustees of the State Normal School at San Jose, vice self, term expired.

R. L. Green, Palo Alto, a member of the Board of Trustees of the State Normal School at San Jose, vice Hiram D. Tuttle, term expired.

W. F. Blake, of Gilroy, a member of the Board of Trustees of the State Normal School at San Jose, vice George H. Mastick, term expired.

Respectfully submitted.

HIRAM W. JOHNSON, Governor.

Message referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate the following reports of standing committees were received and read, out of the regular order:

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 429—An Act to add a new section to the Civil Code to be known as section three hundred eighteen *a*, relating to the calling of stockholders' meetings;

Also Senate Bill No. 474—An Act to amend section two hundred ninety of the Civil Code of the State of California, relating to articles of incorporation and what they must set forth;

Have had the same under consideration, and respectfully recommend that they do pass as amended.

Senate Bills Nos. 429 and 474 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, MARCH 11, 1915.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 475—An Act to amend section five hundred ninety-nine of the Civil Code of the State of California, relating to what may be provided for in the by-laws, ordinances, constitutions or articles of incorporation of corporations now organized or that may hereafter be organized for purposes other than profit—have had the same under consideration, and respectfully recommend that it do pass.

JONES, Chairman.

Senate Bill No. 475 ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums to whom was referred Senate Bill No. 759—An Act appropriating money for the construction of a dormitory building at the California School for the Deaf and the Blind—have had the same under consideration, and respectfully report the same back and recommend that it do pass and be re-referred to Finance Committee.

CROWLEY, Chairman.

Senate Bill No. 759 ordered re-referred to Committee on Finance.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, March 9, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories to whom was referred Senate Bill No. 437—An Act to regulate private detective agencies and detectives; prescribing certain qualifications of all persons operating as private detectives; providing for the licensing and bonding of such agencies and detectives, under the supervision of the Secretary of State, and defining their liabilities for misconduct to persons injured thereby—have had the same under consideration, and respectfully report the same back and recommend that it be re-referred to the Judiciary Committee.

FINN, Chairman.

Senate Bill No. 437 ordered re-referred to Committee on Judiciary.

ADJOURNMENT.

At ten o'clock and forty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Friday, March 12, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrell, and Wolfe—37.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. Father Henry I. Stark.

LEAVES OF ABSENCE.

Senator Gerdes was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Finn was, on motion of Senator Flaherty, granted leave of absence for this day.

Senator Kehoe was, on motion of Senator Thompson, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 11, 1915, the further reading was dispensed with, on motion of Senator Rush.

USE OF SENATE CHAMBER GRANTED.

Senator Scott asked for and was granted unanimous consent for the use of the Senate Chamber on Wednesday, March 17, 1915, at four o'clock p.m., for a joint meeting of Senate and Assembly Committees on Military Affairs.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 177—An Act to amend sections 2153*a* and 2161 of the Political Code, relating to the government and management of state hospitals for the insane and other incompetent persons;

Also: Assembly Bill No. 277—An Act to amend section one thousand four hundred and ninety-four of the Code of Civil Procedure relating to claims against estates of decedents, and interest thereon.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 177 read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 277 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Chandler, for permission to introduce a bill entitled An Act relating to the use and furnishing of stamps, coupons, tickets, certificates, cards, or other similar device, for or with the sale of goods, wares, and merchandise, imposing a license thereon and providing a penalty for violation thereof—have had the same under consideration, and respectfully recommend that the request be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section two of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced:

By Senator Chandler: Senate Bill No. 1205—An Act relating to the use and furnishing of stamps, coupons, tickets, certificates, cards, or other similar device, for or with the sale of goods, wares and merchandise, imposing a license thereon and providing a penalty for violation thereof.

Bill read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 650—An Act to amend section five hundred ninety-four of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BENEDICT, Chairman.

Senate Bill No. 650 ordered on file for second reading.

Also:

SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 124—An Act to amend section four hundred twenty-one of the Civil Code, relating to investments by insurance companies;

Also: Senate Bill No. 324—An Act to amend sections four hundred fifty-three *t* and four hundred fifty-three *y* of the Civil Code, relating to title insurance companies;

Also: Senate Bill No. 651—An Act to revise and amend chapter VIII of title IV, or division first, of the Civil Code, relative to mortgage insurance;

Have had the same under consideration and respectfully report the same back, with amendments, and recommend that they each do pass as amended.

BENEDICT, Chairman

Senate Bills Nos. 124, 324 and 651 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 353—An Act to amend section four thousand three hundred *e* of the Political Code, relating to the fees to be charged by recorders—and report that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 211—An Act to amend section four thousand two hundred and fifty-four of the Political Code, relating to compensation of officers in counties of the twenty-fifth class;

Also: Senate Bill No. 261—An Act to amend section four thousand two hundred eighty-three of the Political Code relating to compensation of officers in counties of the fifty-fourth class;

Also Senate Bill No. 408—An Act to amend section forty-two hundred sixty-nine of the Political Code relating to compensation of officers in counties of the fortieth class;

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BREED, Chairman.

Senate Bills Nos. 211, 261, and 408 ordered on file for second reading.

Also:

SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 995—An Act to amend section eight hundred forty-three of the Political Code, relating to a county officer acting as a deputy of another county officer of the same county;

Also: Senate Bill No. 337—An Act to amend section two hundred and eighty-two of the Political Code, relating to compensation of officers in counties of the fifty-third class;

Also: Senate Bill No. 446—An Act to add a new section to the Political Code of the State of California to be numbered four thousand one hundred ninety *a*, relating to the law library fund and repealing section four thousand two hundred twenty-one *a*;

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BREED, Chairman.

Senate Bills Nos. 995, 337, and 446 ordered on file for second reading.

Also:

SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 336—An Act to amend section four thousand two hundred and eighty of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class—have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

BREED, Chairman.

Senate Bill No. 336 ordered on file for second reading.

Also:

SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No 750—An Act to amend section four thousand two hundred eighty-six of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof—have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

BREED, Chairman.

Senate Bill No. 750 ordered on file for second reading.

Also:

SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 162—An Act to amend section forty-three hundred *a* of the Political Code, relating to the fees of county clerks—have had the same under consideration, and respectfulyl report the same back and recommend that it be re-referred to the Judiciary Committee.

BREED, Chairman.

Senate Bill No. 162 ordered re-referred to Committee on Judiciary.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 548—An Act to provide for the location, survey and construction of a proposed highway to connect the road system of Los Angeles County in the vicinity of Azusa with the road system of Antelope Valley in the vicinity of Palmdale, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back and recommend that the same do pass as amended, and be re-referred to the Finance Committee.

BIRDSALL, Chairman.

Senate Bill No. 548 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 23—An Act making an appropriation for the location, survey, and construction of a proposed state road from the junction of the counties of San Joaquin, Calaveras, and Amador to Jackson, Amador County, connecting with the Alpine State Road—have had the same under consideration, and respectfully report the same back and recommend that same do pass, as amended, and be re-referred to the Finance Committee.

BIRDSALL, Chairman.

Senate Bill No. 23 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 150—An Act to provide for a sprinkling system for the State Highway extending from Saratoga Gap into and through California Redwood Park, and making an appropriation therefor;

Also: Senate Bill No. 937—An Act appropriating money for the construction of a trail in the Sierra Nevada Mountains to be known as the "John Muir Trail":

Also: Senate Bill No. 1033—An Act making an appropriation for the location and survey of a state highway, to be known as the Pasadena State Highway;

Also: Senate Bill No. 1111—An Act to provide for locating, surveying and maintaining a highway from Pescadero in the county of San Mateo to the California Redwood Park in Santa Cruz County, and making an appropriation therefor;

Have had the same under consideration, and respectfully report the same back and recommend that the same do pass, and be re-referred to the Finance Committee.

BIRDSALL, Chairman.

Senate Bills Nos. 150, 937, 1033 and 1111 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 45—An Act declaring the wagon road extending from the western end of the Lake Tahoe State Wagon Road to the eastern limits of the city of Placerville to be a state highway:

Also: Senate Bill No. 540—An Act to amend section two thousand six hundred forty-three of the Political Code relating to the powers of boards of supervisors relating to roads;

Have had the same under consideration, and respectfully report the same back and recommend that the same do pass.

BIRDSALL, Chairman.

Senate Bills Nos. 45 and 540 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1116—An Act to provide for the return to the owners thereof of any funds paid into the state treasury by any receiver in conformity with the provisions of section five hundred seventy of the Code of Civil Procedure; prescribing the procedure relative thereto; and making an appropriation therefor;

Also: Senate Bill No. 1117—An Act to provide for making restitution to the persons who are or may become entitled thereto in accordance with the provisions of sections three thousand four hundred eight *d*, three thousand five hundred seventy-one and three thousand five hundred seventy-two of the Political Code of the principal sums by them, or by their respective predecessors in interest, paid to the State of California and thereafter deposited in the state treasury to the credit of the State School Land Fund pursuant to law, prescribing certain duties of the Register of the State Land Office, the State Controller and the State Treasurer with respect thereto; and making an appropriation for such purpose.

Also: Senate Bill No. 1118—An Act to provide for the repayment to such persons as are or may become entitled thereto of moneys by them, or their assignors, paid to the State of California in consequence of illegally imposed charges for the registration of motor vehicles, or paid to the State by mistake or inadvertence in connection with the registration of such motor vehicles, and thereafter deposited in the state treasury to the credit of the Motor Vehicle Fund pursuant to the provisions of chapter 326 of California Statutes of 1913, approved May 31, 1913, and known as the Motor Vehicle Act; making an appropriation for such purpose; prescribing certain duties with respect thereto; and providing for the retention by the State of proportionate deductions from the moneys which would otherwise be apportioned to the several counties under the provisions of said Motor Vehicle Act;

Also: Senate Bill No. 1119—An Act to provide for making restitution to the persons who are or may become entitled thereto, in accordance with the provisions of sections 3571 and 3572 of the Political Code, of the sums by them, or by their respective predecessors in interest, paid to the State of California as interest upon the unpaid balance of the purchase price of lands wrongfully sold, or to which the State is unable to pass title, and thereafter deposited in the state treasury to the credit of the State School Fund pursuant to law; prescribing certain duties of the Register of the State Land Office, the State Controller and the State Treasurer with respect thereto; and making an appropriation for such purpose;

Have had the same under consideration, and respectfully recommend that they pass, and be re-referred to the Finance Committee.

KEHOE, Chairman.

Senate Bills Nos. 1116, 1117, 1118 and 1119 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 85—An Act to amend section ten of the Code of Civil Procedure of the State of California, relating to holidays;

Also: Senate Bill No. 86—An Act to amend section ten of the Political Code of the State of California, relating to holidays;

Also: Senate Bill No. 87—An Act to amend section seven of the Civil Code of the State of California, relating to holidays;

Also: Senate Bill No. 703—An Act to repeal section two hundred fifty-eight of the Penal Code relating to the publication of caricatures and cartoons;

Also: Senate Bill No. 704—An Act to repeal section two hundred fifty-nine of the Penal Code requiring certain newspaper articles to be signed;

Also: Senate Bill No. 302—An Act to amend section three thousand and eighty-eight of the Civil Code of the State of California relating to negotiable instruments;

Also: Senate Bill No. 1134—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," by making said Act also applicable to real property whose records have been destroyed among the records of another county of which it was formerly a part;

Also: Senate Bill No. 716—An Act to amend section eight hundred sixty-eight of the Code of Civil Procedure of California, relating to writs of attachment;

Also: Senate Bill No. 1030—An Act to add a new section to the Code of Civil Procedure, to be numbered section one thousand twenty-one *a*, relating to costs in civil actions and proceedings;

Also: Senate Bill No. 312—An Act to amend sections five hundred forty-four, and five hundred forty-five of the Code of Civil Procedure of the State of California, relating to garnishment;

Have had the same under consideration, and respectfully recommend that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 85, 86, 87, 703, 704, 302, 1134, 716, 1030 and 312 ordered on file for second reading.

Also:

SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 906—An Act providing for the sale of certain state lands;

Also: Senate Bill No. 323—An Act to amend section three of an Act entitled "An Act requiring the compilation and publication of reports of the financial transactions of the several counties and municipalities of the State, and making an appropriation therefor," approved April 21, 1911;

Also: Senate Bill No. 278—An Act to amend sections fourteen hundred ninety, fourteen hundred ninety-three, fourteen hundred ninety-four, fourteen hundred ninety-five, fourteen hundred ninety-six, fourteen hundred ninety-seven, fourteen hundred ninety-eight, fourteen hundred ninety-nine, fifteen hundred, fifteen hundred two, fifteen hundred three, fifteen hundred five, fifteen hundred seven, fifteen hundred ten, fifteen hundred twelve, fifteen hundred thirteen, and fifteen hundred fourteen, of the Code of Civil Procedure of California, relating to claims against estates of deceased persons;

Have had the same under consideration, and respectfully recommend that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 906, 323, and 278 ordered on file for second reading.

Also:

SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 961—An Act creating an advisory pardon board; defining and prescribing the powers and duties thereof; and making an appropriation therefor;

Also: Senate Bill No. 1139—An Act to provide for the payment of awards of court, or judgments, rendered in conformity with the provisions of section twelve hundred seventy-two of the Code of Civil Procedure, and making an appropriation therefor;

Have had the same under consideration, and respectfully recommend that they do pass, and be re-referred to the Finance Committee.

KEHOE, Chairman.

Senate Bills Nos. 961 and 1139 ordered re-referred to Committee on Finance.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved, That the following named person be stricken from the list of attachés, and his name be stricken from the pay roll of the Senate:

Chas. Noonan, Page	$2 50 per day

Resolution read, and on motion of Senator Breed adopted.

Also:

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, the compensation set opposite their names to be payable weekly, and the Controller is hereby directed to draw his warrant for the said respective amounts and the Treasurer is directed to pay the same:

Chas. Noonan, Committee Clerk	$4 00 per day
W. H. Shively, Committee Clerk	4 00 per day

Senator Breed moved the adoption of the foregoing resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, King, Luce, Maddux, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

COMMUNICATION.

The following communication was read and ordered printed in the Journal:

SAN FRANCISCO, CALIFORNIA, March 10, 1915.

To the Senate of the California Legislature, Sacramento, California.

GENTLEMEN: The Panama-Pacific International Exposition being desirous of exhibiting to the Legislature of the State of California what has been accomplished in the construction of the Exposition, has set apart Saturday, March 20, 1915, as "California Legislature Day," and hereby extends to the Legislature of the State of

California, a most cordial invitation to attend the Exposition on that day, accompanied by their wives.

The Board of Directors has arranged for a luncheon in the ball room of the California Building at 1:00 o'clock that afternoon, and at the conclusion of the luncheon, commemorative bronze plaques will be presented to the Senate and the Assembly in recognition of their cooperation toward making the Exposition a success.

The Board will greatly appreciate your presence in a body at that time, so that each member may see how the State of California has executed the stewardship entrusted to it by the Government of the United States.

The Panama-Pacific International Exposition Commission of the State of California joins with the Exposition in extending this invitation.

Very truly yours.

CHAS. C. MOORE, President.

MOTION.

Senator Wolfe moved that the invitation be accepted, and that the Committee on Rules be instructed to make the necessary arrangements in conjunction with the Assembly committee.

REQUEST FOR INTRODUCTION OF BILL.

Senator Flaherty requested permission to introduce a Senate bill, entitled:

An Act to amend title VII of the Code of Civil Procedure of California, relating to the classes of property that may be taken; amending section one thousand two hundred forty-five, relating to insurance and service of summons in action in eminent domain, and section one thousand two hundred forty-eight relating to the ascertainment and assessment of damages by amending subdivision three of said section one thousand two hundred forty-eight.

Motion carried.

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY FILE—THIRD-READING.

Senate Bill No. 13—An Act to amend the Code of Civil Procedure of California by adding thereto a new section to be numbered and known as section one thousand eight hundred seventy-one, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

On motion of Senator Jones, Senate Bill No. 13 was passed on file.

Senate Bill No. 273—An Act to amend section one thousand two hundred seven of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, nineteen hundred and fifteen.

On motion of Senator Jones, Senate Bill No. 273 was passed on file.

Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21, and 26 of said Act.

On motion of Senator Strobridge, Senate Bill No. 105 was passed on file.

Senate Bill No. 353—An Act to amend section four thousand three hundred *c* of the Political Code, relating to the fees to be charged by recorders.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 353 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 458—An Act amending section five hundred ninety-eight of the Civil Code, relating to mortgages, sales and conveyances of real property, by religious, social and benevolent corporations.

On motion of Senator Carr, Senate Bill No. 458 was passed on file.

Senate Bill No. 1004—An Act to amend section four thousand one hundred thirty-one of the Political Code relating to the recording of certain instruments.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1004 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 905—An Act to authorize the Surveyor General of the State of California to relinquish certain lieu lands to the United States.

On motion of Senator Benedict, Senate Bill No. 905 was passed on file.

Senate Bill No. 454—An Act to amend sections forty-two hundred sixty-three and forty-two hundred sixty-three *a* of the Political Code relating to the salaries of officers and fees of jurors in counties of the thirty-fourth class.

On motion of Senator Birdsall, Senate Bill No. 454 was passed on file.

SECOND-READING FILE.

Senate Bill No. 429—An Act to add a new section to the Civil Code to be known as section three hundred eighteen *a*, relating to the calling of stockholders' meetings.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Senate Bill No. 429 is hereby amended by striking out the word "by," on line 8 of the printed bill, and insert in lieu thereof the word "of".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 474—An Act to amend section two hundred ninety of the Civil Code of the State of California, relating to articles of incorporation and what they must set forth.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Senate Bill No. 474 is hereby amended by inserting a comma after the word "provided," on line 15, page 2, of the printed bill.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 475—An Act to amend section five hundred ninety-nine of the Civil Code of the State of California, relating to what may be provided for in the by-laws, ordinances, constitutions or articles of incorporation of corporations now organized or that may hereafter be organized for purposes other than profit.

Bill read second time, ordered engrossed and on file for third reading.

SPECIAL ORDER RESET.

On motion of Senator Duncan, the motion to reconsider the vote whereby Senate Bill No. 481 was refused passage, was reset as a special order for consideration on Monday, March 15, 1915, in the regular order of business.

SUSPENSION OF RULES.

Senator Thompson asked for and was granted unanimous consent for the second reading at this time under suspension of the rules, of the bills previously reported from committee on this legislative day.

SECOND READING OF BILLS—(OUT OF ORDER).

Senate Bill No. 650—An Act to amend section five hundred ninety-four of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 124—An Act to amend section four hundred twenty-one of the Civil Code relating to investments by insurance companies.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out of line 12, page 2, all after the word "authorize" and all of line 13, and insert in lieu thereof the following: "as legal investments for insurance companies".

Amendment adopted.

AMENDMENT NUMBER TWO.

Insert in line 19, page 2, after the word "security" the words "at the date of investment".

Amendment adopted.

AMENDMENT NUMBER THREE.

Strike out all of lines 25 to 29, inclusive, and the first two words of line 30, page 2, and insert in lieu thereof the following: "(*b*) Notes or bonds secured by mortgage or deed of trust, payment of which is guaranteed by a policy of mortgage insurance, and mortgage participation certificates, issued by a mortgage insurance company in accordance with the provisions of chapter VIII of title II of part IV of division I of the Civil Code".

Amendment adopted.

AMENDMENT NUMBER FOUR.

Strike out all of lines 12 and 13, page 3, and insert in lieu thereof the following: "bonds issued by a corporation".

Amendment adopted.

AMENDMENT NUMBER FIVE.

Strike out of line 19, page 3, the word "at" and insert in lieu thereof the word "as".

Amendment adopted.

AMENDMENT NUMBER SIX.

Strike out of lines 31 and 32, page 3, the comma following the word "January" and the words "April, July and October" and insert in lieu thereof the following: "and July".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, in line 6, strike out the word "five" and insert in lieu therof the word "two".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, strike out the last two words in line 17 and all of line 18, and insert in lieu thereof the following: "bond of the issue of which the bonds which comprise such investment form a part, and which stocks or bonds must,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 324—An Act to amend sections four hundred fifty-three *t* and four hundred fifty-three *y* of the Civil Code, relating to title insurance companies.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out the last two words of line 2, page 3, all of lines 3, 4 and 5 and the first three words of line 6, page 3, and insert in lieu thereof the following: "as to any part of the securities so deposited with the state treasurer which consists of notes or bonds secured by mortgage or deed of trust, payment of which is guaranteed by a policy of mortgage insurance, or of mortgage participation certificates, issued by a mortgage insurance company in accordance with the provisions of chapter VIII of title II of part IV of division I of the Civil Code".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 651—An Act to revise and amend chapter VIII of title II of part IV of division I of the Civil Code relative to mortgage insurance.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, at the end of line 7½, strike out the word "of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, in line 27, strike out the word "sixty" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, in line 32, strike out the word "or" and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, in lines 9 and 10, strike out the words "to be used as security for the deposit of public moneys" and insert in lieu thereof the following: "as legal investments for insurance companies".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, in line 14, strike out the word "sixty" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, in line 19, strike out the word "sixty" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, in line 17, insert after the word "signed" the following: "and such trust, and the administration thereof, shall at all times be and hereby is expressly made subject to the inspection, supervision and control of the superintendent of banks as fully and completely as if the same constituted a court trust under the provisions of the Bank Act".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, in line 28, strike out the period and insert in lieu thereof a semicolon and the following: "*provided also*, that a copy of each such appraisement and accompanying certificate of the directors shall be promptly, upon the assignment of each such security, transmitted to the superintendent of banks, and that each such copy of appraisement so transmitted shall bear an endorsement or certificate executed by the trust company to which each such security is so assigned reciting and setting forth the amount of the unpaid principal named in the security which covers the property described in such appraisement; *provided also*, that if any such mortgage participation certificates or securities guaranteed by policies of mortgage insurance issued in conformity with the provisions of this chapter, are used as securities comprising any part of any fund or deposit required by law to be made with the state treasurer by a trust company, the securities so guaranteed or the ownership of, or participation in, which is evidenced by such participation certificates must constitute a first lien on improved and productive real estate in the state of California, such improved real estate being worth at least double the amount of such lien; and also, that the real estate and improvements which are covered by the lien of any security so guaranteed or the ownership of, or participation in, which is evidenced by mortgage participation certificates which are so used shall be re-appraised at least once every two years and in the manner in this chapter provided for appraisements, and a copy of each such re-appraisement shall be filed with the trust company to which such security shall have been assigned and the original of each such re-appraisement bearing the endorsement or certificate of such trust company as to the amount of the unpaid principal named in such security shall be filed with the Superintendent of Banks."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 7, in line 34, strike out the comma following the word "which" and insert a comma preceding said word "which".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 8, in line 8, strike out the word "securtiies" and insert in lieu thereof the word "securities".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 9, in line 22, strike out the word "certificates" and insert in lieu thereof the word "certificate".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 9, in line 28, insert following the word "commissioner" the following: "and by the superintendent of banks".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 10, in line 6, strike out the word "sixty" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 10, in line 8, strike out the word "either".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 211—An Act to amend section four thousand two hundred fifty-four of the Political Code, relating to compensation of officers in counties of the twenty-fifth class.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 261—An Act to amend section four thousand two hundred eighty-three of the Political Code relating to compensation of officers in counties of the fifty-fourth class.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 408—An Act to amend section forty-two hundred sixty-nine of the Political Code relating to compensation of officers in counties of the fortieth class.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 995—An Act to amend section eight hundred forty-three of the Political Code, relating to a county officer acting as a deputy of another county officer of the same county.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 337—An Act to amend section four thousand two hundred eighty-two of the Political Code of the State of California, relating to the compensation of officers in counties of the fifty-third class.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 446—An Act to add a new section to the Political Code of the State of California to be numbered four thousand one hundred ninety *a*, relating to the Law Library Fund and repealing section four thousand two hundred twenty-one *a*.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 336—An Act to amend section four thousand two hundred eighty of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 5 of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following: "and in counties of this class the assessor may appoint a deputy, which office of deputy assessor is hereby created. The salary of said deputy shall be six hundred dollars for the period beginning with the date upon which this act takes effect and ending December 31, 1915, and thereafter a salary of six hundred dollars per annum."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 750—An Act to amend section four thousand two hundred eighty-six of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.

COMMITTEE AMENDMENT

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 15 of the printed bill, strike out the word "or" and insert in lieu thereof the word "of", making the line read thus "townships of this class of counties".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 540—An Act to amend section two thousand six hundred forty-three of the Political Code relating to the powers of boards of supervisors relating to roads.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 45—An Act declaring the wagon road extending from the western end of the Lake Tahoe State Wagon Road to the eastern limits of the city of Placerville to be a state highway.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 85—An Act to amend section ten of the Code of Civil Procedure of the State of California, relating to holidays.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 86—An Act to amend section ten of the Political Code of the State of California, relating to holidays.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 87—An Act to amend section seven of the Civil Code of the State of California, relating to holidays.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 703—An Act to repeal section two hundred fifty-eight of the Penal Code relating to the publication of caricatures and cartoons.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 704—An Act to repeal section two hundred fifty-nine of the Penal Code requiring certain newspaper articles to be signed.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 302—An Act to amend section three thousand and eighty-eight of the Civil Code of the State of California, relating to negotiable instruments.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1134—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," by making said Act also applicable to real property whose records have been destroyed among the records of another county of which it was formerly a part.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 716—An Act to amend section eight hundred sixty-eight of the Code of Civil Procedure of California, relating to writs of attachment.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1030—An Act to add a new section to the Code of Civil Procedure, to be numbered section one thousand twenty-one *a*, relating to costs in civil actions and proceedings.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 312—An Act to amend sections five hundred forty-four, and five hundred forty-five of the Code of Civil Procedure of the State of California, relating to garnishment.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 906—An Act providing for the sale of certain state lands.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, section 1, line 11 of the printed bill, strike out the semicolon following the words "surveyor general" and insert in lieu thereof a comma and the following: "*provided, however*, that any such lands which in the judgment of the surveyor general contain growth valuable for forest-cover protection to watersheds, or are valuable for reservoir sites, shall be withheld from sale by the State;".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, after the word "advertised" insert the following: "in some newspaper in the county in which the land is situated, or if there is no newspaper published in the county, then in some newspaper of general circulation in the county, said newspaper to be designated by the State Board of Control,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 4, after the period following the word "payment" insert the following: "All payments to be made to the county treasurer of the county in which the land is situated."

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 323—An Act to amend section three of an Act entitled "An Act requiring the compilation and publication of reports of the financial transactions of the several counties and municipalities of the State, and making an appropriation therefor," approved April 21, 1911.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title thereof by striking out the period after the figures "1911" in line 5, insert a comma in lieu thereof, and add the following: "by providing penalties for violations of said act, and prescribing certain duties of the Attorney General with reference thereto."

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 10, page 1 of printed bill, strike out the word "and" after the word "fails," and in lieu thereof insert the following: ", neglects or".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 11, page 1 of printed bill, to follow the word "after", insert the words "receipt of".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 13, page 1 of printed bill, strike out all of lines 13 and 14, after the word "law," and in lieu thereof insert the following: ", which, upon the request of the controller, it shall be the duty of the Attorney General to prosecute in the name of the people of the State of California. All such actions shall be commenced and tried in the Superior Court of the county of Sacramento."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 278—An Act to amend sections fourteen hundred ninety, fourteen hundred ninety-three, fourteen hundred ninety-four, fourteen hundred ninety-five, fourteen hundred ninety-six, fourteen hundred ninety-seven, fourteen hundred ninety-eight, fourteen hundred ninety-nine, fifteen hundred, fifteen hundred two, fifteen hundred three, fifteen hundred five, fifteen hundred seven, fifteen hundred ten, fifteen hundred twelve, fifteen hundred thirteen, and fifteen hundred fourteen, of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, section 1, line 8, insert after the word "decedent", the following: "giving the name of the court, and the name of the executor or administrator, together with the place of his residence or business, to be specified in the notice, and".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out, on page 2, section 2, line 18, the words "any claims not so filed are", and insert in lieu thereof the following: "at the time of filing any claim a copy thereof must be deposited in the United States mail in a sealed envelope with postage thereon prepaid, addressed to the executor or administrator, at the address specified in the notice, and any claim not so filed is".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, section 3, line 32, insert after the word "filed" a comma.

Amendment adopted.

AMENDMENT NUMBER FOUR.

Strike out, on page 3, section 3, line 1 the word "claims", and insert in lieu thereof the following: "claim".

Amendment adopted.

AMENDMENT NUMBER FIVE.

Strike out, on page 4, section 5, line 12, the word "and", and insert in lieu thereof the following: "or".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, section 13, at the end of line 37, insert the following: "agreement in writing with the claimant, to refer the matter".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

Strike out, on page 9, section 17, the whole of line 1.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 9, section 17, after line 14, insert the following:

"Sec. 18. Section one thousand five hundred sixty-nine of the Code of Civil Procedure is hereby amended to read as follows:

1569. When any sale is made by an executor or administrator, pursuant to the provisions of this chapter, of lands subject to any mortgage or other lien, which is a valid claim against the estate of the decedent, and has been filed and allowed, the purchase-money must be applied, after paying the necessary expenses of the sale, first, to the payment and satisfaction of the mortgage or lien, and the residue, if any, in due course of administration. The application of the purchase-money to the satisfaction of the mortgage or lien must be made without delay; and the land is subject to such mortgage or lien until the purchase-money has been actually so applied. No claim against any estate, which has been filed and allowed, is affected by the statute of limitations, pending the proceedings for the settlement of the estate. The purchase-money, or so much thereof as may be sufficient to pay such mortgage or lien, with interest, and any lawful costs and charges thereon, may be paid into the court, to be received by the clerk thereof, whereupon the mortgage or lien upon the land must cease, and the purchase-money must be paid over by the clerk of the court without delay, in payment of the expenses of sale, and in satisfaction of the debt to secure which the mortgage or other lien was taken, and the surplus, if any, at once returned to the executor or administrator, unless for good cause shown, after notice to the executor or administrator, the court otherwise directs.

Sec. 19. Section one thousand six hundred twenty-two of the Code of Civil Procedure is hereby amended to read as follows:

1622. When required by the court, either upon its own motion or upon the application of any person interested in the estate, the executor or administrator must render an exhibit under oath, showing the amount of money received and expended by him, the amount of all claims filed against the estate, and the names of the claimants, and all other matters necessary to show the condition of its affairs.

Sec. 20. Section one thousand six hundred twenty-eight of the Code of Civil Procedure is hereby amended to read as follows:

1628. Within thirty days after the expiration of the time mentioned in the notice to creditors within which claims must be filed, every executor or administrator must render a full account and report of his administration. If he fails to present his account the court or judge must compel the rendering of the account by attachments, and any person interested in the estate may apply for and obtain an attachment; but no attachment must issue unless a citation has been first issued, served and returned, requiring the executor or administrator to appear and show cause why an attachment should not issue. Every account must exhibit all debts which have been filed and allowed during the period embraced in the account."

Amendment adopted.

AMENDMENT NUMBER NINE.

Strike out, on page 1, of the title of said bill, the words "and fifteen hundred fourteen", and insert in lieu thereof the following "fifteen hundred fourteen, fifteen hundred sixty-nine, sixteen hundred twenty-two, and sixteen hundred twenty-eight."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Rules, to whom was referred the following message from the Governor:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, March 9, 1915.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have this day made the following appointments and request your concurrence therein and consent thereto:

Charles F. Crothers, of San Jose, a member of the Board of Trustees of the State Normal School at San Jose, vice self, term expired.

R. L. Green, Palo Alto, a member of the Board of Trustees of the State Normal School at San Jose, vice Hiram D. Tuttle, term expired.

W. F. Blake, of Gilroy, a member of the Board of Trustees of the State Normal School at San Jose, vice George H. Mastick, term expired.

Respectfully submitted,

HIRAM W. JOHNSON, Governor.

Have had the same under consideration and respectfully report the same back and recommend that the Senate advise and consent to the appointments therein mentioned.

THOMPSON, Chairman.

MOTION CONFIRMING APPOINTMENTS OF GOVERNOR.

Senator Thompson moved that the Senate advise and consent to the several appointments of the Governor.

The President put the question, "Will the Senate advise and consent to the appointment of Charles F. Crothers, of San Jose, a member of the Board of Trustees of the State Normal School at San Jose, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, King, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of Charles F. Crothers, of San Jose, a member of the Board of Trustees of the State Normal School at San Jose, vice self, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of R. L. Green, Palo Alto, a member of the Board of Trustees of the State Normal School at San Jose, vice Hiram D. Tuttle, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Hans, Irwin, Jones, King, Maddux, Mott, Owens, Rush, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of R. L. Green, Palo Alto, a member of the Board of Trustees of the State Normal School at San Jose, vice Hiram D. Tuttle, term expired.

The President put the question, "Will the Senate advise and consent to the appointment of W. F. Blake, of Gilroy, a member of the Board of Trustees of the State Normal School at San Jose, vice George H. Mastick, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, King, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Whereupon the President announced that the Senate had advised and consented to the appointment of W. F. Blake, of Gilroy, a member of the Board of Trustees of the State Normal School at San Jose, vice George H. Mastick, term expired.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate Bill No. 654—An Act to aemnd section four hundred seventy-five of the Political Code, providing for the appointment by the Attorney General of clerks, phonographic reporter, service agent and stenographers, and fixing their salaries—and report that the same has been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate Bill No. 72—An Act to add a new section to the Civil Code to be numbered two thousand nine hundred forty and one half relative to presumption payment of mortgages ten years after maturity of the obligations secured thereby—and report that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

RE-REFERENCE OF BILL.

On motion of Senator Thompson, Senate Bill No. 654 was re-referred to Committee on Finance.

REQUEST FOR INTRODUCTION OF BILLS.

Senator Ballard requested permission to introduce two Senate bills, entitled:

An Act to amend section two of an Act entitled "An Act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878.

Also: An Act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an act entitled "An Act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby," approved April 21, 1909, and referred to as the "Street Department Act of 1909."

Requests referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate the following report of standing committee was received and read, out of the regular order:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Senate Bill No. 826—An Act to amend section 628*f* of the Penal Code of the State of California, relating to the protection of shellfish;

Also: Senate Bill No. 825—An Act to amend section 626*c* of the Penal Code of the State of California, relating to the protection of game;

Have had the same under consideration, and respectfully report the same back with amendments and recommend that they do pass as amended.

FLINT, Chairman.

Senate Bills Nos. 826 and 825 ordered on file for second reading.

SECOND READING OF BILLS—(OUT OF ORDER.)

Senator Thompson asked for and was granted unanimous consent for the second reading at this time, under suspension of rules, of the bills previously reported from the Committee on Fish and Game on this legislative day.

Senate Bill No. 826—An Act to amend section 628*f* of the Penal Code of the State of California, relating to the protection of shellfish.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 12, page 1, after the word "laws" add the following: "Any person failing to comply with the provisions of this section is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 825—An Act to amend section 626*c* of the Penal Code of the State of California, relating to the protection of game.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 16, page 2 of printed bill, strike out dotted line following word "crab" and preceding word "taken".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 342—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 342 ordered on file for second reading.

Also:

SACRAMENTO, March 11, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 202—An Act to authorize county boards of supervisors to employ visiting nurses—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 202 ordered on file for second reading.

SECOND READING OF BILLS—(OUT OF ORDER.)

Senator Thompson asked for and was granted unanimous consent for the second reading at this time, under suspension of rules, of the bill previously reported from the Committee on Public Health and Quarantine on this legislative day.

Senate Bill No. 342—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, strike out all of section 7.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 20, after the period following the letters "Sec." strike out the number "82" and insert in lieu thereof "7".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 25, after the period following the letters "Sec." strike out the number "9" and insert in lieu thereof "8".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 36, after the period following the letters "Sec." strike out the number "10" and insert in lieu thereof "9".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 9, after the period following the letters "Sec." strike out the number "11" and insert in lieu thereof "10".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 16, after the period following the letters "Sec." strike out the number "12" and insert in lieu thereof "11".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 18, after the period following the letters "Sec." strike out the number "13", and insert in lieu thereof "12".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 23, after the period following the letters "Sec." strike out the number "14" and insert in lieu thereof "13".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 28, after the period following the letters "Sec." strike out the number "15" and insert in lieu thereof "14".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 33, after the period following the letters "Sec." strike out the number "16" and insert in lieu thereof "15".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 5, line 3, after the period following the letters "Sec." strike out the number "17" and insert in lieu thereof "16".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 5, line 8, after the period following the letters "Sec." strike out the number "18" and insert in lieu thereof "17".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 5, line 12, after the period following the letters "Sec." strike out the number "19" and insert in lieu thereof "18".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 5, line 18, after the period following the letters "Sec." strike out the number "20" and insert in lieu thereof "19".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 5, line 31, after the period following the letters "Sec." strike out the number "21" and insert in lieu thereof "20".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 5, line 37, after the period following the letters "Sec." strike out the number "22" and insert in lieu thereof "21".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 202—An Act to authorize county boards of supervisors to employ visiting nurses.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, section 1, line 2, after the word "employ" insert the words "one or more registered".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 3, strike out the word "a" before the word "graduate". Strike out the word "trained" after the word "graduate," add "s" to the word "nurse" and insert after the word "nurse" the words "duly trained in public health nursing" then continue "whose duties shall be as follows:"

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, after the word "expert" insert the words "or experts".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 7, after the word "her" insert the words "or their".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 11, after the word "nurse" insert the words "or nurses".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 13, after the word "her" insert the words "or them".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 14, after the word "nurse" insert the words "or nurses".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 1, line 17, after the word "her" insert the words "or them".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REQUEST FOR INTRODUCTION OF BILL.

Senator Anderson requested permission to introduce a Senate bill, entitled:

An Act to amend sections twenty-eight and thirty-five of an Act entitled, "An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such district," approved March 20, 1903.

Request referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate the following report of standing committee was received and read, out of the regular order:

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to whom was referred Senate Bill No. 457—An act to provide for the organization of the railroad commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "railroad commission fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing all acts and parts of acts inconsistent with the provisions of this act—have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

CARR, Chairman.

Senate Bill No. 457 ordered on file for second reading.

Also:

SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to whom was referred Senate Bill No. 600—An act to provide for submitting to the qualified electors of every city and county, or incorporated city or town, in this state, the question whether such city and county, or incorporated city or town, shall retain powers of control vested therein respecting all or any public utilities, and to provide for elections thereafter to surrender such powers of control in case the qualified electors of any such city and county, or incorporated city or town, shall have voted to retain such powers of control—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

CARR, Chairman.

Senate Bill No. 600 ordered on file for second reading.

Also:

SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to whom was referred Senate Bill No. 856—An act to appropriate money for the use of the railroad commission of the State of California in the control of public utilities within incorporated municipalities—have had the same under consideration, and respectfully report the same back and recommend that it do pass and be re-referred to the Finance Committee.

CARR, Chairman.

Senate Bill No. 856 ordered re-referred to Committee on Finance.

SECOND READING OF BILLS—(OUT OF ORDER.)

Senator Carr asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of Senate Bill No. 457, previously reported from committee on this legislative day.

Senate Bill No. 457—An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission Fund" and appropriating the moneys therein to carry out the provisions of this Act, and repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, strike out the entire paragraph from lines 18 to 31, inclusive, and insert in lieu thereof the following:

"(*l*) The term "common carrier," when used in this Act, includes every railroad corporation; street railroad corporation; express corporation, dispatch, sleeping car, dining car, drawing room car, freight, freight line, refrigerator, oil, stock, fruit, car loaning, car renting, car loading and every other car corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, operating for compensation within this State; and every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any vessel engaged in the transportation of persons or property for compensation upon the high seas between points within this State; and every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any vessel regularly engaged in the transportation of persons or property for compensation upon the waters of this State over regular routes between points within this State."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 15, lines 9, 10, and 11, strike out the following words: "nor to prohibit the issue of reduced rate transportation by a common carrier to children attending an institution of learning:"

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 17, line 20, after the words "or of his family:" insert "nor to prohibit the issue of reduced rate transportation by a common carrier to children attending an institution of learning:"

Amendment adopted.

AMENDMENT NUMBER FOUR.

Strike out lines 32, 33, 34, 35, 36 and 37 on page 35; also strike out all of pages 36, 37, 38, 39, 40, 41, 42 and 43; also strike out lines 1 to 22 inclusive on page 44, and insert in lieu thereof the following:

Any county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or any other public corporation may, at any time, file with the commission a petition setting forth the intention of said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, to acquire under eminent domain proceedings, or otherwise, any existing public utility, and the lands, property and rights of any character, whatsoever, connected with such existing public utility, or any part or portion thereof. Said petition shall give a full and complete description of said public utility, lands, property and rights, or the parts or portions thereof, it is so intended to acquire, and may pray that the commission fix and determine the just compensation which shall be paid by such county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, under the law, for said public utility and said lands, property and rights thereof, or the parts or portions thereof sought to be acquired. Or the legislative or other governing body of any such county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, may file with the commission a petition setting forth its intention to initiate such proceedings as may be required under the law governing such county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, for the purpose of submitting to the voters of said county, city and county, incorporated city or town municipal water district, county water district, irrigation district, public utility district, or other public corporation, a proposition to acquire under eminent domain proceedings, or otherwise, any existing public utility and the lands, property and rights of any character whatsoever connected with such existing public utility, or any parts or portions thereof. Such petition shall give a full and complete description of the said public utility, lands, property, rights, or the parts or portions thereof concerning which it is so intended to initiate said proceedings as above described. Upon either of such petitions being filed, the commission shall proceed to fix and determine the just compensation that should be paid to the owner of such public utility and the lands, property and rights thereof, or any such parts or portions thereof, in the manner and in accordance with the provisions of section 70 of this Act. In the case of the petition first above described, within sixty days after the commission shall have certified, in accordance with section 70, its findings as to the just compensation that should be so paid for such existing public utility and the lands, property and rights thereof, or any such parts or portions thereof, the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, must commence an action in a court of competent jurisdiction and in a manner in accordance with the provisions of law, to take under eminent domain proceedings said existing public utility and the lands, property and rights thereof, or any such parts or portions thereof, the value of which has been so fixed and determined as herein provided, unless the owner of such existing public utility, and the lands, property and rights thereof, or any such parts or portions thereof, shall file a written stipulation consenting and agreeing to accept the compensation so fixed by the commission to be paid by the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, for the taking of said existing public utility and the lands, property and rights thereof, or any such parts or portions thereof. Said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, shall not be required to delay for more than twenty days after the said commission shall have so certified its findings in accordance with said section 70, before commencing such proceedings in eminent domain. In the case of a petition of said legislative or other governing body of any county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, filed as above described, setting forth its intention to so initiate such proceedings for the purpose of so submitting a proposition to the voters of any such county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, then within sixty days after the commission shall have certified, in accordance with section 70, its findings as to the just compensation that should be so paid for such existing public utility and the lands, property and rights thereof, or any such part or portion thereof, the said legislative or other governing body must so initiate such proceedings, unless there be obtained a writ of review from the supreme court of the State of California, in accordance with the provisions of section 70 hereof, and if said writ of review be so obtained the time for the initiation of such proceedings shall be extended to not more than sixty days beyond the final decision of the supreme court upon such writ of review. If the people of any such county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, shall thereafter, as required by the law governing such county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, vote in favor of any proposition to acquire under eminent domain proceedings, or otherwise, said public utility, or the lands, property and rights thereof, or any such parts or portions thereof, then the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, shall, within sixty days after the people have so declared in favor of such acquisition, commence an action in a court of competent jurisdiction, and in a manner in accordance with the provisions of law, to take under eminent domain proceedings said existing utility and the lands, property and rights thereof, or any such parts or portions thereof, the value of which has been so fixed and determined as herein provided, unless the owner of such existing public utility and the lands, property and rights thereof, or any such parts or portions thereof, shall file a written stipulation consenting and agreeing to accept the compensation so fixed by the commission to be paid by the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, for the taking of said existing public utility and the lands, property and rights thereof, or any such parts or portions thereof. Said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, shall not be required to delay for more than twenty days after the said commission shall have so certified its findings in accordance with said section 70 before commencing such proceedings in eminent domain; *provided, however*, that in any case where the law governing any such county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, permits such county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporaton, to commence and prosecute such proceedings in eminent domain prior to any such vote being had by the people, then the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation disrict, public utility district, or other public corporation, whose legislative or other governing body has so filed such a petition with the commission, as above described, may, within sixty days after the commission shall have certified, in accordance with section 70, its findings as to the just compensation that should be so paid for such existing public utility, and the lands, property and rights thereof, or any such part or portion thereof, commence an action in a court of competent jurisdiction and in a manner and in accordance with the provisions of law, to take under eminent domain proceedings said existing public utility, and the lands, property and rights thereof, or any such parts or portions thereof, the value of which has been so fixed and determined as herein provided, unless the owner of such existing public utility and the lands, property and rights thereof, or any such parts or portions thereof, shall file a written stipulation consenting and agreeing to accept the compensation so fixed by the commission to be paid by said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, for the taking of said existing public utility and the lands, property and rights thereof, or any such parts or portions thereof. Said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, shall not be required to delay for more than twenty days after the said commission shall have so certified its findings in accordance with said section 70, before commencing such proceedings in eminent domain.

Whenever the owner of such existing public utility and such lands, property and rights thereof, or any such parts or portions thereof, shall file such a stipulation, the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, must proceed with all due diligence to provide the necessary funds under the laws governing the providing of such funds, for paying to the owner of such existing public utility and such lands, property and rights thereof or any such parts or portions thereof, the amount fixed by the commission as the just compensation to be paid. Upon such compensation being paid to the owner of said existing public utility or the lands, property and rights thereof, or any such parts or portions thereof, the owner thereof shall make and execute to the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or other public corporation a deed of grant, bargain and sale conveying all of the right, title and interest such owner has in the existing public utility and lands, property and rights thereof, or any such parts or portions thereof whose value has been so fixed as herein provided. And in default of such deed the commission is hereby empowered to execute such deed, as the trustee of said public utility and lands, property and rights thereof, or any such parts or portions thereof. Should the owner of such existing public utility and the lands, property and rights thereof, or such parts or portions thereof, fail to file such a written stipulation as above, the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or other public corporation must commence the action herein provided for within the time herein provided for. In such action the compensation fixed by the commission to be paid for such existing public utility and the lands, property and rights thereof, or any such parts or portions thereof, shall be deemed final and conclusive between the parties; and the court in which the action is pending, if it shall first decide that such county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or other public corporation has the right and power under the law to take the said existing public utility and the lands, property and rights thereof, or such parts or portions thereof, whose value has been so fixed as herein provided for, shall enter a decree in favor of the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or other public corporation, as provided by law, fixing the amount that shall be paid as the just compensation for the taking of such existing public utility and the lands, property and rights thereof, or any parts or portions thereof, as the amount fixed and determined by the commission. The judgment shall include a provision, in substance, that said judgment is subject to modification on account of any unreasonable depreciation or deterioration in value of the property taken, or on account of any loss which might be suffered by the owner of said public utility through his being required to properly take care of said property, as is hereinafter more fully provided for. If between the date of the filing of any such petition and the payment of the compensation to the owner of the public utility, the owner of the public utility shall permit the property taken to unreasonably depreciate or deteriorate in value, the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation may file with the commission a petition setting forth that fact, and praying that the commission determine and fix the amount of said unreasonable depreciation or deterioration. The commission shall thereupon order a copy of said petition to be served upon the owner of said public utility with an order to within ten days appear before said commission and show cause why there should not be deducted from the amount of compensation to be paid an amount sufficient to cover said depreciation or deterioration. The commission shall on the day so fixed, unless for good cause the hearing is continued, proceed to ascertain whether there has been any such depreciation or deterioration, and if so, what amount should be deducted therefor from the compensation to be paid. Hearings shall be had in the same manner as provided in section 70 of this Act. The commission shall thereupon certify to the court any amount which may be determined upon that should be so deducted from the compensation, and the court shall thereupon modify its judgment in order to conform with said ascertainment by said commission. If between the time when the judgment in condemnation has become final and the time of the payment of the compensation the owner of the public utility shall, in order to preserve the property, be required to suffer a loss, the said owner may file a petition with the commission setting forth this fact, and praying that the commission determine and fix the amount of the loss which the owner has so suffered. The commission shall thereupon order a copy of said petition to be served upon the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district, or other public corporation, with an order to within ten days appear before said commission to show cause why there should not be paid, in addition to the amount of the judgment, an amount sufficient to compensate for the said loss. The commission shall on the day so fixed, unless for good cause the hearing is continued, proceed to ascertain whether there has been any such loss, and if so, how much. The hearing shall be conducted as provided in section 70 of this Act. The commission shall thereupon certify to the court any amount of loss so determined upon, and the court shall thereupon modify its judgment in order to conform with said ascertainment by the commission. Said amount of loss which may be so required to be paid to the owner of said utility shall not be considered as compensation for the property taken, but shall be considered as damages awarded for the loss so sustained by the owner of the utility. And the filing of any such petition by the owner of the utility shall not act as a stay of the decree in condemnation, but upon the payment of the amount fixed in the original decree in condemnation, the plaintiff shall be entitled to immediate possession of the property taken. The findings of the commission fixing the just compensation to be paid or the amount that should thus be deducted from the judgment on account of such unreasonable depreciation or deterioration, or that should thus be added to the judgment on account of said loss suffered, shall be subject to review by the supreme court of this state in the same manner and within the same time as other orders and decisions of the commission. Said writ of review may be issued at the instance of either the owner of the public utility or of the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or other public corporation.

Should a writ of review be obtained from the supreme court of the State of California in accordance with the provisions of section 70 hereof, the time for the filing of such suit in eminent domain by the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, puble utility district or other public corporation shall be extended to not more than sixty days beyond the final decision of the supreme court upon such writ of review; or, should said writ of review be obtained prior to the vote by the people of said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or other public corporation upon any such proposition, then said sixty days period to be extended to not longer than sixty days after such vote is had. If the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or other public corporation or the legislative or other governing body thereof shall fail to file such suit or proceed diligently to enforce the rights herein conferred and in the manner herein set forth, then upon written petition from the owner of such existing public utility setting forth said fact, the commission shall cause a notice of not less than ten days to be given to said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or other public corporation to appear before said commission and show cause why an order should not be made by said commission, finding that the said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or other public corporation has failed to diligently pursue its rights hereby conferred, and determining that the findings of the said commission theretofore made as to the just compensation that should be paid for the existing public utility and the lands, property and rights thereof, or any such part or portion thereof, shall no longer be of any force or effect. And said notice shall include a copy of said written petition so filed by said owner of such existing public utility. If the commission shall determine that said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or other public corporation, or the legislative or other governing body thereof has so failed to either file such suit or to proceed diligently to enforce the rights herein conferred and in the manner herein set forth, the commission shall make and enter such an order as so petitioned for by the owner of such existing public utility. Should the supreme court, upon a writ of review being obtained, decide that in any manner the commission has not lawfully pursued its power hereby conferred or conferred in this Act, the supreme court shall make its findings and refer the matter back to the commission for correction or further action. Upon such writ coming down to the commission, it shall proceed, as in the first instance to correct its findings in the manner specified in the writ of review. Any such county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or other public corporation must pay at such times in such amounts as may be directed by said railroad commission any extra costs which it might be necessary for said railroad commission to incur in order to comply with the requirements of this section. And the court, upon rendering any judgment in eminent domain, as herein provided for, may include therein the allowance of such costs as between the parties as is provided for in the law of eminent domain of this State. The rights herein conferred upon any county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or other public corporation, or upon the legislative, or other governing body thereof, to so file with the commission a petition for the ascertainment of the just compensation that should be so paid for any such existing public utility and lands, property and rights thereof, or any such part or portion thereof, shall not be considered as an exclusive mode of procedure, but shall be considered as an alternative and cumulative procedure which may be followed by such county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or other public corporation or the legislative or other governing body thereof in addition to any other method of procedure provided for in law for the taking by said county, city and county, incorporated city or town, municipal water district, county water district, irrigation district, public utility district or other public corporation, of any such public utility or lands, propery and rights thereof, or any such part or portion thereof, under eminent domain proceedings, in accordance with the law of this State; and this Act shall not be construed as repealing any law of this State providing for such eminent domain proceedings."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 47 at line 23 insert a comma after the word "conditions" and before the word "including".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 76 add to section 85 after line 21 and before section 86, the following: "The commission may, with the consent of the Board of Control, withdraw from the railroad commission fund a sum not to exceed two thousand dollars, the sum so drawn to be used as a revolving fund where cash advances are necessary. The commission must account for the sum withdrawn for said revolving fund at any time, upon demand of the Board of Control."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 76, line 23, strike out the roman numeral "V" after the word "part" and insert in lieu thereof the roman numeral "IV."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 17—Relating to trip to Panama-Pacific International Exposition on March 20th.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Resolution referred to Committee on Rules.

RECESS.

At twelve o'clock and ten minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m. Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

RECALL OF BILLS FROM COMMITTEE.

Senator Slater moved that Senate Bills Nos. 85, 86 and 87 be recalled from the Committee on Engrossment and Enrollment for the purpose of amendment.

Motion carried.

AMENDMENTS BY AUTHOR.

Senator Slater moved to amend Senate Bill No. 85 as follows:

On page 2, section 1, line 15, strike out the period after the word "state" and insert a semicolon, and the words "*provided*, that vocational classes may be conducted on Saturdays."

Amendment adopted.

Bill ordered to print, engrossment, and third reading.

Senator Slater moved to amend Senate Bill No. 87 as follows:

On page 2, section 1, line 13, strike out the period after the word "state" and insert a semicolon, and the words "*provided*, that vocational classes may be conducted on Saturdays."

Amendment adopted.

Bill ordered to print, engrossment, and third reading.

Senator Slater moved to amend Senate Bill No. 86 as follows:

On page 2, section 1, line 13, strike out the period after the word "state" and insert a semicolon, and the words "provided, that vocational classes may be conducted on Saturdays".

Amendment adopted.

Bill ordered to print, engrossment, and third reading.

RECESS.

At two o'clock and twenty minutes p.m., on motion of Senator Strobridge, the President pro tem., declared the Senate at recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes, Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Strobridge the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 212—An Act to amend section 1581 of the Political Code of the State of California, relating to the opening of school in new school districts;

Also: Assembly Bill No. 1213—An Act to amend section seventeen hundred twenty-nine of the Political Code of the State of California, relating to the manner in which high school districts may unite;

Also: Assembly Bill No. 1395—An Act to add a new section to the Political Code of the State of California, to be numbered one thousand five hundred and nineteen *a* (1519*a*), relating to the furnishing of free textbooks to state institutions.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 212, 1213 and 1395 read first time, and referred to Committee on Education.

ADJOURNMENT.

At two o'clock and forty-five minutes a.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned until Monday, March 15, 1915, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Monday, March 15, 1915.

Pursuant to adjournment, the Senate met at eleven o'clock a. m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Struckenbruck, Thompson, Tyrrell, and Wolfe—38.

Quorum present.

PRAYER.

By invitation of the President, prayer was offered by Rev. Thomas Lantry O'Neill.

LEAVES OF ABSENCE.

Senator Flaherty was, on motion of Senator Finn, granted leave of absence for this day.

Senator Purkitt was, on motion of Senator Stuckenbruck, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 12, 1915, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE ASSEMBLY.

The following messages, from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 44 An Act to amend section four hundred twenty-seven of the Code of Civil Procedure;

Also: Assembly Bill No. 310—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, by amending sections 3, 19, 21 and 26 of said Act;

Also: Assembly Bill No. 839 An Act to amend section forty-two hundred eighty-four of the Political Code relating to salaries and fees of officers of counties of the fifty-fifth class.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

Assembly Bill No. 44 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 310 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 839 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 342, as a case of urgency—An Act to legalize bonds issued and to be issued and sold by Imperial Irrigation District;

Also: Assembly Bill No. 1487, as a case of urgency—An Act to make an appropriation to pay the mileage of Assemblymen for the forty-first session of the Legislature of the State of California during the sixty-sixth fiscal year.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 342 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1487 read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 15, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article six thereof a new section to be numbered ten and one half, relative to the length of time a person appointed to fill a vacancy in the office of Justice of the Supreme Court, Justice of the District Court of Appeal or Judge of a Superior Court, shall hold office—and report that the same has been correctly engrossed.

LUCE, Vice-Chairman.

Also:

SACRAMENTO, March 15, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 196—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty—and report that the same has been correctly re-engrossed.

LUCE, Vice-Chairman.

Also:

SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examimed Senate Bill No. 650—An Act to amend section five hundred ninety-four of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies;

Also: Senate Bill No. 475—An Act to amend section five hundred ninety-nine of the Civil Code of the State of California, relating to what may be provided for in the by-laws, ordinances, constitutions or articles of incorporation of corporations now organized or that may hereafter be organized for purposes other than profit;

Also: Senate Bill No. 211—An Act to amend section four thousand two hundred fifty-four of the Political Code, relating to compensation of officers in counties of the twenty-fifth class;

Also: Senate Bill No. 261—An Act to amend section four thousand two hundred eighty-three of the Political Code relating to compensation of officers in counties of the fifty-fourth class;

Also: Senate Bill No. 408—An Act to amend section forty-two hundred sixty-nine of the Political Code, relating to compensation of officers in counties of the fortieth class;

Also: Senate Bill No. 995—An Act to amend section eight hundred forty-three of the Political Code, relating to a county officer acting as a deputy of another county officer of the same county;

Also: Senate Bill No. 337—An Act to amend section four thousand two hundred and eighty-two of the Political Code of the State of California, relating to the compensation of officers in counties of the fifty-third class;

Also: Senate Bill No. 446—An Act to add a new section to the Political Code of the State of California, to be numbered four thousand one hundred ninety *a*, relating to the Law Library Fund and repealing section four thousand two hundred twenty-one *a*;

Also: Senate Bill No. 540—An Act to amend section two thousand six hundred forty-three of the Political Code, relating to the powers of boards of supervisors relating to roads;

Also: Senate Bill No. 45—An Act declaring the wagon road extending from the western end of the Lake Tahoe state wagon road to the eastern limits of the city of Placerville to be a state highway;

Also: Senate Bill No. 703—An Act to repeal section two hundred fifty-eight of the Penal Code, relating to the publication of caricatures and cartoons;

Also: Senate Bill No. 704—An Act to repeal section two hundred fifty-nine of the Penal Code, requiring certain newspaper articles to be signed;

Also: Senate Bill No. 302—An Act to amend section three thousand and eighty-eight of the Civil Code of the State of California, relating to negotiable instruments;

Also: Senate Bill No. 1134—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," by making said Act also applicable to real property whose records have been destroyed among the records of another county of which it was formerly a part;

Also: Senate Bill No. 716—An Act to amend section eight hundred sixty-eight of the Code of Civil Procedure of California, relating to writs of attachment;

Also: Senate Bill No. 1030—An Act to add a new section to the Code of Civil Procedure, to be numbered section one thousand twenty-one *a*, relating to costs in civil actions and proceedings;

Also: Senate Bill No. 312—An Act to amend sections five hundred forty-four and five hundred forty-five of the Code of Civil Procedure of the State of California, relating to garnishment;

And report that the same have been correctly engrossed.

LUCE, Vice-Chairman.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 30—An Act creating a State Recreation Commission, providing for the employment by said Commission of a secretary and other employees and authorizing said Commission to fix their compensation, prescribing the powers and duties of said Commission, and making an appropriation for the purpose of carrying out the provisions hereof—have had the same under consideration, and respectfully report the same back and recommend that it do pass and be re-referred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 30 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 12, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 99—An Act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest or such bonds;

Also: Senate Bill No. 100—An Act confirming and validating the organization of school districts;

Also: Senate Bill No. 101—An Act to amend section one thousand eight hundred eighty-five of the Political Code of the State of California, relating to the form of bonds of school districts;

Also: Senate Bill No. 234—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872;

Also: Senate Bill No. 392—An Act to amend section sixteen hundred sixty-seven of the Political Code of the State of California;

Also: Senate Bill No. 422—An Act to amend section one thousand five hundred forty-four of the Political Code of the State of California, relating to the annual report of the superintendent of schools;

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

ANDERSON, Chairman.

Senate Bills Nos. 99, 100, 101, 234, 392, and 422 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 15, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 333—An Act to prevent the propagation, by the production of seed, of those certain plants known as *Sorghum halepense*, *Cnicus arvensis*, *Salsola kali*, *Onopordon acanthium*, *Cnicus lanceolatus* and *Convolvulus arvensis*; and repealing all Acts or parts of Acts inconsistent herewith—have had the same under consideration, and respectfully recommend that it do pass as amended.

KING, Chairman.

Senate Bill No 333 ordered on file for second reading.

Also:

SACRAMENTO, March 15, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 436—An Act empowering county boards of supervisors to appropriate and use county funds for the support and maintenance of extension work in agriculture in cooperation with the United States department of agriculture and the University of California—have had the same under consideration, and respectfully recommend that it do pass.

KING, Chairman.

Senate Bill No. 436 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 15, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1043—An Act to amend section one thousand six of the Civil Code referring to occupancy of real property;

Also: Senate Bill No. 881—An Act to add to the Code of Civil Procedure a new section to be known and numbered section one hundred three *b*, relating to justices' court clerk and fixing the powers and duties;

Have had the same under consideration, and respectfully recommend that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 1043, and 881 ordered on file for second reading.

Also:

SACRAMENTO, March 15, 1915.

MR. PRESIDENT: Your Committee on Judiciary to whom was referred Senate Bill No. 1048—An Act to amend section 21 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, have had the same under consideration, and respectfully recommend that it be re-referred to the Committee on Public Health and Quarantine.

KEHOE, Chairman.

Senate Bill No. 1048, ordered re-referred to Committee on Public Health and Quarantine.

Also:

SACRAMENTO, March 15, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 626—An Act to amend section five hundred eighty-five of the Code of Civil Procedure of the State of California, referring to judgment upon failure to answer;

Also: Senate Bill No. 1031—An Act to amend section 5 of an Act entitled "An Act to regulate the practice of architecture," approved March 23, 1901;

Also: Senate Bill No. 431—An Act to amend section three hundred sixty-eight of the Political Code and to repeal section three hundred sixty-nine thereof, relating to executive officers, their appointment and terms;

Also: Senate Bill No. 640—An Act to amend section four hundred eight of the Political Code, relating to the duties of the Secretary of State;

Also: Senate Bill No. 653—An Act to amend section one thousand two hundred forty of the Code of Civil Procedure of the State of California relating to the private property which may be taken under Title VII of Part III of the Code of Civil Procedure;

Also: Senate Bill No. 641—An Act to amend section five hundred twenty-six of the Political Code, relating to the general duties of the Superintendent of State Printing;

Have had the same under consideration, and respectfully recommend that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 626, 1031, 431, 640, 653, and 641 ordered on file for second reading.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 15, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Anderson to introduce a bill entitled—An Act to amend sections 28 and 35 of an Act entitled "An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such district," approved March 20, 1902;

Also: The request of Senator Ballard to introduce a bill entitled "An Act to amend section 2 of an Act entitled "An Act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878;

Also: The request of Senator Ballard to introduce a bill entitled "An Act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an Act entitled "An Act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby," approved April 21, 1909, and referred to as the "Street Improvement Act of 1909";

Have had the same under consideration and respectfully report the same back and recommend that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section two of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced:

By Senator Anderson: Senate Bill No. 1206—An Act to amend sections twenty-eight and thirty-five of an Act entitled, "An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such district," approved March 20, 1903.

Bill read first time, and referred to Committee on Judiciary.

By Senator Ballard: Senate Bill No. 1207—An Act to amend section two of an Act entitled "An Act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878.

Bill read first time, and referred to Committee on Public Health and Quarantine.

Also: Senate Bill No. 1208—An Act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an Act entitled "An Act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby," approved April 21, 1909, and referred to as the "Street Department Act of 1909."

Bill read first time, and referred to Committee on Municipal Corporations.

APPROVAL OF JOURNALS.

On motion of Senator Thompson the Journals of Monday, March 8, Tuesday, March 9, Wednesday, March 10, Thursday, March 11, and Friday, March 12, were approved as corrected.

APPOINTMENTS BY THE PRESIDENT.

SENATE CHAMBER, SACRAMENTO, March 15, 1915.

To the Senate of the State of California:

In accordance with the resolution adopted by your honorable body on the 30th day of January empowering the President to appoint a committee of at least one member from each congressional district as a Legislative Reception Committee to receive the River and Harbors Committee of the Congress of the United States, I have appointed the following Senators:

First District	Kehoe
Second District	Birdsall
Third District	Owens
Fourth District	Scott
Fifth District	Crowley
Sixth District	Tyrrell
Seventh District	Chandler
Eighth District	Benson
Ninth District	Carr
Tenth District	Benedict
Eleventh District	Anderson
At large	Cogswell, Brown, Stuckenbruck, Duncan, Purkitt, Irwin

JOHN M. ESHLEMAN, President of the Senate.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth as provided by law, the compensation set opposite their names to be payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Miss Robina Alexander, Assistant History Clerk	$5 00 per day
Samuel Wacholder, Press Mailing Clerk	4 00 per day
Frank Heaney, Committee Clerk	4 00 per day

Senator Breed moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

MINUTE CLERK BROOKS AT THE DESK.

CONSIDERATION OF DAILY FILE—THIRD-READING.

Senate Bill No. 13—An Act to amend the Code of Civil Procedure of California by adding thereto a new section to be numbered and known as section one thousand eight hundred seventy-one, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 13 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Slater, Strobridge, and Thompson—24.

NOES—Senators Ballard, Beban, Breed, Campbell, Cohn, Finn, Gerdes, Hans, Shearer, Stuckenbruck, Tyrrell, and Wolfe—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 72—An Act to add a new section to the Civil Code to be numbered two thousand nine hundred forty and one-half, relative to presumption payment of mortgages ten years after maturity of the obligations secured thereby.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 72 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrel, and Wolfe—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 273—An Act to amend section one thousand two hundred seven of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, nineteen hundred and fifteen.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Benson as a Special Committee of One, to amend as follows:

By striking out of line 13, page 1 of the printed bill the words "that date" and inserting in lieu thereof the words, "the taking effect of this Act."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 14, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 273, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Committee.

Report adopted on motion of Senator Jones.

Bill ordered to print and reengrossment.

Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21 and 26 of said Act.

On motion of Senator Strowbridge, Senate Bill No. 105 was passed on file.

Senate Bill No. 196—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

Read first time.

On motion of Senator Ballard, Senate Bill No. 196 was passed on file.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to article six thereof a new section to be numbered ten and one-half, relative to the length of time a person appointed to fill a vacancy in the office of Justice of the Supreme Court, Justice of the District Court of Appeal or Judge of a Superior Court shall hold office.

Senator Benedict asked for and was granted unanimous consent to have Senate Constitutional Amendment No. 11 passed, to retain its place on the file.

Senate Bill No. 458—An Act amending section five hundred ninety-eight of the Civil Code, relating to mortgages, sales and conveyances of real property, by religious, social and benevolent corporations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 458 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At twelve o'clock and twenty-eight minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

LIEUTENANT GOVERNOR JOHN M. ESHLEMAN, PRESIDENT OF THE SENATE, IN THE CHAIR.

MINUTE CLERK BROOKS AT THE DESK.

CONSIDERATION OF DAILY FILE—(RESUMED).

Senate Bill No. 905—An Act to authorize the Surveyor General of the State of California to relinquish certain lieu lands to the United States.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 905 passed by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Gerdes, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 454—An Act to amend sections forty-two hundred sixty-three and forty-two hundred sixty-three *a* of the Political Code relating to the salaries of officers and fees of jurors in counties of the thirty-fourth class.

On motion of Senator Birdsall, Senate Bill No. 454 was passed on file.

Senate Bill No. 475—An Act to amend section five hundred ninety-nine of the Civil Code of the State of California, relating to what may be provided for in the by-laws, ordinances, constitutions or articles of incorporation of corporations now organized or that may hereafter be organized for purposes other than profit.

On motion of Senator Breed, Senate Bill No. 475 was passed on file.

Senate Bill No. 650—An Act to amend section five hundred ninety-four of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

On motion of Senator Thompson, Senate Bill No. 650 was passed on file.

Senate Bill No. 211—An Act to amend section four thousand two hundred fifty-four of the Political Code, relating to compensation of officers in counties of the twenty-fifth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 211 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Gerdes, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

At two o'clock and eight minutes p.m.,

HON. NEWTON W. THOMPSON, PRESIDENT PRO TEM. OF THE SENATE, IN THE CHAIR.

LEAVE OF ABSENCE.

Senator Rush was, on motion of Senator Slater, granted leave of absence for the rest of the day.

Senate Bill No. 261—An Act to amend section four thousand two hundred eighty-three of the Political Code, relating to compensation of officers in counties of the fifty-fourth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 261 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 408—An Act to amend section forty-hundred sixty-nine of the Political Code, relating to compensation of officers in counties of the fortieth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 408 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 995—An Act to amend section eight hundred forty three of the Political Code, relating to a county officer acting as a deputy of another county officer of the same county.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 995 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 337—An Act to amend section four thousand two hundred and eighty-two of the Political Code of the State of California, relating to the compensation of officers in counties of the fifty-third class.

On motion of Senator Birdsall, Senate Bill No. 337 was passed on file.

Senate Bill No. 446—An Act to add a new section to the Political Code of the State of California to be numbered four thousand one hundred ninety *a*, relating to the law library fund and repealing section four thousand two hundred twenty-one *a*.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 446 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 45—An Act declaring the wagon road extending from the western end of the Lake Tahoe state wagon road to the eastern limits of the city of Placerville to be a state highway.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 45 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 540—An Act to amend section two thousand six hundred forty-three of the Political Code relating to the powers of boards of supervisors relating to roads.

On motion of Senator Cogswell, Senate Bill No. 540 was passed on file.

Senate Bill No. 703—An Act to repeal section two hundred fifty-eight of the Penal Code, relating to the publication of caricatures and cartoons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 703 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Finn, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 704—An Act to repeal section two hundred fifty-nine of the Penal Code, requiring certain newspaper articles to be signed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 704 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—Senator Irwin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 302—An Act to amend section three thousand eighty-eight of the Civil Code of the State of California relating to negotiable instruments.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 302 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1134—An Act to amend an Act entitled "An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," by making said Act also applicable to real property whose records have been destroyed among the records of another county of which it was formerly a part.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1134 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 716—An Act to amend section eight hundred sixty-eight of the Code of Civil Procedure of California, relating to writs of attachment.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 716 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR STROBRIDGE IN THE CHAIR.

At two o'clock and thirty minutes p.m., Senator Strobridge of the thirteenth district, in the chair.

Senate Bill No. 1030—An Act to add a new section to the Code of Civil Procedure, to be numbered section one thousand twenty-one *a*, relating to costs in civil actions and proceedings.

On motion of Senator Carr, Senate Bill No. 1030 was passed on file.

Senate Bill No. 312—An Act to amend sections five hundred forty-four, and five hundred forty-five of the Code of Civil Procedure of the State of California, relating to garnishment.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 312 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—35.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER RESET.

On motion of Senator Duncan, the motion to reconsider the vote whereby Senate Bill No. 481 was refused passage, was reset as a special order for consideration on Tuesday, March 16, 1915, in the regular order of business.

REQUEST FOR INTRODUCTION OF BILLS.

Senator Lyon requested permission to introduce a Senate Bill entitled: "An Act to amend section one hundred three of the Code of Civil Procedure relating to justices' courts."

Request referred to Committee on Introduction of Bills

Senator Crowley requested permission to introduce a Senate Bill entitled: "An Act authorizing the board of supervisors of the city and county of San Francisco to reconvey to the State of California certain lands and streets for the purpose of docks, wharves, slips, piers, and increasing the harbor facilities on the water front of the city and county of San Francisco."

Request referred to Committee on Introduction of Bills.

ASSISTANT SECRETARY KAVANAGH AT THE DESK.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Thompson asked for and was granted unanimous consent for the second reading at this time under suspension of the rules of the bills previously reported from the committees on this legislative day.

Senate Bill No. 600—An Act to provide for submitting to the qualified electors of every city and county, or incorporated city or town, in this State, the question whether such city and county, or incorporated city or town, shall retain powers of control vested therein respecting all or any public utilities, and to provide for elections thereafter to surrender such powers of control in case the qualified electors of any such city and county, or incorporated city or town, shall have voted to retain such powers of control.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 99—An Act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, ordered engrossed, and on file for third reading.

At two o'clock and forty minutes p.m.,

HON. NEWTON W. THOMPSON, PRESIDENT PRO TEM. OF THE SENATE, IN THE CHAIR.

Senate Bill No. 100—An Act confirming and validating the organization of school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 101—An Act to amend section one thousand eight hundred eighty-five of the Political Code of the State of California, relating to the form of bonds of school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 234—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 392—An Act to amend section sixteen hundred sixty-seven of the Political Code of the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 422—An Act to amend section one thousand five hundred forty-four of the Political Code of the State of California relating to the annual report of the superintendent of schools.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 333—An Act to prevent the propagation, by the production of seed, of those certain plants known as *Sorghum halepense*, *Cnicus arvensis*, *Salsoli kali*, *Onopordon acanthium*, *Cnicus lanceolatus* and *Convolvulus arvensis*; and repealing all Acts or parts of Acts inconsistent herewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, insert after the word "person" the following: ", company, association or corporation".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 11, insert after the word "person" the following: ", company, association or corporation".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 6, insert after the word "person" the following: ", company, association or corporation".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 16, insert after the comma following the word "person" the following: "company, association or corporation,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 9, insert after the comma following the word "bindweed" the following: "Paspalum digitalum, otherwise known as water grass or any variety of the same,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 4, after the comma following the word "bindweed" insert the following: "Paspalum digitalum, otherwise known as water grass or any variety of the same,".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 13, insert after the comma following the word "bindweed" the following: "Paspalum digitalum, otherwise known as water grass or any variety of the same."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 18, strike out the comma following the word "misdemeanor" and insert in lieu thereof a period and strike out all the rest of line 18 and all of line 19 and all of line 20.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 436—An Act empowering county boards of supervisors to appropriate and use county funds for the support and maintenance of extension work in agriculture in co-operation with the United States Department of Agriculture and the University of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1043—An Act to amend section one thousand six of the Civil Code, referring to occupancy of real property.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On line 9, page 1, strike out the word "or" and insert in lieu thereof the word "of".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 881—An Act to add to the Code of Civil Procedure a new section to be known and numbered section one hundred three *b*, relating to justices' court clerk and fixing the powers and duties.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4, page 1, after the word "township" insert the following: "in a county of the seventh class".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 6, page 1, strike out the words "as amended".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 6, page 1, strike out the comma after the word "where".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 8, page 1, strike out the comma after the word "board".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 9, page 1, after the word "and" insert the word "necessary".

Amendment adopted.

AMENDMENT NUMBER SIX.

In line 9, page 1, after the word "a" strike out the word "justices'" and insert in lieu thereof the word "justice's".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

In lines 15 and 16, page 1, after the word "office" strike out "as said justices may require." and insert in lieu thereof the following: "in the sum of one thousand dollars."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

In line 16, page 1, after the word "clerk" insert the following: "when so authorized".

Amendment adopted.

AMENDMENT NUMBER NINE.

In lines 36 and 37, page 2, strike out the dotted line and insert in lieu thereof the following: "twelve hundred".

Amendment adopted.

AMENDMENT NUMBER TEN.

In line 37, page 2, after the word "per" strike out the word "month" and insert in lieu thereof the word "year".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

In line 9, page 3, after the word "of" strike out the dollar sign and the dotted line and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

In line 10, page 3, after the word "of" strike out the dollar sign and the dotted line and insert in lieu thereof the word "twelve".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 431—An Act to amend section three hundred sixty-eight of the Political Code and to repeal section three hundred sixty-nine thereof, relating to executive officers, their appointment and terms.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 626—An Act to amend section five hundred eighty-five of the Code of Civil Procedure of the State of California, referring to judgment upon failure to answer.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1031—An Act to amend section 5 of an act entitled "An Act to regulate the practice of architecture," approved March 23, 1901.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 640—An Act to amend section four hundred eight of the Political Code, relating to the duties of the Secretary of State.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 653—An Act to amend section one thousand two hundred forty of the Code of Civil Procedure of the State of California relating to the private property which may be taken under title VII of part III of the Code of Civil Procedure.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 641—An Act to amend section five hundred twenty-six of the Political Code, relating to the general duties of the Superintendent of State Printing.

Bill read second time, ordered engrossed, and on file for third reading.

REQUEST FOR INTRODUCTION OF BILLS.

Senator Wolfe requested permission to introduce a Senate bill entitled: "An Act to amend sections one thousand six hundred seventeen and one thousand six hundred seventy-two of the Political Code, pertaining to the powers and duties of trustees of school districts and the teaching of sectarian, denominational or partisan doctrines or principles in the public schools."

Request referred to Committee on Introduction of Bills.

Senator Shearer requested permission to introduce a Senate bill entitled: "An Act to regulate the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties, and groups of counties, or cities and counties, to establish inspection service."

Request referred to Committee on Introduction of Bills.

ADJOURNMENT.

At two o'clock and fifty-five minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Tuesday, March 16, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by Secretary Edwin F. Smith and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gates, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

By invitation of the President, prayer was offered by Rev. Thomas Lantry O'Neill.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Mott, the privilege of the floor of the Senate chamber for this day was unanimously extended to Miss Margarett M. McGovern of San Francisco.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 15, 1915, the further reading was dispensed with, on motion of Senator Rush.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 675—An Act prohibiting the sale, gift or delivery of intoxicating liquor at public schoolhouses, and prescribing penalties for the violation of any provision hereof ;

Also: Assembly Bill No. 55—An Act to amend section seven hundred ninety-two of the Political Code relating to qualifications of and applications to become, notaries public ;

Also: Senate Bill No. 300—An Act amending section three of an Act entitled "An Act authorizing the construction of the unfinished portion of the library building of the University of California, and the construction of a building for general use as a recitation building, of a building for the use of the College of Agriculture, and of a building for the use of the College of Natural Sciences as a chemistry building, upon the grounds of said University of California at Berkeley ; providing for the issuance and sale of State bonds to meet the cost of the foregoing purposes ; and providing the necessary moneys for the payment of the principal and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 675 read first time, and referred to Committee on Public Morals.

Assembly Bill No. 55 read first time, and referred to Committee on Judiciary.

Senate Bill No. 300 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 16, 1915

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 490—An Act to amend section six hundred sixty-three *a* of the Code of Civil Procedure of the State of California relating to the setting aside of a judgment of the Superior Court and the rendition of a new judgment without a new trial:

Also: Senate Bill No. 491—An Act to amend section one thousand fifty-four of the Code of Civil Procedure relating to the extension of time in which an act is to be done;

Also: Senate Bill No. 440—An Act to amend section eight hundred ninety of the Code of Civil Procedure relating to judgment of dismissal entered without prejudice: Have had the same under consideration, and respectfully recommend that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 490, 491, and 440 ordered on file for second reading.

Also:

SACRAMENTO, March 16, 1915

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 507—An Act to amend section fourteen hundred ninety-one of the Code of Civil Procedure, relating to the time to be given by notice to creditors;

Also: Senate Bill No. 489—An Act to amend sections six hundred fifty-eight, six hundred fifty-nine and six hundred sixty, and to repeal sections six hundred sixty-one and six hundred sixty two of the Code of Civil Procedure of the State of California, all relating to new trials;

Also: Senate Bill No. 560—An Act to amend sections nine hundred fifty, nine hundred fifty-one and nine hundred fifty-three of the Code of Civil Procedure, and to repeal section nine hundred fifty-two of said Code, all relating to appeals:

Also: Senate Bill No. 561—An Act to amend section nine hundred fifty-six of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment:

Also: Senate Bill No. 559—An Act to amend section nine hundred thirty-nine of the Code of Civil Procedure of the State of California, relating to the time within which an appeal may be taken:

Also: Senate Bill No. 487—An Act to amend section nine hundred forty-one *b* of the Code of Civil Procedure of the State of California, relating to a new or alternative method by which appeals may be taken from judgments, orders or decrees of the Superior Court of the State of California to the Supreme Court or District Courts of Appeal thereof;

Also: Senate Bill No. 563—An Act to amend section nine hundred sixty-three of the Code of Civil Procedure of the State of California, relating to cases in which an appeal may be taken;

Also: Senate Bill No. 486—An Act to amend sections nine hundred fifty-three *a* and nine hundred fifty-three *b* of the Code of Civil Procedure of the State of California relating to a new and alternative method for the preparation of records to be used on appeal from judgments, orders or decree from the Superior Court to the Supreme Court or District Courts of Appeal;

Also: Senate Bill No. 488—An Act to amend section six hundred fifty of the Code of Civil Procedure of the State of California relating to exceptions;

Also: Senate Bill No. 562—An Act to amend section one hundred thirty-one of the Civil Code of the State of California, relating to actions for divorce;

Have had the same under consideration, and respectfully recommend that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 507, 489, 560, 561, 559, 487, 563, 486, 488 and 562 ordered on file for second reading.

Also:

SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred the resolution introduced by Senator Jones March 9, 1915—have had the same under consideration and recommend that it be amended to read as follows:

"*Resolved*, That all constitutional amendments heretofore introduced in the Senate and referred to a committee, other than the Judiciary Committee, be immediately reported back to the Senate with recommendation that they be re-referred to the Judiciary Committee, and that all constitutional amendments that may hereafter be introduced in the Senate, and such as may be sent to the Senate from the Assembly, be referred to the Judiciary Committee."

And that as so amended the same be adopted.

KEHOE, Chairman.

Report read, and on motion of Senator Kehoe, adopted.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate bills:

Senate Bill No. 124—An Act to amend section four hundred twenty-one of the Civil Code, relating to investments by insurance companies;

Also: Senate Bill No. 324—An Act to amend sections four hundred fifty-three *t* and four hundred fifty-three *y* of the Civil Code, relating to title insurance companies;

Also: Senate Bill No. 336—An Act to amend section four thousand two hundred and eighty of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class;

Also: Senate Bill No. 651—An Act to revise and amend chapter VIII of title II of part IV of division first of the Civil Code, relating to mortgage insurance;

Also: Senate Bill No. 750—An Act to amend section four thousand two hundred eighty-six of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof;

Also: Senate Bill No. 906—An Act providing for the sale of certain state lands;

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 15, 1915.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 335—An Act to amend section four thousand two hundred and sixty of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-first class—have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

BREED, Chairman.

Senate Bill No. 335 ordered on file for second reading.

Also:

SACRAMENTO, March 15, 1915.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 217—An Act to amend section one hundred sixty-two *a* of the Political Code, establishing the legal distance from the county seat of Imperial County to Sacramento;

Also: Assembly Bill No. 839—An Act to amend section forty-two hundred eighty-four of the Political Code relating to salaries and fees of officers of counties of the fifty-fifth class;

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BREED, Chairman.

Assembly Bills Nos. 217 and 839 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 310—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts"—respectfully report the same back and recommend that it be re-referred to Committee on Irrigation.

TYRRELL, Chairman.

Assembly Bill No. 310 ordered re-referred to Committee on Irrigation.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Crowley to introduce a bill entitled "An Act authorizing the board of supervisors of the city and county of San Francisco to reconvey to the State of California certain lands and streets for the purpose of docks, wharves, slips, piers, and increasing the harbor facilities on the water front of the city and county of San Francisco."

Also the request of Senator Lyon to introduce a bill entitled "An Act to amend section one hundred three of the Code of Civil Procedure relating to justices' courts."

Also the request of Senator Shearer to introduce a bill entitled "An Act to regulate the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties, and groups of counties, or cities and counties, to establish inspection service."

Also the request of Senator Wolfe to introduce a bill entitled "An Act to amend sections 1617 and 1672 of the Political Code, pertaining to the powers and duties of trustees of school districts and the teaching of sectarian, denominational or partisan doctrines or principles in the public schools."

Have had the same under consideration and respectfully report the same back and recommend that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced:

By Senator Crowley: Senate Bill No. 1209—An Act authorizing the board of supervisors of the city and county of San Francisco to re-convey to the State of California certain lands and streets for the purpose of docks, wharves, slips, piers, and increasing the harbor facilities on the water front of the city and county of San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Lyon: Senate Bill No. 1210—An Act to amend section one hundred three of the Code of Civil Procedure relating to justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Senator Shearer: Senate Bill No. 1211—An Act to regulate the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties, and groups of counties, or cities and counties, to establish inspection service.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Wolfe: Senate Bill No. 1212—An Act to amend sections one thousand six hundred seventeen and one thousand six hundred seventy-two of the Political Code, pertaining to the powers and duties of trustees of school districts and the teaching of sectarian, denominational or partisan doctrines or principles in the public schools.

Bill read first time, and referred to Committee on Education.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That T. L. Kaford be transferred from the position of Committee Clerk at $4.00 per day to the position of Assistant Sergeant-at-Arms at $5.00 per day.

Senator Breed moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

REQUEST FOR INTRODUCTION OF BILLS.

Senator Benedict requested permission to introduce a Senate bill entitled: "An Act to provide for the formation of consolidated cities and counties in accordance with the provisions of section eight and one-half of article XI of the Constitution of the State of California."

Request referred to Committee on Introduction of Bills.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

CONSIDERATION OF DAILY FILE—THIRD-READING.

Senate Bill No. 196—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

On motion of Senator Ballard, Senate Bill No 196 was re-committed to committee on Judiciary, to retain its place on file.

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of said state, by adding to article six thereof a new section to be numbered ten and one-half, relative to the length of time a person appointed to fill a vacancy in the office of Justice of the Supreme Court, Justice of the District Court of Appeal or Judge of a Superior Court shall hold office.

On motion of Senator Benedict, Senate Constitutional Amendment No 11 was re-committed to Committee on Judiciary, to retain its place on file.

Senate Bill No. 475—An Act to amend section five hundred ninety-nine of the Civil Code of the State of California, relating to what may be provided for in the by-laws, ordinances, constitutions or articles of incorporation of corporations now organized or that may hereafter be organized for purposes other than profit.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 475 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 650—An Act to amend section five hundred ninety-four of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

On motion of Senator Thompson, Senate Bill No. 650 was passed on file

Senate Bill No. 124—An Act to amend section four hundred twenty-one of the Civil Code, relating to investments by insurance companies.

On motion of Senator Thompson, Senate Bill No. 124 was passed on file.

Senate Bill No. 324—An Act to amend sections four hundred fifty-three *t* and four hundred fifty-three *y* of the Civil Code, relating to title insurance companies.

On motion of Senator Thompson, Senate Bill No. 324 was passed on file.

Senate Bill No. 651—An Act to revise and amend chapter eight of title II of part IV of division first of the Civil Code relating to mortgage insurance.

On motion of Senator Thompson, Senate Bill No. 651 was passed on file.

Senate Bill No. 337—An Act to amend section four thousand two hundred and eighty-two of the Political Code of the State of California, relating to the compensation of officers in counties of the fifty-third class.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Birdsall moved to refer to Senator Cogswell as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 3 to 5 of the title of the printed bill, strike out all of said lines 3 to 5 inclusive and insert in lieu thereof the following: "of the Political Code, relating to the compensation of county and township officers and the fees and mileage of grand jurors and of trial jurors in criminal cases, in counties of the fifty-third class."

AMENDMENT NUMBER TWO.

On page 1, line 4 of the printed bill, strike out all of said line 4 and insert in lieu thereof the following:

"4282. In counties of the fifty-third class, the county and township officers."

AMENDMENT NUMBER THREE.

On page 2, lines 23 to 28 of the printed bill, strike out all of said lines 23 to 28 inclusive and insert in lieu thereof the following: "population shall be determined by the board of supervisors, in any manner determined upon by said board, upon the enactment of this Act, and also at the time of the formation of any new township or townships."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 337, with instructions to amend, respectfully reports the same back, amended as per instructions.

COGSWELL, Committee.

Report adopted on motion of Senator Birdsall.

Bill ordered to print and re-engrossment.

Senate Bill No. 336—An Act to amend section four thousand two hundred and eighty of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

On motion of Senator Birdsall Senate Bill No. 336 was passed on file.

Senate Bill No. 750—An Act to amend section four thousand two hundred eighty-six of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 750 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe--36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1030—An Act to add a new section to the Code of Civil Procedure, to be numbered section one thousand twenty-one *a*, relating to costs in civil actions and proceedings.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1030 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Butler, Carr, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, Luce, Lyon, Mott, Owens, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—Senators Ballard, Cohn, Irwin, Maddux, and Shearer—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 906—An Act providing for the sale of certain state lands.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 906 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of the motion of Senator Duncan to reconsider the vote whereby Senate Bill No. 481 was refused passage, the same was taken up for consideration.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—Senator Owens—1.

Senate Bill No. 481—An Act to repeal section fifty-five *a* of the Penal Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 481 passed by the following vote:

AYES—Senators Benson, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, King, Luce, Lyon, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, and Wolfe—21.

NOES—Senators Anderson, Ballard, Birdsall, Butler, Hans, Kehoe, Maddux, Mott, Owens, Thompson, and Tyrrell—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 540—An Act to amend section two thousand six hundred forty-three of the Political Code relating to the powers of boards of supervisors relating to roads.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 540 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21, and 26 of said Act.

In the absence of the author, Senate Bill No. 105 was passed on file.

Senate Bill No. 454—An Act to amend sections forty-two hundred sixty-three and forty-two hundred sixty-three *a* of the Political Code relating to the salaries of officers and fees of jurors in counties of the thirty-fourth class.

On motion of Senator Birdsall, Senate Bill No. 454 was passed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate the following report of standing committee was received and read, out of the regular order:

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums to whom was referred Senate Bill No. 977—An Act appropriating money for the erection of a laundry building at Sonoma State Home—have had the same under consideration, and respectfully report the same back and recommend that it do pass and be re-referred to Committee on Finance.

CROWLEY, Chairman.

Senate Bill No. 977 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums to whom was referred Senate Bill No. 394—An Act to appropriate money for the support and maintenance and erection of additional buildings at the State Hospital at Norwalk, Los Angeles County, California;

Also: Senate Bill No. 675—An Act appropriating money for constructing a hospital building on site near Ferry Building in the city and county of San Francisco; arranging for its upkeep by said city and county;

Also: Senate Bill No. 1000—An Act to appropriate money for the construction of a building for women patients at the Agnews State Hospital;

Also: Senate Bill No. 1001—An Act to appropriate money for the construction and furnishing of a building for tubercular patients at the Agnews State Hospital;

Also: Senate Bill No. 1002—An Act to appropriate money for the purchase of land for the Agnews State Hospital;

Have had the same under consideration, and respectfully recommend that they be re-referred to Committee on Finance.

CROWLEY, Chairman.

Senate Bills Nos. 394, 675, 1000, 1001, and 1002 ordered re-referred to Committee on Finance.

SECRETARY EDWIN F. SMITH AT THE DESK.

REQUEST FOR INTRODUCTION OF BILLS.

Senator Maddux requested permission to introduce two Senate Bills entitled: "An Act to increase the number of Judges of the Superior Court of the State of California, in and for the county of Stanislaus, to provide for the appointment of an additional judge and for his compensation."

Also:

"An Act to add a new section to the Civil Code to be known and numbered as section one thousand eight hundred twenty-nine, relating to the opening of safe deposit boxes or vaults by safe deposit companies"

Request referred to Committee on Introduction of Bills.

RECESS.

At eleven o'clock and fifteen minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

LIEUTENANT GOVERNOR JOHN M. ESHLEMAN, PRESIDENT OF THE SENATE, IN THE CHAIR.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Thompson, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 661—An Act to amend section eleven hundred thirty of the Political Code, relating to limitation upon the powers of supervisors in establishing election precincts;

Also: Assembly Bill No. 932—An Act to amend sections two and three of an act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California; and to provide penalties for violation thereof,'" approved June 12, 1913;

Also: Assembly Bill No. 901—An Act authorizing the State Board of Equalization to destroy by fire certain reports and other documents:

Also: Assembly Bill No. 904—An Act to amend sections 3607, 3608, 3617, 3627, 3628, 3629, 3641, 3643, 3650, 3663, 3678, 3679, 3701, 3728, 3734 and 3753 of the Political Code, and to repeal sections 3609, 3610, 3719, 3757 and 3769*a*, of said Code, and to add to said Code a new section to be numbered 3714*a*, all relating to revenue and taxation.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 661 read first time, and referred to Committee on Elections.

Assembly Bill No. 932 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 901 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 904 read first time, and referred to Committee on Revenue and Taxation.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Cohn, the privilege of the floor of the Senate chamber for this day, was unanimously extended to Mr. S. N. Feldheim, of Oroville, Cal.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 826—An Act to amend section 628*f* of the Penal Code of the State of California, relating to the protection of shellfish.

Also: Senate Bill No. 825—An Act to amend section 626*c* of the Penal Code of the State of California, relating to the protection of game;

Also: Senate Bill No. 323—An Act to amend section three of an act entitled "An Act requiring the compilation and publication of reports of the financial transactions of the several counties and municipalities of the State, and making an appropriation therefor," approved April 21, 1911, by providing penalties for violations of said act, and prescribing certain duties of the Attorney General with reference thereto;

Also: Senate Bill No. 278—An Act to amend sections fourteen hundred ninety, fourteen hundred ninety-three, fourteen hundred ninety-four, fourteen hundred ninety-five, fourteen hundred ninety-six, fourteen hundred ninety-seven, fourteen hundred ninety-eight, fourteen hundred ninety-nine, fifteen hundred, fifteen hundred two, fifteen hundred three, fifteen hundred five, fifteen hundred seven, fifteen hundred ten, fifteen hundred twelve, fifteen hundred thirteen, fifteen hundred fourteen, fifteen hundred sixty-nine, sixteen hundred twenty-two and sixteen hundred twenty-eight of the Code of Civil Procedure of California, relating to claims against estates of deceased persons;

Also, Senate Bill No. 342—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof;

Also, Senate Bill No. 202—An Act to authorize county boards of supervisors to employ visiting nurses;

Also, Senate Bill No. 429—An Act to add a new section to the Civil Code to be known as section three hundred eighteen *a*, relating to the calling of stockholders' meetings;

Also, Senate Bill No. 85—An Act to amend section ten of the Code of Civil Procedure of the State of California, relating to holidays;

Also, Senate Bill No. 86—An Act to amend section ten of the Political Code of the State of California, relating to holidays;

Also, Senate Bill No. 87—An Act to amend section seven of the Civil Code of the State of California, relating to holidays;

Also, Senate Bill No. 474—An Act to amend section two hundred ninety of the Civil Code of the State of California, relating to articles of incorporation and what they must set forth.

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

PETITION—(OUT OF ORDER).

Senator Strobridge presented the following petition, which was read and ordered printed in the Journal:

To the Honorable the Senate of the Legislature of the State of California and to the Senators composing said body:

The undersigned, some being holders of securities of the street railroad transportation companies and all being residents of the city of Oakland, county of Alameda, State of California, hereby respectfully petition and request your honorable body to enact appropriate legislation providing for the regulation of transportation of persons over the public streets of municipalities by so-called jitney buses and imposing upon the persons engaged in such transportation of fixed fees or license charges and taxes.

DAVID R. TAYLOR, and 251 others.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate the following report of standing committee was received and read, out of the regular order:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 1487—An Act to make an appropriation to pay the mileage of Assemblymen for the forty-first session of the Legislature of the State of California during the sixty-sixth fiscal year—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

STROBRIDGE, Chairman.

CASE OF URGENCY.

The following resolution was offered.

By Senator Strobridge:

Resolved, That Assembly Bill No. 1487 presents a case of urgency as that term is used in section fifteen of article IV of the Constitution and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cohn, Duncan, Finn, Flaherty, Flint, Hans, Irwin, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—31.
NOES—None.

Whereupon the President declared the provisions of section 15 of article IV of the Constitution suspended for the purpose of considering at this time Assembly Bill No. 1487—An Act to make an appropriation to pay the mileage of Assemblymen for the forty-first session of the Legislature of the State of California during the sixty-sixth fiscal year.

Bill read second time, considered engrossed and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1487 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.
NOES—None.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills to whom was referred the request of Senator Benedict to introduce a bill entitled: "An Act to provide for the formation of consolidated cities and counties in accordance with the provisions of section 8½ of article XI of the Constitution of the State of California";

Also: The request of Senator Maddux to introduce a bill entitled: "An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Stanislaus, to provide for the appointment of an additional judge and for his compensation";

Also: The request of Senator Maddux to introduce a bill entitled: "An Act to add a new section to the Civil Code to be known and numbered as section 1829, relating to the opening of safe deposit boxes or vaults by safe deposit companies"; Have had the same under consideration and respectfully report the same back and recommend that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.
NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced:

By Senator Benedict: Senate Bill No. 1213—An Act to provide for the formation of consolidated cities and counties in accordance with the provisions of section 8½ of article XI of the Constitution of the State of California.

Bill read first time, and referred to Committee on County Government.

By Senator Maddux: Senate Bill No. 1214—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Stanislaus, to provide for the appointment of an additional judge and for his compensation.

Bill read first time, and referred to Committee on Judiciary.

By Senator Maddux: Senate Bill No. 1215—An Act to add a new section to the Civil Code to be known and numbered as section 1829, relating to the opening of safe deposit boxes or vaults by safe deposit companies.

Bill read first time, and referred to Committee on Banking.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate the following reports of standing committees were received and read, out of the regular order:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 13, 1915.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 666—An Act to amend section 4248 of the Political Code of the State of California, relative to salaries of officers in counties of the nineteenth class have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

BREED, Chairman.

Senate Bill No. 666 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Banking, to whom was referred Senate Bill No. 566—An Act to amend section two and section seven of an Act entitled, "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907, have had the same under consideration, and respectfully report the same back and recommend that it do pass.

HANS, Chairman.

Senate Bill No. 566 ordered on file for second reading.

Also:

SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Banking, to whom was referred Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending section sixteen and one-half of article XI thereof, relating to the deposit of moneys belonging to the state or to any county or municipality within the state in any bank or banks, in compliance with resolution of this date, have had the same under consideration, and respectfully report the same back and recommend that it be re-referred to Committee on Judiciary.

HANS, Chairman.

Senate Constitutional Amendment No. 19 re-referred to Committee on Judiciary.

REQUEST FOR INTRODUCTION OF BILLS.

Senator Birdsall requested permission to introduce a Senate Bill entitled: "An Act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make appropriation therefor; and to repeal all Acts or parts of Acts in conflict with this Act.

Request referred to Committee on Introduction of Bills.

Senator Finn requested permission to introduce a Senate Bill entitled: "An Act to provide for proceedings to declare escheated to the State, unclaimed lands in cemeteries."

Request referred to Committee on Introduction of Bills.

THIRD READING OF SENATE BILLS—OUT OF ORDER.

On motion of Senator Thompson the third-reading file of Senate Bills was taken up out of the regular order.

Senate Bill No. 474—An Act to amend section two hundred ninety of the Civil Code of the State of California, relating to articles of incorporation and what they must set forth.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 474 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 85—An Act to amend section ten of the Code of Civil Procedure of the State of California, relating to holidays.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 85 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Luce, Maddux, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—25.

NOES—Senators Anderson, Ballard, Carr, Cohn, King, Mott, and Strobridge—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 86—An Act to amend section ten of the Political Code of the State of California, relating to holidays.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 86 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Luce, Maddux, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—26.
NOES—Senators Anderson, Ballard, King, Mott, and Strobridge—5.

Title read and approved.
Bill ordered transmitted to the Assembly.
Senate Bill No. 87—An Act to amend section seven of the Civil Code of the State of California, relating to holidays.
Read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 87 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Luce, Maddux, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—27.
NOES—Senators Anderson, Ballard, King, Mott, and Strobridge—5.

Title read and approved.
Bill ordered transmitted to the Assembly.
Senate Bill No. 429—An Act to add a new section to the Civil Code to be known as section three hundred eighteen *a*, relating to the calling of stockholders' meetings.
Read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 429 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Senate Bill No. 323—An Act to amend section three of an Act entitled "An Act requiring the compilation and publication of reports of the financial transactions of the several counties and municipalities of the State, and making an appropriation therefor," approved April 21, 1911.
Read third time.
The question being on the pasage of the bill.
The roll was called, and Senate Bill No. 323 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—33.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Senate Bill No. 278—An Act to amend sections fourteen hundred ninety, fourteen hundred ninety-three, fourteen hundred ninety-four, fourteen hundred ninety-five, fourteen hundred ninety-six, fourteen hundred ninety-seven, fourteen hundred ninety-eight, fourteen hundred

ninety-nine, fifteen hundred, fifteen hundred two, fifteen hundred three, fifteen hundred five, fifteen hundred seven, fifteen hundred ten, fifteen hundred twelve, fifteen hundred thirteen, and fifteen hundred fourteen, of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 278 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed. Brown, Butler, Campbell, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 825—An Act to amend section six hundred twenty-six *e* of the Penal Code of California, relating to the protection of game.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 825 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Purkitt, Rush, Strobridge, Stuckenbruck, Thompson, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 342—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof.

Read third time.

On motion of Senator Crowley, Senate Bill No. 342 was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At three o'clock p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 202—An Act to authorize county boards of supervisors to employ visiting nurses.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 202 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY EDWIN F. SMITH AT THE DESK.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of Standing Committee was received and read, out of the regular order:

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Birdsall to introduce a bill entitled: "An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act, to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make appropriations therefor; and to repeal all Acts or parts of Acts in conflict with this Act;"

Also: The request of Senator Finn to introduce a bill entitled: "An Act to provide for proceedings to declare escheated to the State, unclaimed lands in cemeteries";

Have had the same under consideration and respectfully report the same back and recommend that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—36.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced:

By Senator Birdsall: Senate Bill No. 1216—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act; and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make appropriations therefor; and to repeal all Acts or parts of Acts in conflict with this Act.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Finn: Senate Bill No. 1217—An Act to provide for proceedings to declare escheated to the State, unclaimed lands in cemeteries.

Bill read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate the following report of standing committee was received and read, out of the regular order:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls independent of the legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any act or section or part of any act of the legislature;

Also: Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article II thereof, to be numbered section 7, in relation to the qualification of electors to vote on any question of incurring any bonded indebtedness of this state or of any county, city and county, municipality, or other political subdivision of this State;

Also: Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to section 16 of article XX of the Constitution of the State of California relating to term of officers when not fixed by the constitution, to read as follows:

Also: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section two of article nine of the Constitution of the said State, relating to the election and salary of a superintendent of public instruction and also by repealing section ten of article twenty two of said Constitution, relating to the term of officers first elected under the Constitution and also to the election and term of office of the successors of such officers and also to the election of judicial officers and the Superintendent of Public Instruction:

Also: Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending section seventeen of article V of the Constitution of the State, relating to the election and term of office of a Secretary of State, a Controller, a Treasurer, an Attorney General and a Surveyor General and also by amending section nineteen of article V of the said constitution, relating to the compensation of the Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, and Surveyor General:

Also: Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section one of article XXIII providing for the recall by the electors of public officials;

Also: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the constitution and to enact the same at the polls independent of the legislature and also reserving to the people of the State of California the power to approve or reject at the polls any Act or section or part of any Act of the legislature;

Have had the same under consideration, and respectfully report the same back and recommend that they be re-referred to the Judiciary Committee.

BENSON, Chairman.

Senate Constitutional Amendments Nos. 3, 5, 7, 12, 13, 21 and 22 ordered re-referred to the Committee on Judiciary.

CONSIDERATION OF BILLS—(OUT OF ORDER).

Senator Campbell asked for and was granted unanimous consent to take up Senate Bill No. 826, out of the regular order, for the purpose of amendment.

Senate Bill No. 826—An Act to amend section six hundred twenty-eight *f* of the Penal Code of the State of California, relating to the protection of shellfish.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Campbell moved to refer to Senator Kehoe as a special committee of one, to amend as follows:

By striking out of section 1, line 9, the words "seventy-five" and inserting in lieu thereof the following: "fifty".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 826, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read, and, on motion of Senator Campbell, adopted.

Bill ordered to print and re-engrossment.

ADJOURNMENT.

At three o'clock and ten minutes p.m., on motion of Senator Strobridge, the President pro tem., declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Wednesday, March 17, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by Secretary Edwin F. Smith and the following answered to their names:

Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

Quorum present.

PRAYER.

By invitation of the President, prayer was offered by Rev. Thomas Lantry O'Neill.

LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Hans was, on motion of Senator Tyrrell, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 16, 1915, the further reading was dispensed with, on motion of Senator Rush.

PETITIONS.

Senator Strobridge presented the following petition, which was read and ordered printed in the Journal:

To the Senate of the State of California:

Your petitioner hereby respectfully protests against proposed legislation to compel our school children to pass an examination in the physical and other effects of alcohol and narcotics as a condition of promotion.

The textbooks introduced into the schools on this subject are notoriously unscientific, the product of fanaticism and not of knowledge. But if this were not true the teaching proposed is not properly a part of education. It is merely using the schools for the compulsory promotion of the fanatical ideas of a minority of the people.

It requires the expenditure of time and money in something that is in no sense educational, to the impairment and neglect of that which belongs in the school curriculum.

Let the people who believe in prohibition propagate it at their own expense, and not use the schools and the taxpayers' money to help on that which has become a distinct political and party movement in this country.

When the State Superintendent of Schools forces into the course of study a sensational novel, full of vulgar and squalid features, and a political party demands that you add its platform to the curriculum, it is time to call a halt, in behalf of common sense, and in vindication of the rights of the taxpayers who foot the bill.

Respectfully,

JNO P IRISH

Oakland, Cal.

Also:

Senator Duncan presented the following petition, which was read and ordered printed in the Journal:

To the Honorable, the Legislature of the State of California:

WHEREAS, The taxpayers and property owners of the county of Sutter are engaged in a contest with certain interests, who, through the medium of Reclamation District 1500, are endeavoring to reclaim a large acreage of swamp and overflowed lands to the detriment and irreparable injury of valuable and improved lands not subject to overflow, and are seeking to throw the burden of this reclamation upon lands damaged thereby; and

WHEREAS, The county of Sutter has by legal proceedings enjoined the further northward construction of these works of reclamation and the further northward construction of the levee of the East By-pass; and

WHEREAS, In this controversy private and public property rights of the first magnitude and the welfare and prosperity of a whole county are involved, as well as the right of a community to be protected and not destroyed or injured by the State of which it is a part; and

WHEREAS, There have been introduced into the Legislature certain bills, among which are the following: Senate Bill No. 631 and Assembly Bill No. 759; Senate Bill No. 634 and Assembly Bill No. 831; Senate Bill No. 661 and Assembly Bill No. 764; Senate Bill No. 662 and Assembly Bill No. 765; Senate Bill No. 660 and Assembly Bill No. 766, that will if they become laws, hamper the county of Sutter in its fight for its preservation and protection, and serve to work for the triumph of the interests opposed to the welfare of the county of Sutter; now, therefore, be it

Resolved, That we, the Board of Supervisors of the county of Butte do earnestly request and importune you, the Legislature of the State of California, that you do not pass any of the above mentioned bills or any measures that may affect or apply to the reclamation situation in the county of Sutter, but that you leave the contest and the lawsuits arising therefrom to be settled under the law as it stands and as it stood when the property rights involved were acquired; and this board earnestly requests that our Senator, W. E. Duncan, Jr., and Assemblyman, B. B. Meek, use their utmost endeavors in opposing the passage of said bills.

In witness whereof, we, the said supervisors of the county of Butte, have hereunto signed our names, and caused the official seal to be affixed by the clerk of this board this 2d day of March, 1915.

C. E. PORTER,
Chairman pro tem.,
T. F. WHIPPLE,
H. W. WHITE,
D. H. EVANS,
Supervisors of Butte County.

Attest: C. S. BELDING, Clerk.

Vote: AYES—Evans, White, Whipple, Porter. Absent—Holmes.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 56—An Act to amend section three thousand fifty-one of the Civil Code of the State of California relating to liens upon personal property;

Also: Senate Bill No. 20—An Act to license and regulate the business of private detectives and detective agencies;

Have had the same under consideration, and respectfully recommend that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 56 and 20 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate bill: Senate Bill No. 457—An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission Fund" and appropriating the moneys therein to carry out the provisions of this Act, and repealing all Acts and parts of Acts inconsistent with the provisions of this Act and report that the same has been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate bills: Senate Bill No. 600—An Act to provide for submitting to the qualified electors of every city and county, or incorporated city or town in this State, the question whether such city and county, or incorporated city or town, shall retain powers of control vested therein respecting all or any public utilities, and to provide for elections thereafter to surrender such powers of control in case the qualified electors of any such city and county, or incorporated city or town, shall have voted to retain such powers of control;

Also: Senate Bill No. 99—An Act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 100—An Act confirming and validating the organization of school districts;

Also: Senate Bill No. 101—An Act to amend section one thousand eight hundred eighty-five of the Political Code of the State of California, relating to the form of bonds of school districts;

Also: Senate Bill No. 234—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872;

Also: Senate Bill No. 392—An Act to amend section sixteen hundred sixty-seven of the Political Code of the State of California;

Also: Senate Bill No. 422—An Act to amend section one thousand five hundred forty-four of the Political Code of the State of California relating to the annual report of the Superintendent of Schools;

Also: Senate Bill No. 431—An Act to amend section three hundred sixty-eight of the Political Code and to repeal section three hundred sixty-nine thereof relating to executive officers, their appointment and terms;

Also: Senate Bill No. 626—An Act to amend section five hundred eighty-five of the Code of Civil Procedure of the State of California, referring to judgment upon failure to answer;

Also: Senate Bill No. 640—An Act to amend section four hundred eight of the Political Code, relating to the duties of the Secretary of State;

Also: Senate Bill No. 1031—An Act to amend section five of an Act entitled "An Act to regulate the practice of architecture," approved March 23, 1901;

Also: Senate Bill No. 653—An Act to amend section one thousand two hundred forty of the Code of Civil Procedure of the State of California relating to the private property which may be taken under title VII, of part III of the Code of Civil Procedure;

Also: Senate Bill No. 641—An Act to amend section five hundred twenty-six of the Political Code, relating to the general duties of the Superintendent of State Printing;

Also: Senate Bill No. 436—An Act empowering county boards of supervisors to appropriate and use county funds for the support and maintenance of extension work in agriculture in co-operation with the United States Department of Agriculture and the University of California.

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At ten o'clock and fifteen minutes a.m., Hon. Newton W. Thompson President pro tem. of the Senate, in the chair

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Kehoe, the privilege of the floor of the Senate chamber for this day was unanimously extended to Ralph W. Bull of Arcata, California.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved, That A. W. Carlson be transferred from the position of Press Mailing Clerk at $4.00 per day to the position of Committee Clerk at $4.00 per day.

Senator Breed moved that the resolution be adopted

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Also:

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, the compensation set opposite his name to be payable weekly, and the Controller is hereby directed to draw his warrant for the said respective amount and the Treasurer is directed to pay the same:

Peter Foppiano, Press Mailing Clerk ________________ $4.00 per day

Senator Breed moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

PRESIDENT OF THE SENATE IN THE CHAIR.

At ten o'clock and twenty-five minutes a.m., Lieutenant Governor John M. Eshleman, President of the Senate, in the Chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate the following reports of standing committees were received and read, out of the regular order:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 735—An Act to amend sections one, four, five and six of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by an Act approved March 20, 1905, and as amended by an Act approved March 4, 1907, and as amended by an Act approved April 21, 1911—have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

ANDERSON, Chairman.

Senate Bill No. 735 ordered on file for second reading.

Also:

SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 427—An Act to add a new section to the Political Code to be numbered sixteen hundred seventeen *b*, relating to the employment of home teachers—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

ANDERSON, Chairman.

Senate Bill No. 427 ordered on file for second reading.

Also:

SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 439—An Act to add two new sections to the Political Code of the State of California to be numbered sections seventeen hundred fifty *a*, and sixteen hundred seventeen *d*, relating to the establishment of intermediate school courses by high school boards, and authorizing boards of school trustees and boards of education in common school districts to permit pupils of certain grades to attend such intermediate school courses—have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

ANDERSON, Chairman.

Senate Bill No. 439 ordered on file for second reading.

Also:

SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 472—An Act to provide readers for blind students in the University of California, and to assist deaf students attending the National College for the Deaf at Washington, D. C.—have had the same under consideration, and respectfully report the same back and recommend that it do pass and be re-referred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 472 ordered re-referred to Committee on Finance.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Rules, to whom was referred Assembly Concurrent Resolution No. 17—Relative to the attendance by the Legislature as a body at the Panama-Pacific International Exposition on March 20, 1915—have had the same under consideration, and respectfully report the same back and recommend by a majority vote that said resolution be adopted.

THOMPSON, Chairman.

UNANIMOUS CONSENT GRANTED.

Senator Thompson asked for and was granted unanimous consent to take up out of the regular order for consideration at this time of Assembly Concurrent Resolution No. 17.

ASSEMBLY CONCURRENT RESOLUTION NUMBER SEVENTEEN.

Relative to the Legislature, in a body, attending the Panama-Pacific International Exposition, on March 20, 1915.

Be it resolved by the Assembly of the State of California, the Senate concurring, That the members of the Senate and Assembly in a body, in acceptance of an invitation this day received, attend the Panama-Pacific International Exposition on March 20, 1915, which day has been set apart by said Exposition as "California Legislature Day"; and be it further

Resolved, That the sum of six hundred and fifty ($650) dollars, or so much thereof as may be necessary, is hereby appropriated, two-thirds from the contingent fund of the Assembly and one-third thereof from the contingent fund of the Senate, to defray the expenses of the trip of said members of the Legislature, and the State Controller is hereby authorized to draw his warrant for said sum in favor of such person as may be hereafter directed for the purpose of this resolution and the Treasurer is hereby directed to pay the same.

AMENDMENTS FROM FLOOR.

During consideration of Assembly Concurrent Resolution No. 17 the following amendment by Senator Kehoe was offered:

Strike out the semicolon following the quoted words "California Legislature Day" and all the rest of the resolution and insert in lieu thereof a period.

Senator Kehoe moved that the amendment be adopted.

The question being on the adoption of the amendment.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Duncan, Irwin, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Shearer, and Slater—20.

NOES—Senators Anderson, Breed, Cogswell, Cohn, Crowley, Flint, Gerdes, Lyon, Mott, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—15.

The question being on the adoption of Assembly Concurrent Resolution No. 17, as amended.

The roll was called, and Assembly Concurrent Resolution No. 17 adopted as amended by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

REQUEST FOR INTRODUCTION OF BILLS.

Senator Jones requested permission to introduce a Senate bill entitled: An Act to amend sections one and two of an Act entitled "An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county, or incorporated city or town government in this State," approved March 23, 1901.

Request referred to Committee on Introduction of Bills.

Also:

Senator Kehoe requested permission to introduce a Senate bill entitled: An Act granting to the city of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Eureka, and regulating the management, use and control thereof.

Request referred to Committee on Introduction of Bills.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

CONSIDERATION OF DAILY FILE—THIRD READING.

Senate Bill No. 650—An Act to amend section five hundred ninety-four of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

On motion of Senator Thompson, Senate Bill No. 650 was passed on file.

Senate Bill No. 124—An Act to amend section four hundred twenty-one of the Civil Code, relating to investments by insurance companies.

On motion of Senator Thompson, Senate Bill No. 124 was passed on file.

Senate Bill No. 324—An Act to amend sections four hundred fifty-three *t* and four hundred fifty-three *y* of the Civil Code, relating to title insurance companies.

On motion of Senator Thompson, Senate Bill No. 324 was passed on file.

Senate Bill No. 651—An Act to revise and amend chapter eight of title II of part IV of division first of the Civil Code relating to mortgage insurance.

On motion of Senator Thompson, Senate Bill No. 651 was passed on file.

Senate Bill No. 336—An Act to amend section four thousand two hundred and eighty of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

On motion of Senator Birdsall, Senate Bill No. 336 was passed on file.

Senate Bill No. 342—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof.

Read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Crowley moved to refer to Senator Scott as a Special Committee of One, to amend as follows:

Strike out of section 5, page 2 of the bill all after the second word "board" on line 26 down to and including line 32, and insert in lieu the following: "Said board shall hold at least three meetings annually for the purpose of examining applicants for licenses, one of which meetings shall be held in the city of San Francisco, one in the city of Los Angeles and the other in the city of Sacramento with power to adjourn from time to time until its business is concluded; *provided, however,* that examination for applicants for licenses may in the discretion of the board be conducted in any part of the State designated by the board. Notice of each meeting shall be given twice a week for two weeks next preceding each meeting in one daily paper published in the city of San Francisco, one published in the city of Los Angeles, and one published in the city of Sacramento, which notice shall also specify the time and place of holding the examination of applicants. Three members of the board shall constitute a quorum. At no time shall the board contract expense in excess of the amount of funds in the hands of its treasurer."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 342, with instructions to amend, respectfully reports the same back, amended as per instructions.

SCOTT, Committee.

Report read, and on motion of Senator Crowley adopted.

Bill ordered to print and re-engrossment.

SENATOR BREED IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Senator Breed of the Fifteenth District, in the chair.

Senate Bill No. 457—An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "railroad commission fund" and appropriating the moneys therein to carry out the provisions of this Act, and repealing all Acts and parts of Acts inconsistent with the provisions of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 457 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Wolfe, the privilege of the floor of the Senate Chamber for the day was unanimously extended to Rev. Dr. Jacob Nieto of San Francisco.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 600—An Act to provide for submitting to the qualified electors of every city and county, or incorporated city or town, in this State, the question whether such city and county, or incorporated city or town, shall retain powers of control vested therein respecting all or any public utilities, and to provide for elections thereafter to surrender such powers of control in case the qualified electors of any such city and county, or incorporated city or town, shall have voted to retain such powers of control.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 600 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 99—An Act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 99 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 100—An Act confirming and validating the organization of school districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 100 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 101—An Act to amend section one thousand eight hundred eighty-five of the Political Code of the State of California, relating to the form of bonds of school districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 101 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Maddux, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 234—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 234 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 392—An Act to amend section sixteen hundred sixty-seven of the Political Code of the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 392 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 422—An Act to amend section one thousand five hundred forty-four of the Political Code of the State of California, relating to the annual report of the Superintendent of Schools.

Read third time.

On motion of Senator Anderson, Senate Bill No. 422 was passed on file.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator King, the privilege of the floor of the Senate chamber for this day was unanimously extended to Dr. J. H. McBride of Pasadena.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 436—An Act empowering county boards of supervisors to appropriate and use county funds for the support and maintenance of extension work in agriculture in co-operation with the United States Department of Agriculture and the University of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 436 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 431—An Act to amend section three hundred sixty-eight of the Political Code and to repeal section three hundred sixty-nine thereof, relating to executive officers, their appointment and terms.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 431 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Butler, Campbell, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Thompson, and Wolfe—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 626—An Act to amend section five hundred eighty-five of the Code of Civil Procedure of the State of California, referring to judgment upon failure to answer.

On motion of Senator Luce, Senate Bill No. 626 was passed on file.

Senate Bill No. 1031—An Act to amend section five of an Act entitled "An Act to regulate the practice of architecture," approved March 23, 1901.

In the absence of the author, Senate Bill No. 1031 was passed on file.

Senate Bill No. 640—An Act to amend section four hundred eight of the Political Code, relating to the duties of the Secretary of State.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 640 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Thompson, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 653—An Act to amend section one thousand two hundred forty of the Code of Civil Procedure of the State of California, relating to the private property which may be taken under title VII of part III of the Code of Civil Procedure.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 653 passed by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 641—An Act to amend section five hundred twenty-six of the Political Code, relating to the general duties of the Superintendent of State Printing.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 641 passed by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Thompson, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21, and 26 of said Act.

On motion of Senator Strobridge, Senate Bill No. 105 was passed on file.

Senate Bill No. 454—An Act to amend sections forty-two hundred sixty-three and forty two hundred sixty three *a* of the Political Code, relating to the salaries of officers and fees of jurors in counties of the thirty-fourth class.

On motion of Senator Birdsall, Senate Bill No. 454 was passed on file.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

PRESIDENT OF THE SENATE IN THE CHAIR.

At twelve o'clock and fifteen minutes p.m., Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

SECOND READING FILE

Senate Bill No. 490—An Act to amend section six hundred sixty-three *a* of the Code of Civil Procedure of the State of California, relating to the setting aside of a judgment of the Superior Court and the rendition of a new judgment without a new trial.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 491—An Act to amend section one thousand fifty four of the Code of Civil Procedure, relating to the extension of time in which an act is to be done.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 440—An Act to amend section eight hundred ninety of the Code of Civil Procedure, relating to judgment of dismissal entered without prejudice.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 507—An Act to amend section one thousand four hundred ninety-one of the Code of Civil Procedure, relating to the time to be given by notice to creditors.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered.

AMENDMENT NUMBER ONE.

In line 4, page 1, strike out, after the figures 1491, "The time expressed in the notice must be four months after its first publication." and insert in lieu thereof the following:

"In all probate proceedings commenced after the first day of January, 1916, the time expressed in the notice must be six months after its first publication when the estate exceeds in value the sum of ten thousand dollars and four months when it does not.

SEC. 2. This Act shall not take effect until January 1, 1916."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 489—An Act to amend sections six hundred fifty-eight, six hundred fifty-nine and six hundred sixty, and to repeal sections six hundred sixty-one and six hundred sixty-two of the Code of Civil Procedure of the State of California, all relating to new trials.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, section 3, line 24, after the word "judge" strike out the period and insert in lieu thereof the following: "when the proceedings at the trial have been phonographically reported, but the reporter's notes have not been transcribed, the reporter must, upon request of the court, or either party, attend the hearing of the motion, and shall read his notes, or such parts thereof as the court, or either party, may require."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, section 3, line 32, strike out the words "tantamount to a denial thereof" and insert in lieu thereof the following: "a denial of the motion without further order of the court".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 560—An Act to amend sections nine hundred fifty, nine hundred fifty-one and nine hundred fifty-three of the Code of Civil Procedure, and to repeal section nine hundred fifty-two of said Code, all relating to appeals.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, section 4, strike out lines 6 and 7.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, section 3, strike out all of lines 13, 14 and 15, and on page 2, section 3, strike out all of lines 1, 2, 3, 4, and 5.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, section 3, beginning at the end of line 12, insert the following:

"Sec. 3. Section nine hundred fifty-two of the Code of Civil Procedure is hereby amended to read as follows:

'952. On appeal from an order granting a new trial the appellant must furnish the court with a copy of the notice of appeal, of the order appealed from, the judgment roll and any bill of exceptions prepared and settled as provided in section six hundred fifty of this code subsequently to the order granting the motion.' "

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, section 2, line 10, insert after the word "order" and the comma, the following: "except an order granting a new trial" and a comma.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, strike out of the title from and including the words "fifty-three" in the third line of said title to and including the word "code" in the fourth line of said title, and insert in lieu thereof the following: "fifty-two of the Code of Civil Procedure."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 561—An Act to amend section nine hundred fifty-six of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, section 1, line 5, after the word "intermediate" insert the following: "ruling, proceeding" and a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, section 1, line 7, after the word "judgment" and the comma, strike out all from and including the word "except" in said line to and including the word "judgment" and the period in line 10 of said section, and insert in lieu thereof the following: "or which substantially affects the rights of a party, including orders made on motion for a new trial, except a decision, order or order on motion for a new trial from which an appeal might be taken" and a period.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 559—An Act to amend section nine hundred thirty-nine of the Code of Civil Procedure of the State of California, relating to the time within which an appeal may be taken.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, section 1, line 12, after the word "termination" insert the following: "in the trial court".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, section 1, line 11, after the word "entry" insert the following: "in the trial court".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, section 1, line 9, stike out the words from and including the words "a motion" to and including the word "made" in line 10, and insert in lieu thereof the following: "proceedings on motion for a new trial are pending".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 487—An Act to amend section nine hundred forty-one *b* of the Code of Civil Procedure of the State of California, relating to a new or alternative method by which appeals may be taken from judgments, orders or decrees of the Superior Court of the State of California to the Supreme Court or District Courts of Appeal thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, section 1, line 7, after the word "termination" insert the following: "in the trial court".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, section 1, line 6, after the word "entry" insert the following: "in the trial court".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, section 1, line 3, strike out the words from and including the word "a" at the end of said line to and including the word "made" in line 4, and insert in lieu thereof the following: "proceedings on motion for a new trial are pending".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 563—An Act to amend section nine hundred sixty-three of the Code of Civil Procedure of the State of California, relating to cases in which an appeal may be taken.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, section 1, line 9, after the word "order" insert the following: "granting a new trial in an action or proceeding tried by a jury where such trial by jury is a matter of right, or".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 486—An Act to amend sections nine hundred fifty-three *a* and nine hundred fifty-three *b* of the Code of Civil Procedure of the State of California relating to a new and alternative method for the preparation of records to be used on appeal from judgments, orders or decree from the Superior Court to the Supreme Court or District Courts of Appeal.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, section 1, lines 15, 16, 17 and 18, strike out the words "deliver to the appellant one of the copies thereof and the other to the respondent or respondents. Said copies shall be so furnished without extra charge" and the period.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, section 1, lines 10 and 11, strike out the words "and two carbon copies".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, section 1, line 4, strike out the word "be" and insert in lieu thereof the following: "are".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, section 1, line 3, after the words "if a" insert the following: "proceeding on".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, section 1, line 7, after the word "code" and the comma, insert the following: "or for the purpose of presenting a record on appeal from any appealable judgment or order, or for the purpose of having reviewed any matter or order reviewable on appeal from final judgment" and a comma.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate bill: Senate Bill No. 273—An Act to amend section one thousand two hundred seven of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, nineteen hundred and fifteen; and report that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate bills: Senate Bill No. 333—An Act to prevent the propagation, by the production of seed, of those certain plants known as *Sorghum halepense*, *Cnicus arvensis*, *Salsola kali*, *Onopordon acanthium*, *Cnicus lanceolatus* and *Convolvulus arvensis*, and repealing all Acts or parts of Acts inconsistent herewith;

Also: Senate Bill No. 1043—An Act to amend section one thousand six of the Civil Code, referring to occupancy of real property;

Also: Senate Bill No. 881—An Act to add to the Code of Civil Procedure a new section to be known and numbered section one hundred three *b*, relating to justices' court clerk and fixing the powers and duties;

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

RECESS.

At twelve o'clock and thirty minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RE-CONVENED.

At two o'clock p.m., the Senate re-convened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

SECOND READING FILE—(RESUMED).

Senate Bill No. 488—An Act to amend section six hundred fifty of the Code of Civil Procedure of the State of California, relating to exceptions.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, section 1, line 9, strike out the words "a motion" and insert in lieu thereof the following: "proceedings on motion".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 562—An Act to amend section one hundred thirty-one of the Civil Code of the State of California, relating to actions for divorce.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, insert the following: "Section 1."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, section 1, lines 9, 10, 11 and 12, strike out the comma and the words "and from such interlocutory judgment an appeal may be taken within sixty days after its entry, in the same manner and with like effect as if the judgment were final".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 335—An Act to amend section four thousand two hundred and sixty of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-first class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On pages 1 and 2 of the printed bill, strike out all of lines 9 to 15 inclusive on page 1, and lines 1 to 4 inclusive on page 2, and insert in lieu thereof the following: "lars per annum; and also such compensation as is now or may hereafter be allowed by law; and in each year in which a new and complete registration of voters is required by law he shall receive such an amount as shall be necessary to pay deputy registration clerks for taking affidavits of registration outside of the office at the rate of ten cents each, and such an amount as shall be necessary to pay deputies in the office for enrolling the registrations upon the great register at the rate of four cents each, the claims for which shall be presented and allowed by the board of supervisors as other claims are presented and allowed; he may also appoint a deputy clerk, which office of deputy clerk is hereby created, whose salary shall be nine hundred dollars per annum, payable as the salaries of county officers are paid. The provisions of this subsection do not increase the compensation of a county officer and shall take effect immediately."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 10 to 17 inclusive and insert in lieu thereof the following: "*vided*, that when the amount of said fees so collected shall amount to more than two hundred dollars in any one month, the said recorder may receive and retain for his own use, in addition to his salary, one-half of all fees in excess of two hundred dollars in one month so collected; *and provided*, that in counties of this class the recorder may appoint two copyists for service in his office, which office of copyists for the county recorder is hereby created, and said copyists shall receive as compensation for their services the sum of five hundred forty dollars each per annum, to be paid out of the county treasury in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the recorder is paid."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 22 of the printed bill, after the period in the said line, insert the following: "The provisions of this subsection do not increase the compensation of a county officer and shall take effect immediately."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On pages 3, 4 and 5 of the printed bill, strike out all of lines 30 to 37 inclusive on page 3, also all of lines 1 to 37 inclusive on page 4, and all of lines 1 to 12 inclusive on page 5 and insert in lieu thereof the following:

"Townships having a population of fifty-eight hundred or more shall belong to and be known as townships of the first class; townships having a population of four thousand and less than fifty-eight hundred shall belong to and be known as townships of the second class; townships having a population of three thousand and less than four thousand shall belong to and be known as townships of the third class; townships having a population of twenty-two hundred and less than three thousand shall belong to and be known as townships of the fourth class; townships having a population of seventeen hundred and less than twenty-two hundred shall belong to and be known as townships of the fifth class; townships having a population of twelve hundred and less than seventeen hundred shall belong to and be known as townships of the sixth class; townships having a population of six hundred and less than twelve hundred shall belong to and be known as townships of the seventh class; townships having a population of three hundred and less than six hundred shall belong to and be known as townships of the eighth class; townships having a population of less than three hundred shall belong to and be known as townships of the ninth class.

Justices of the peace shall receive the following salaries: In townships of the first class, the sum of nine hundred dollars for the period beginning with the date upon which this act becomes effective and ending December 31, 1915, and thereafter a salary of nine hundred dollars per annum; in townships of the second class, the sum of seven hundred eighty dollars for the period beginning with the date upon which this act becomes effective and ending December 31, 1915, and thereafter a salary of seven hundred eighty dollars per annum; in townships of the third class, the sum of six hundred sixty dollars for the period beginning with the date upon which this act becomes effective and ending December 31, 1915, and thereafter a salary of six hundred sixty dollars per annum; in townships of the fourth class, the sum of six hundred dollars for the period beginning with the date upon which this act becomes effective and ending December 31, 1915, and thereafter a salary of six hundred dollars per annum; in townships of the fifth class, the sum of three hundred twenty dollars for the period beginning with the date upon which this act becomes effective and ending December 31, 1915, and thereafter a salary of three hundred twenty dollars per annum; in townships of the sixth class, the sum of two hundred forty dollars for the period beginning with the date upon which this act becomes effective and ending December 31, 1915, and thereafter a salary of two hundred forty dollars per annum; in townships of the seventh class, the sum of one hundred eighty dollars for the period beginning with the date upon which this act becomes effective and ending with December 31, 1915, and thereafter a salary of one hundred eighty dollars per annum; in townships of the eighth class, the sum of one hundred twenty dollars for the period beginning with the date upon which this act becomes effective and ending December 31, 1915, and thereafter a salary of one hundred twenty dollars per annum; in townships of the ninth class, the sum of sixty dollars for the period beginning with the date upon which this act becomes effective and ending December 31, 1915, and thereafter a salary of sixty dollars per annum."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 666—An Act to amend section four thousand two hundred and forty-eight of the Political Code of the State of California relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, strike out the word "five" and insert the word "four".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 24, of the printed bill, strike out dotted line and insert the words "one hundred fifty".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 25, of the printed bill, strike out dotted line and insert the word "ninety".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 28, of the printed bill, strike out dotted line and insert the word "sixty".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 29, of the printed bill, strike out dotted line and insert the word "sixty".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 33, of the printed bill, strike out dotted line and insert the word "forty-five".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 34, of printed bill, strike out dotted line and insert the word "fifty".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 1, of printed bill, strike out dotted line and the word "dollars" and insert the words "thirty-two dollars and fifty cents".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 2, of printed bill, strike out dotted line and insert word "forty".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 6, of printed bill, strike out dotted line and insert the word "twenty".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 7, of printed bill, strike out dotted line and insert the word "twenty-five".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 11, of the printed bill, strike out dotted line and insert the word "five".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 12, of printed bill, strike out dotted line and insert the word "five".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 566—An Act to amend section two and section seven of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Bill read second time, ordered engrossed, and on file for third reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 217—An Act to amend section one hundred sixty-two of the Political Code, establishing the legal distance from the county seat of Imperial County to Sacramento.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 839—An Act to amend section forty-two hundred eighty-four of the Political Code relating to salaries and fees of officers of counties of the fifty-fifth class.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF BILL (OUT OF ORDER).

Senator Birdsall asked for and was granted unanimous consent to take up Senate Bill No. 333, out of the regular order, for the purpose of amendment.

Senate Bill No. 333—An Act to prevent the propagation, by the production of seed, of those certain plants known as *Sorghum halepense*, *Cnicus arvensis*, *Salsola kali*, *Onopordon acanthium*, *Cnicus lanceolatus* and *Convolvulus arvensis*; and repealing all Acts or parts of Acts inconsistent herewith.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Birdsall moved to refer to Senator Cogswell as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, strike out the word "or".

AMENDMENT NUMBER TWO.

On page 1 line 10, insert at the beginning of the line the word "or".

AMENDMENT NUMBER THREE.

On page 2 line 8, strike out the word "or".

AMENDMENT NUMBER FOUR.

On page 2 line 9, insert after the comma following the word "bindweed", the word "or".

AMENDMENT NUMBER FIVE.

On page 2, line 19, strike out the word "or".

AMENDMENT NUMBER SIX.

On page 2 line 20, insert after the comma following the word "bindweed" the word "or".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 333, with instructions to amend, respectfully reports the same back, amended as per instructions.

COGSWELL, Committee.

Report read, and on motion of Senator Birdsall, adopted.

Bill ordered to print and re-engrossment.

SENATOR TYRRELL IN THE CHAIR.

At two o'clock and twenty minutes p.m., Senator Tyrrell of the Sixteenth district, in the chair.

CONSIDERATION OF DAILY FILE—THIRD-READING—(OUT OF ORDER).

By consent of the Senate, the third reading of Senate Bills was taken up out of the regular order.

Senate Bill No. 1043—An Act to amend section one thousand six of the Civil Code, relating to occupancy of real property.

Read third time.

On motion of Senator Thompson, Senate Bill No. 1043 was passed on file.

Senate Bill No. 881—An Act to add to the Code of Civil Procedure a new section to be known and numbered section one hundred three *b*, relating to justices' court clerk and fixing the powers and duties.

Read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 881 passed by the following vote:

AYES—Senators Anderson, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Jones to introduce a bill entitled "An Act to amend sections 1 and 2 of an Act entitled 'An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the state, county, city and county, or incorporated city or town government in this state,' approved March 23, 1901".

Also: Request of Senator Kehoe to introduce a bill entitled: "An Act granting to the city of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Eureka, and regulating the management, use and control thereof":

Have had the same under consideration and respectfully report the same back and recommend that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At two o'clock and thirty-five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with above report:

By Senator Jones: Senate Bill No. 1218—An Act to amend sections 1 and 2 of an Act entitled "An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the state, county, city and county, or incorporated city or town government in this State," approved March 23, 1901.

Bill read first time, and referred to Committee on Judiciary.

By Senator Kehoe: Senate Bill No. 1219—An Act granting to the city of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Eureka, and regulating the management, use and control thereof.

Bill read first time, and referred to Committee on Judiciary.

SECOND READING OF BILLS OUT OF ORDER.

Senator Kehoe asked for and was granted unanimous consent for the second reading at this time under suspension of the rules of all bills previously reported from committees on this legislative day.

Senate Bill No. 56—An Act to amend section three thousand fifty-one of the Civil Code of the State of California, relating to liens upon personal property.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENTS TO SENATE BILL NUMBER FIFTY-SIX.

AMENDMENT NUMBER ONE.

In line 6, page 1, after the comma following the word "thereof" strike out "or person in lawful possession thereof," and insert in lieu thereof the following: "or any person owning any interest therein,".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 12, page 1, after the comma following the word "owner" strike out "or legal possessor of the property," and insert in lieu thereof the following: "or any person owning any interest therein,".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 12, page 2, strike out the words "legal possessor of" and insert in lieu thereof the following: "any person owning any interest in".

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 20—An Act to license and regulate the business of private detectives and detective agencies.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

After the enacting clause, strike out all of the bill and insert in lieu thereof the following:

"SECTION 1. No person, firm, association, co-partnership, or corporation shall engage in the business of private detective for hire or reward or advertise such business to be that of detective or of conducting a detective agency without having first obtained a license so to do from the Controller of the State of California in the manner hereinafter provided. Nor shall any person, firm, association, co-partnership or corporation engage for hire and reward, or hire or reward, in the business of furnishing or supplying information as to the personal character of any person or firm, or as to the character or kind of the business and occupation of any person, firm, or corporation, or own or conduct a bureau or agency for the above mentioned purpose without having first obtained a license so to do from the Controller of the State of California in the manner hereinafter provided. Nothing contained in this act, however, shall apply to the business of obtaining and furnishing information as to the financial rating of persons, firms, or corporations.

SEC. 2. Every person who desires to conduct, either as an individual or as manager for a firm, association, co-partnership, or corporation, the business of detective or detective agency or of furnishing or supplying information as to the personal character of any person or firm or as to the character or kind of the business and occupation of any person, firm, or corporation, shall present to the Controller and file in his office a written application which shall state the age, residence, present and previous, occupation of such applicant and the name of the city, town or village where the principal place of business is to be located and such further facts as will tend to show the good character, competency and integrity of such applicant. Such application shall be duly signed and verified by the applicant and shall be approved by not less than five reputable freeholders of the county where such applicant resides or where it is proposed to conduct such business, which approval shall be signed by such freeholders and acknowledged by them before an officer authorized to take acknowledgments of deeds. The Controller when satisfied, from examination of such application and such further inquiry and investigation as he shall deem proper, that the applicant is a person of good character, competency and integrity, shall issue and deliver to such applicant a license entitling the applicant to conduct such business for a period of five years next ensuing upon the applicant's paying to the Controller for the use of the State a license fee of one hundred dollars per annum and shall be payable in advance on September 1, 1915, and annually thereafter, and upon his executing, delivering, and filing in the office of the Controller a surety bond to be executed by such applicant with one or more sureties in the sum of ten thousand dollars, conditioned for the faithful and honest conduct of such business by such applicant, which bond as to its form, execution and sufficiency of the surety must be approved by the said Controller. Such bond shall be taken in the name of the People of the State of California, and every person injured by the wilful or malicious or wrongful act of the principal may bring an action on said bond in his own name to recover damages suffered by reason of said wilful or malicious or wrongful act. The license granted pursuant to this act shall be revocable at any time by the Controller for cause shown.

SEC. 3. Nothing in this act shall apply to employees of such duly licensed private detective or detective agencies for whose good conduct in the business, however, the employers shall be responsible, or to any detective or officer belonging to the police force of the State, or any county, city and county, city, town or village thereof appointed or elected by due authority of law.

SEC. 4. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and for the enforcement of this act the Controller of the State of California is hereby authorized to expend annually any necessary moneys received as license fees in the employment of an agent or agents, and of other proper measures to aid in the detection or prosecution of all violations of this Act.

SEC. 5. A license obtained from the said controller by any person or persons, firm, association, copartnership or corporation mentioned in section one of this Act, shall be sufficient to give the said person or persons, firm, association, copartnership or corporation obtaining said license, their employees or operatives, the authority to act under said license as a deteceive or uniformed patrolman or watchman in any county, city and county, city or town in this State.

SEC. 6. This act shall supersede and take the place of any rule, regulation or ordinance of any county, city and county, city or town in the State of California conflicting herewith.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 735—An Act to amend sections one, four, five and six of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by an Act approved March 20, 1905, and as amended by an Act approved March 4, 1907, and as amended by an Act approved April 21, 1911.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 4 strike out all of lines 24 to 34 inclusive.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 427—An Act to add a new section to the Political Code to be numbered sixteen hundred seventeen *b*, relating to the employment of home teachers.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 439—An Act to add two new sections to the Political Code of the State of California to be numbered sections seventeen hundred fifty *a*, and sixteen hundred seventeen *d*, relating to the establishment of intermediate school courses by high school boards, and authorizing boards of school trustees and boards of education in common school districts to permit pupils of certain grades to attend such intermediate school courses.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, strike out the word "be"

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9, after the word "district" insert the following: "unless the elementary schools in such high school district show an average daily attendance of at least seventy-five pupils in the seventh and eighth grades during the preceding school year, and"

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate the following reports of standing committees were received and read, out of the regular order:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine to whom was referred Assembly Bill No. 932—An Act to amend sections two and three of an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of

Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BUTLER, Chairman.

Assembly Bill No. 932 ordered on file for second reading.

Also:

SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine to whom was referred Senate Bill No. 1048—An Act to amend section 21 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 1048 ordered on file for second reading.

Also:

SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine to whom was referred Senate Bill No. 1046—An Act to amend section twenty-two of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended by an Act entitled "An Act to amend sections 20 and 22 of an Act entitled 'An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor,' approved March 11, 1907," which amendatory Act was approved April 26, 1911—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 1046 ordered on file for second reading.

Also:

SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine to whom was referred Senate Bill No. 758—An Act to prevent blindness from ophthalmia neonatorium; to vest certain powers and duties in the state board of health and health officers; to impose certain duties upon physicians, midwives, nurses, and other persons; and to provide for the enforcement of this Act and the repeal of chapter XIV, statutes of 1897 entitled "An Act to regulate medical practice, to prevent blindness in infants," and other Acts in conflict herewith—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 758 ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories to whom was referred Senate Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section one of article ten thereof, so as to provide for state institutions and the maintenance of prisoners, insane, delinquents, dependents and other wards of the State, and to repeal sections two, three, four and five of article ten of the Constitution relating to the powers and duties of the State Board of Prison Directors and officers of the prisons—have had the same under consideration, and respectfully report the same back and recommend that it be re-referred to the Committee on Judiciary.

FINN, Chairman.

Senate Constitutional Amendment No. 35 ordered re-referred to Committee on Judiciary.

Also:

SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories to whom was referred Senate Bill No. 317—An Act to provide for the care and confinement of certain delinquents in correctional institutions, to establish two correctional institutions, to provide for the government thereof, and making an appropriation therefor.
Also: Senate Bill No. 860—An Act authorizing the State Board of Prison Directors to make and enforce rules and regulations to establish and maintain an earning system to apply to the inmates of state prisons engaged in productive activity, and making an appropriation to carry out the provisions of this Act.
Have had the same under consideration, and respectfully report the same back and recommend that they do pass and be re-referred to the Committee on Finance.

FINN, Chairman.

Senate Bills Nos. 317 and 860 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 15, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to whom was referred Senate Bill No. 55—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons, have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

FINN, Chairman.

Senate Bill No. 55 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 236—An Act to provide for the establishment and maintenance of vocational courses and schools by local boards of education for the purpose of encouraging agricultural, industrial, trade, commercial and all other vocational subjects, and providing state aid therefor, have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended and be re-referred to Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 236 ordered re-referred to Committee on Finance.

SECOND READING OF BILLS (OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent for the second reading at this time under suspension of the rules, of all the bills previously reported from committee on this legislative day.

Assembly Bill No. 932—An Act to amend sections two and three of an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1048—An Act to amend section 21 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 in line 12 strike out the semicolon following the word "act", all the remainder of that line, all of lines 13 and 14, all of lines 1 and 2 and all of line 3, page 2, down to and including the word "guaranty" and insert in lieu thereof a period and the following:

"Such guaranty may be either general or special. A general guaranty shall guarantee without condition or restriction all of the products or articles produced, prepared, compounded, packed, distributed, or sold by the guarantor as not adulterated within the meaning of this Act. A special guaranty shall guarantee in the same manner the particular articles listed in an invoice of the same, and shall be attached to or shall fully identify such invoice. Both said guaranties".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out of lines 5 and 6, page 2, the words "and an itemized statement showing the articles purchased."

Amendment adopted.

AMENDMENT NUMBER THREE.

Insert in line 6, page 2, after the period the following:

"If the guaranty be to the effect that such article is not adulterated or misbranded within the meaning of the National Pure Food Act, approved June 30, 1906, it shall be sufficient for all the purposes of this Act and have the same force and effect as though it referred to this Act, except that a guaranty referring to the said National Pure Food Act alone shall not be sufficient for the purpose of this Act in any case where at any time the standard for the article concerned under this Act is higher than the standard for a like article under said National Pure Food Act."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1046—An Act to amend section twenty-two of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended by an Act entitled "An Act to amend sections 20 and 22 of an Act entitled 'An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor,' approved March 11, 1907," which amendatory Act was approved April 26, 1911.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out of line 2, in the title, the word "section" and insert in lieu thereof the words "sections 9 and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the word "twenty-two" and insert in lieu thereof the word "nine".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, of the printed bill, after line 6 and before line 7, insert the following:

"SEC. 9. For the purpose of this Act there is hereby established a state laboratory for the analysis and examination of foods and drugs, which shall be under the supervision of the State Board of Health, which laboratory shall be located at such place as the State Board of Health may select. The State Board of Health shall appoint a director of said laboratory, a consulting nutrition expert, and an assistant to such director, all of whom shall be skilled pharmaceutical chemists and analysists of foods and drugs. Said director shall perform all duties required by this Act and which shall be required by the State Board of Health. Said consulting nutrition expert shall at all times be ready for consultation with, give advice to, and perform duties in connection with the director of said laboratory, and shall at all times be under the supervision of and perform such duties under this Act as are required by the State Board of Health. As a part of his duties he shall consult and advise with the State Board of Control concerning standards of purity and other matters relating to foods and drugs purchased by the State of California for any or all of its institutions. The assistant shall be under the supervision of the director and shall perform all duties required of him by the director and by the State Board of Health. The director shall receive an annual salary of three thousand dollars, the consulting nutrition expert shall receive an annual salary of one thousand dollars, and the assistant to the director shall receive an annual salary of fifteen hundred dollars. All such salaries shall be paid in the same manner and at the same time as the salaries of state officers. The State Board of Health, out of the appropriation hereinafter provided, and out of the funds derived from the operation of this Act, may employ and fix the compensation of other and additional clerical and professional assistants.

SEC. 2. Section twenty two of said Act is hereby amended to read as follows."

Amendment adopted.

AMENDMENT NUMBER FOUR.

Strike out all of line 15, page 2, after the word "fact" and all of lines 16, 17, 18 and 19 and all of line 20 down to and including the word "guaranty" and insert in lieu thereof a period and the following:

"Such guaranty may be either general or special. A general guaranty shall guarantee without condition or restriction all of the products or articles produced, prepared, compounded, packed, distributed, or sold by the guarantor as not adulterated within the meaning of this Act. A special guaranty shall guarantee in the same manner the particular articles listed in an invoice of the same, and shall be attached to or shall fully identify such invoice. Both said guaranties".

Amendment adopted.

AMENDMENT NUMBER FIVE.

Strike out of lines 22 and 23, on page 2, the following: "and an itemized statement showing the articles purchased."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page two, insert in line 23, after the period, the following:

"If the guaranty be to the effect that such article is not adulterated, mislabeled or misbranded within the meaning of the National Pure Food Act, approved June 30, 1906, it shall be sufficient for all the purposes of this Act and have the same force and effect as though it referred to this Act, except that a guaranty referring to the said National Pure Food Act alone shall not be sufficient for the purposes of this Act in any case where at any time the standard for the article concerned under this Act is higher than the standard for a like article under said National Pure Food Act."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

Strike out of line 32, page 2, the figure "2", and insert in lieu thereof the figure "3".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 758—An Act to prevent blindness from ophthalmia neonatorum; to vest certain powers and duties in the State Board of

Health and health officers; to impose certain duties upon physicians, midwives, nurses, and other persons; and to provide for the enforcement of this Act, and the repeal of chapter XIV, statutes of 1897, entitled "An Act to regulate medical practice, to prevent blindness in infants," and other Acts in conflict herewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2, page 1, of the title, in the word "Neonatorium" strike out the "i".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 5, strike out the word "prosecuting" and insert in lieu thereof the word "district".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 55—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, section 1, line 1, after the word "prisoner" strike out the remainder of the section and insert in lieu thereof the following: "now on parole or who may hereafter be paroled from a state prison of this State who has remained, or who shall remain, on parole for a period of two consecutive years shall be entitled to absolute discharge and restoration to full citizenship".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, section 4, line 15, strike out the entire section.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 490—An Act to amend section six hundred sixty-three *a* of the Code of Civil Procedure of the State of California relating to the setting aside of a judgment of the Superior Court and the rendition of a new judgment without a new trial;

Also: Senate Bill No. 491—An Act to amend section one thousand fifty-four of the Code of Civil Procedure relating to the extension of time in which an act is to be done;

Also: Senate Bill No. 440—An Act to amend section eight hundred ninety of the Code of Civil Procedure relating to judgment of dismissal entered without prejudice;

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

ADJOURNMENT.

At three o'clock p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned.

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Thursday, March 18, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by Minute Clerk Clifton E. Brooks and the following answered to their names:

Senators Anderson, Ballard, Benedict, Benson, Birdsall, Boyd, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Dennett, Flaherty, Finn, Gates, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—34.

Quorum present.

PRAYER.

By invitation of the President, prayer was offered by Rev. Thomas Lantry O'Neill.

LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Hans was, on motion of Senator Tyrrell, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 17, 1915, the further reading was dispensed with, on motion of Senator Rush.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 603—An Act to prevent the importation into the State of California of horses, mules, dairy cattle and breeding bulls which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this Act, and repealing an Act approved June 4, 1913, entitled "An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Also: Assembly Bill No. 628—An Act to amend an Act entitled "An Act providing for the designation of money in the state treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," by amending section one of said Act, so as to authorize the investment thereof in bonds of irrigation districts.

Also: Assembly Bill No. 629—An Act to add a new section to the Political Code to be numbered section 677*a*, relating to the purchase of bonds of irrigation districts by the Board of Control.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 603 read first time, and referred to Committee on Agriculture.

Assembly Bills Nos. 628 and 629 read first time, and referred to Committee on Irrigation.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 846—An Act to amend section one of an Act entitled "An Act providing for vacations for certain employees of the State," approved March 15, 1909;

Also: Senate Bill No. 955—An Act to amend an Act entitled "An Act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903, by amending section one thereof;

Also: Senate Bill No. 982—An Act to amend an Act entitled "An Act providing for the time of payment of wages," approved May 1, 1911, by amending section three thereof, providing penalties for the violation of said Act;

Also: Senate Bill No. 987—An Act to amend an Act entitled "An Act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911, by prohibiting the issuance of any scrip, coupons, cards, or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money;

Have had the same under consideration, and respectfully report the same back and recommend that the same do pass.

LYON, Chairman.

Senate Bills Nos. 846, 955, 982, and 987 ordered on file for second reading.

Also:

SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 438—An Act to prohibit any employer from discriminating against any of his employees on account of engaging in politics or running for public office, and providing a penalty for the violation thereof,—have had the same under consideration, and respectfully report the same back and recommend that the same do pass as amended.

LYON, Chairman.

Senate Bill No. 438 ordered on file for second reading.

Also:

SACRAMENTO, March 15, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 64—An Act providing that any person, firm, association or corporation or agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor and providing that said accused employee shall have the opportunity to be confronted with the person making such report and providing for the punishment for the violation thereof—have had the same under consideration, and respectfully report the same back and recommend that the same do pass as amended.

LYON, Chairman.

Assembly Bill No. 64 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Constitutional Amendment No. 6—A resolution proposing to the people of the State of California an amendment to section three of article XII of the Constitution of California, relating to the liability of stockholders in corporations and joint-stock companies and to the liability of directors and trustees thereof—have had the same under consideration, and respectfully recommend that it be re-referred to Judiciary Committee.

JONES, Chairman.

Senate Constitutional Amendment No. 6 ordered re-referred to Committee on Judiciary.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 772—An Act to amend sections one thousand nine hundred and twenty-five, one thousand nine hundred twenty-seven, one thousand nine hundred twenty-eight, one thousand nine hundred twenty-eight *a*, one thousand nine hundred twenty-eight *b*, one thousand nine hundred twenty-eight *d*, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one, one thousand nine hundred thirty-four, one thousand nine hundred fifty-one, one thousand nine hundred fifty-four, one thousand nine hundred fifty-seven, one thousand nine hundred sixty-three, one thousand nine hundred eighty-five, two thousand six, two thousand eighty-one, one thousand nine hundred eight, two thousand seventy-nine, two thousand eighty-six, two thousand one hundred seven, one thousand nine hundred sixty-two, one thousand nine hundred sixty-seven, one thousand nine hundred eighty-one, one thousand nine hundred eighty-four, two thousand eighty, two thousand one hundred eleven, two thousand one hundred twelve of the Political Code of the State of California, and to add one new section to said code to be known as section one thousand nine hundred sixty-three *a*, all relating to the organization, equipment, maintenance and government of the national guard of the State of California—have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

SCOTT, Chairman.

Senate Bill No. 772 ordered on file for second reading.

Also:

SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 266—An Act to provide for memorial halls and meeting places for Army and Navy Veterans of the Civil war, the Spanish-American war and the Philippine insurrection;

Also: Senate Bill No. 406—An Act to select, designate and adopt a state song to be known as "California's State Song";

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

SCOTT, Chairman.

Senate Bills Nos. 266 and 406 ordered on file for second reading.

Also:

SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. 453—An Act making an appropriation for the building and construction of an armory for the National Guard at Napa City, Napa County, California;

Also: Senate Bill No. 1142—An Act making an appropriation for the erection, construction, equipment and furnishing of an armory for the National Guard in the city of Oakland;

Have had the same under consideration, and respectfully report the same back and recommend that they do pass and be referred to the Finance Committee.

SCOTT, Chairman.

Senate Bills Nos. 453 and 1142 ordered re-referred to Committee on Finance.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 12—An Act to amend sections three thousand four hundred fifty-seven and three thousand four hundred sixty-six of the Political Code of the State of California relating to reclamation and swamp land districts;

Also: Senate Bill No. 31—An Act to add a new section to the political Code of the State of California, to be numbered section three thousand seventy-six and one-half, relating to reclamation and swamp land districts;

Also: Senate Bill No. 151—An Act to amend section three thousand four hundred ninety-one of the Political Code of the State of California, relating to reclamation and swamp land districts;

Also: Senate Bill No. 953—An Act to amend section three thousand four hundred sixty-two of the Political Code, relating to assessments of reclamation districts;

Have had the same under consideration, and respectfully report the same back with amendments and recommend that they do pass as amended.

CHANDLER, Chairman.

Senate Bills Nos. 12, 31, 151 and 953 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 542—An Act to amend section four thousand seventy-five and section four thousand seventy-six of the Political Code, relating to payment and form of claims against the county—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BREED, Chairman.

Senate Bill No. 542 ordered on file for second reading.

Also:

SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 538—An Act to amend section four thousand two hundred eighty-eight of the Political Code by adding a new section thereto permitting boards of supervisors in counties of first class or counties operating under a charter to fix dates of which salaried employees may be paid—have had the same under consideration, and respectfully report the same back and recommend that it do pass

BREED, Chairman.

Senate Bill No. 538 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 4—An Act to amend section five hundred seventy of the Code of Civil Procedure of the State of California relating to the disposition of unclaimed funds in the hands of a receiver;

Also: Senate Bill No. 717—An Act to amend section three hundred ninety-six of the Code of Civil Procedure of California, relating to change of place of trial to the proper county;

Have had the same under consideration, and respectfully recommend that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 4 and 717 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 1120—An Act to amend sections seven, eight, eight *a*, eight *b*, eight *c*, eight *d*, and nine of an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof"; approved March 6, 1907; approved March 19, 1909; approved April 25, 1911; approved June 11, 1913—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 1120 ordered on file for second reading.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Flaherty to introduce a bill entitled: "An Act to amend title VII of the Code of Civil Procedure of California relating to eminent domain, by amending section 1240 of said Code of Civil Procedure relating to the classes of property that may be taken, amending section 1245 relating to the issuance and service of summons in actions in eminent domain, and section 1248 relating to the ascertainment and assessment of damages by amending subdivision 3 of said section 1248"—have had the same under consideration and respectfully report the same back and recommend that Senator Flaherty be permitted to withdraw his request.

THOMPSON, Chairman.

WITHDRAWAL OF REQUEST.

Senator Flaherty asked for, and was granted unanimous consent to withdraw his request to introduce a Senate Bill in accordance with the above report.

REPORTS OF STANDING COMMITTEES—(CONTINUED).

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Insurance, to whom was referred Senate Bill No. 580—An Act to amend section one of an Act approved May 1, 1911, entitled "An Act for the [illegible] and control of fraternal benefit societies";

Also: Senate Bill No. 1037—An Act to amend section [illegible] of the Political Code of the State of California, relating to the [illegible] of insurance companies;

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BENEDICT, Chairman.

Senate Bills Nos. 580 and 1037 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 979—An Act to amend section [illegible] of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the duties of city attorney in cities of the [illegible] class," have had the same under consideration and respectfully report the same back and recommend that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 979 ordered on file for second reading.

Also:

SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 276—An Act authorizing any municipal corporation using the word "city" in its corporate name, to change such word to "town" and providing the procedure therefor;

Also: Senate Bill No. 77—An Act to amend an Act entitled "An Act to amend sections numbers eight hundred fifty-one and eight hundred fifty-two of an Act entitled 'An Act to provide for the organization, incorporation and government of municipal corporations,' approved March 13, 1883," approved March 9, 1911;

Also: Senate Bill No. 98—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 123—An Act to amend section [illegible] of an Act entitled "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain [illegible] for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, [illegible] highways for the construction and maintenance [illegible];

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

TYRRELL, Chairman.

Assembly Bill No. 276 ordered on file for second reading.

Senate Bills Nos. 77, 98, and 123 ordered on file for second reading.

Also:

SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 564—An Act authorizing any municipality to incur indebtedness by the issuance and sale of bonds for the purpose of investing the proceeds arising from the sale thereof in other bonds, evidences of debt or liens issued for public improvements in said municipality;

Also: Senate Bill No. 956—An Act to amend section eight hundred sixty-two of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto;

Also: Senate Bill No. 1057—An Act to amend section four of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction

tion, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901;
Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

TYRRELL, Chairman.

Senate Bills Nos. 564, 956 and 1057 ordered on file for second reading.

Also:

SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 1058—An Act to amend section five of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 19, 1889, as amended;

Also Senate Bill No. 1129—An Act to amend section one thousand seven hundred fifteen of the Political Code relating to the control and location of libraries;

Also, Senate Bill No. 1150—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by providing for the taking over and administering by counties of certain functions, powers and property previously administered by municipalities that have disincorporated;
Has had the same under consideration, and respectfully report the same back and recommend that they do pass.

TYRRELL, Chairman.

Senate Bills Nos. 1058, 1129 and 1150 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 16, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Senate Bill No. 681—An Act to divide the State of California into twenty-seven fish and game districts and to repeal an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911—have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

FLINT, Chairman.

Senate Bill No. 681 ordered on file for second reading.

REPORT OF SPECIAL COMMITTEE.

On motion of Senator Cogswell, the following report of special committee was received, ordered printed in the Journal, and the State Printer directed to print and bind for distribution 500 copies, omitting the expense account, now a part of the report:

REPORT OF ADVISORY ROAD COMMITTEE.

To the Honorable, the State Senate, and the State Assembly, Session 1915:

Chapter 77, Statutes 1913.

ASSEMBLY CONCURRENT RESOLUTION NUMBER THIRTY-ONE.

Relative to the appointment of an advisory committee to confer with the State Engineer and the State Board of Control regarding state roads.

(Filed with Secretary of State, June 2, 1913.)

Resolved by the Assembly, the Senate concurring, That an advisory committee consisting of two members of the Assembly and two members of the Senate be appointed to confer with the State Engineer and the State Board of Control regarding location, construction and maintenance of state roads other than state highways constructed under and by virtue of the "State Highways Act" of California and to report back with recommendations to

> the forty-first session of the Legislature. The Speaker of the Assembly shall appoint the Assembly members of the committee and the President of the Senate shall appoint the Senate members of the committee.
>
> *Resolved*, That the sum of fifteen hundred dollars is hereby made available for the purpose of defraying the expenses of such committee; and half of the amount to be paid from the contingent fund of the Assembly, and one-half to be paid from the contingent fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrant in favor of the chairman of said joint committee for such expenditure as the same may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Agreeable to the provisions of this resolution embodied in chapter 77, statutes 1913, the President of the Senate appointed Senators F. F. Cogswell and Benjamin F. Rush. The Speaker of the Assembly appointed the Honorable W. F. Chandler and the Honorable A. G. Kuck. The State Board of Control selected the Honorable Clyde L. Seavey to represent that body.

Through the efforts of Hon. W. F. Chandler of Fresno, we secured two large automobiles at Fresno, and the full committee left that city at 7.30 a.m., September 2, 1913, accompanied by Mr. J. E. Mitchell, superintendent of the Kings River Canyon road. We proceeded by the way of Reedley and Sand Creek road to the General Grant National Park, and thence over the state road to Hume, a lumber camp in the Sierra Nevada Mountains. At this point a meeting was held and the Honorable A. G. Kuck was chosen as chairman of the committee.

From Hume we were driven easterly about five and one-half miles to the end of the road. The Kings River Canyon state road was provided for originally by the Legislature of 1905 and an appropriation of $25,000 made. The county of Fresno appropriated $12,500. At the sessions of the Legislature of 1909 and 1911 additional appropriations of $25,000 for each session were added. With the exception of a little over $400, this total amount of $87,500 was required for the construction of the fourteen and one-half miles of road, or at a rate of $6,000 per mile.

The general appropriation bill for 1913 carries an item of $4,000 for maintenance and improvement, making a total of $79,000 furnished by the State to date.

The road begins at a point on the north boundary of General Grant National Park, and the intention of the original advocates of the road was that it should proceed easterly into Kings River Canyon and up said canyon.

Chapter 223, statutes 1909, providing for $25,000 with which to complete the construction of said Kings River highway, stipulates in section 1 thereof that "the highway now completely located and surveyed and partially completed by the State of California from General Grant National Park to the floor of the Kings River Canyon, is hereby made a state highway."

This appropriation, together with former appropriations, was all expended in the construction of the road as far as Hume, nine and one-half miles from the point of beginning.

The first appropriation made in 1905 was for the "purpose of locating and surveying and constructing a public highway from the General Grant National Park in Fresno County, thence easterly into the Kings River Canyon." Between the time of the appropriations of 1905 and 1909 the survey was made, and according to the language of chapter 223, statutes 1909, the highway was to be constructed as now "completely located and surveyed."

In the summer of 1912, State Engineer McClure made examination of the location and reported that said location had probably been made with a view of getting into the canyon as soon as possible, and then proceeding directly up the canyon for a number of miles.

It is interesting to note that the report made by the Highway Commissioner in 1905 reported a length of twenty-three or twenty-four miles, and that the cost of the construction of the first fifteen miles would be at the rate of $1,350 per mile, and of the remaining eight or nine miles at the rate of $3,125 per mile. During 1906 the survey was made into the canyon and completed in 1907, a distance of thirty-two and eight-tenths miles to a point in the canyon called Cedar Grove Hotel.

In 1912, State Engineer McClure made examination of the location and reported that the remainder of the road as surveyed would cost not less than $200,000 and that it would probably cost much more, including, as it does, a bridge over Kings River. He reported that he knew of no reason why the road should be located so as to drop so soon into the canyon, and stated that for a scenic road, in his opinion, a better location and certainly a much cheaper one may be had by remaining on the higher ground and not entering the canyon until a point near the eastern terminus is reached.

This committee, while not being prepared for an extensive or close examination, observed sufficient of the topography of the canyon to be led to believe that Mr. McClure's contention is correct. Your committee, none of whom had ever been as far up the canyon as on this trip, question the wisdom of the State spending $200,000 to complete a road which has no connection with any other road whatever, and would be used only by campers, hunters and those seeking quiet, scenic resorts in the high Sierras.

The road as completed for a distance of fourteen and one-half miles is one of good grade, but the approach to it up to the present time from the west is very steep and rough. We are informed, however, that contracts have been let by Tulare and Fresno counties whereby the Sand Creek road is to be completed easterly to the boundary of General Grant National Park on good grade. When this is done, it is our belief that travel will be very largely increased, although the road through the park is far from being a good one. We hold that if any more road is to be built by the State that chapter 223, statutes 1909, be repealed as to location, and another location made. Kings River Canyon contains some of the most bold and rugged territory, and some of the most fascinating mountain scenery in the State, and the road, if continued, would pass through some of the most magnificent redwood timber land in California, and ultimately arrive at a point from which the Kings River could be easily reached. It would then become a popular resort for campers and tourists. Your committee, however, doubt the wisdom at this time of spending the amount of money that would be required to continue the road to the floor of Kings River Canyon, nor would even recommend the extension without satisfactory evidence that its terminus there would be upon Federal or State property.

On the evening of September 3 we returned to the San Joaquin Valley, and at Exeter the Honorable W. F. Chandler was called back to Fresno, and here Mr. Mitchell also left us.

On the fourth we proceeded by the way of Porterville and Bakersfield to Mojave. On the fifth we motored east and north by the way of Olancha, Lone Pine, Independence, and Big Pine to the town of Bishop, in Inyo County. On the sixth we traveled from Bishop to Mammoth, a mountain resort in Mono County.

During the session of 1913, an appropriation of $100,000 for a state road from Bridgeport, Mono County, to Bishop, Inyo County, was made, but because of so many pressing demands, however, on the treasury, the bill was not signed by the Governor. The Honorable George A. Clarke joined our party at Bishop and pointed out to the committee in a general way where he thought a road should be constructed between Bishop and Mono Lake. We were informed by Mr. Clarke and other Inyo County citizens that the appeal was made to the State, and would be repeated, for State assistance, not because Inyo County needed it particularly, but because of the long stretch of country through Mono County which must be traversed from the north before Bridgeport is reached. The general impression being that Mono County is not financially able to construct the needed road. We were led to believe that if the State will give adequate assistance in the construction of a good road from Bridgeport to the southern boundary of Mono County, that Inyo County will gladly meet our work there and construct a good road from there south. Your committee commends favorable consideration of this project.

For scenic beauty there are few, if any, regions in our great State that surpass this country between the southern boundary of Inyo County by way of Independence, Bishop, Mammoth and Casa Diablo Hot Springs and Mono Lake to Bridgeport. The tillable portion of Owens River Valley is some eighty to ninety miles in length north and south, reaching from Owens Lake northerly, and is from ten to twelve miles wide, and the center of the valley lies from fifteen to twenty miles easterly from the crest of the Sierra Nevada Mountains. This crest of the high divide forms the boundary separating the counties of Inyo and Mono on the east and the counties of Tulare, Fresno, Madera and Tuolumne on the west. This high mountain crest would naturally be taken as a geographical line of division, and thus looking at it from an impartial view point, Inyo, Alpine and Mono counties would naturally belong to the State of Nevada. The Owens River Valley, Long Valley and the Owens Lake Valley do not have adequate or suitable roads westerly into the great heart of California, or to the north, in our own State.

We next examined the Mono Lake Basin State Road, located in Mono County, from Tioga Pass easterly nine and three-tenths miles to a point in Lee Vining Creek Canyon about three and a half miles west of Mono Lake. This road we found well located and in good condition. Tioga Pass is at an elevation of something over 9,000 feet. Our State Road connects with the old Tioga Toll Road, which runs westerly and joins the Big Oak Flat and Yosemite Road. This road was built many years ago as a toll road, and is still claimed by private parties. It is fifty miles or more in length and is nearly all within the boundaries of the Yosemite National Park. It is constructed on good grades and should be taken over by the State if proper transfer can be made with claimants and proper arrangements made with Federal authorities for travel through the park. This road, together with the State road from Tioga Pass easterly, would form the best road over the summit of the Sierra Nevadas, between the point where the Southern Pacific Railroad crosses the divide, in Nevada County, and Walker Pass in Kern County.

The county road between Mono Lake and Bridgeport is in fair condition for a mountain road, but a large portion of it is subject to washout, and we found several miles of it in very rough condition. For a reasonable expense a good road over a territory which seems to have fair material might be built, which would greatly shorten the distance between Mono Lake and Bridgeport.

We next examined the Sonora and Mono State Road stretching from Bridgeport in Mono County, westerly to Long Barn in Tuolumne County. With the exception of recent washouts, owing to [illegible] heavy [illegible] the [illegible] road in fair condition, but the grade [illegible] over 9,000 feet for the first [illegible] of travel that this road [illegible] would not justify the State in spending [illegible]

We next examined what is known as the Alpine System of State Roads. This system is made up of old county roads in El Dorado, Amador, Alpine, Calaveras and Mono counties. The [illegible] trees in Calaveras County and [illegible] water sheds of the Mokelumne and [illegible] which are very steep, especially is [illegible] Alpine County easterly to Silver Creek. The grades [illegible] wheel traffic of any kind. From Silver Creek [illegible] fords, we found the road in fair condition, built generally of good road material and easy to maintain.

What is known as the Amador branch of the [illegible] fords in a general southwesterly [illegible] County. This road like the Calaveras [illegible] and at one point [illegible] six and one-half miles on a straight line from a point on the [illegible]

From a point in Hope Valley the Alpine System [illegible] Lake Tahoe State Road by way of Luther's Pass [illegible] Although the statute of 1911 [illegible] from Mt. Bullion, "via Lerner," in [illegible] County [illegible] this portion has never been [illegible] caused a survey to be made from a point on the East Fork of the Carson River to a point near Coleville in Mono County [illegible]

Your committee believe that [illegible] the eastern base of the Sierra Nevadas through [illegible] Lake Tahoe, is deserving of serious consideration. [illegible] leaving California and making a detour into Nevada by the way of [illegible] Gardnerville and Sheridan, back to Woodfords [illegible] thirty-three miles. With the construction of the [illegible] to from the East Fork of the Carson River [illegible] grade can be built, this detour would [illegible] Luther's Pass connection may be [illegible] summit without dropping into the [illegible]

The old Lake Tahoe wagon road from Smith's [illegible] to Lake Tahoe, we found in good condition and [illegible] Tioga road may be made passable and the road [illegible] built as above suggested, northerly through Alpine County [illegible] Woodfords and Luther's Pass to connect with the Lake Tahoe Road [illegible] would then be fairly well cared for. This [illegible] of a highway system extending from Lake Tahoe [illegible] of the Sierra Nevada Mountains through Alpine, Mono, Inyo, Kern and Los Angeles counties connecting with the State Highway in Los Angeles County [illegible] the present time there is no good outlet either north or south from the [illegible] Owens River Valley.

We believe that the amount of travel on at least the Amador branch of the Alpine system, and on the Sonora-Mono road [illegible] justify the expense the State has been putting upon them. [illegible] to keep a few roads with good grades in good condition [illegible] roads with grades that are practically prohibitory to all ordinary traffic.

Our next examination was what is known as the Meyers-McKinneys State Road extending from Meyers Station on the Lake Tahoe State Road [illegible] and McKinneys Station on the west side of Lake Tahoe. This road [illegible] located on good grade and in connection with the Lake Tahoe Road, will undoubtedly, be a popular and useful connection to our road system.

Our next examination was on the Emigrant Gap Road, extending from a point near the west end of Donner Lake in Nevada County [illegible] Emigrant Gap, a distance of twenty-eight miles. This road was in good [illegible] evidence of having received considerable traffic during the [illegible]

Your committee went over the lines of proposed highways in Imperial County by automobile, going into Imperial County by way of San Bernardino, Redlands and Banning to Brawley, which is the most northern [illegible] Imperial County, and returned to Los Angeles by the way of San Diego [illegible] route.

Imperial is the youngest county in the State, [illegible] commercial importance and has a very considerable [illegible] traversed through long distances of desert country. The State Highway will penetrate it by the southern route, connecting San Diego and El Centro and will afford easy egress and ingress to the most southerly [illegible] The Ocean to Ocean Highway Association, through its Los Angeles auxiliary, has [illegible] about $40,000 on that part of the Banning and Brawley road [illegible] line of Riverside County and Brawley. This northern entrance to Imperial County.

while improved by the money expended upon it, which is largely in the nature of permanent work in the shape of concrete bridges and fords, is yet very far from being an ideal road. It leads through a wonderfully fertile section, known as the Coachella Valley and also affords opportunity for connection with the great Palo Verde Valley, lying adjacent to the Colorado River and situated north of the Imperial Valley in Riverside County. This valley is almost an empire in itself and easy transportation into it means the development of great wealth for the State. Palo Verde and Blythe are now reached by a good road from Glamis, a station between Mammoth Wash and Yuma. Legislative action for an appropriation of $75,000 for this road between Banning and Brawley was taken in 1913, but the appropriation did not receive executive approval.

It is the opinion of this committee that the road from Banning to Brawley should be assisted by the State on that portion lying between the southerly boundary of Riverside County and the high line ditch northwest from Brawley. This would give a more direct route to Los Angeles City and to the center of the State, and would be entirely free from the heavy grades and dangerous curves of the State Highway through the mountains from San Diego to El Centro.

There is demand for further State appropriations for this road and that it may be continued through Mammoth Wash to Yuma, as that is the only practical route to the Palo Verde Valley; also for a road leading from El Centro to Yuma connecting at the former point with the State road to San Diego. The former route offers great opportunity for the development of territory now practically shut off from civilization by vast stretches of almost impassable sand; the latter is the most direct route from Yuma to the county seat of Imperial County, and thence to the coast at San Diego.

These recommendations are not intended by this committee as applying particularly to legislative action this year, but only as a general policy to be carried out by the State in making appropriations for roads that would form either connecting links or laterals opening up country or territory at present inadequately provided for and where, in the judgment of this committee, State aid is absolutely required if the roads are to be built.

While the committee used as much expedition as possible, averaging about one hundred twenty miles per day over some of the roughest territory in California, we were unable, with the amount of the appropriation provided, to cover all of the roads presented for consideration, and were unable on account of lack of funds to cover the roads through Tehama, Siskiyou, Trinity, Modoc, Humboldt, Mendocino, Colusa, Glenn and Lake counties; neither did we touch the proposed roads between the San Joaquin Valley and the sea coast.

Respectfully submitted.

A. G. KUCK.
PRESCOTT F. COGSWELL.
B. F. RUSH.
W. F. CHANDLER.
C. L. SEAVEY.
W. F. McCLURE.

Trip No. 1.

Statement of expenses incurred by the Legislative Advisory Committee, State Engineer, State Board of Control. Concurrent Resolution No. 31, Session 1913.

Sept.	1—Railroad fare A. G. Kuck, Los Angeles to Fresno	$8 30
Sept.	1—Sleeper fare A. G. Kuck, Los Angeles to Fresno	2 00
Sept.	2—Lunch for Mountain trip	4 50
Sept.	3—Expenses for party at Hume	20 85
Sept.	3—Gasoline at Hume	9 00
Sept.	3—Saddle horses	10 00
Sept.	3—Supper at Exeter	4 00
Sept.	3—Lodgings at Exeter	7 50
Sept.	3—Gasoline and oil at Exeter	7 25
Sept.	3—Telegram	40
Sept.	4—Gasoline and garage expenses at Exeter	16 25
Sept.	4—Breakfast at Porterville	3 20
Sept.	4—Gas and oil at Porterville	4 75
Sept.	4—Lunch at Bakersfield	4 75
Sept.	4—Gas at Bakersfield	3 45
Sept.	4—Gas and oil at Mojave	5 50
Sept.	4—Can for water	20
Sept.	4—Supper and lodging at Mojave	12 15
Sept.	4—Two lodgings Mojave (drivers)	2 00
Sept.	5—Breakfast—Mojave	4 10
Sept.	5—Lunch Olancha	1 50
Sept.	5—Bishop garage expenses	15 35
Sept.	7—Mammoth Hotel, expenses	14 00
Sept.	7—Hammond, gasoline	5 00
Sept.	7—Hotel Bridgeport	8 00
Sept.	7—Garage Bridgeport	1 00
Sept.	8—Fales Hot Springs, breakfast	4 50
Sept.	8—Gasoline	10 00

Trip No. 1—Continued.

Sept. 8—Dinners	[illegible]	[illegible]
Sept. 8—Gasoline	4	00
Sept. 8—Gasoline and oil at Sonora	[illegible]	[illegible]
Sept. 8—Lunch	1	[illegible]
Sept. 8—Dinner at Sonora	[illegible]	[illegible]
Sept. 8—Hotel at Sonora	7	00
Sept. 9—Breakfast at Sonora	4	00
Sept. 9—Ten gallons gasoline	[illegible]	[illegible]
Sept. 9—Lunch	[illegible]	[illegible]
Sept. 10—Hotel, etc., at Woodfords	[illegible]	[illegible]
Sept. 10—Supper at Jackson	[illegible]	[illegible]
Sept. 11—Breakfast at Jackson	[illegible]	[illegible]
Sept. 11—Room at Jackson	[illegible]	[illegible]
Sept. 11—Garage at Jackson	5	75
Sept. 11—Hotel, Placerville	[illegible]	[illegible]
Sept. 11—Lunch at Riverton		[illegible]
Sept. 11—Hotel Tallac	[illegible]	[illegible]
Sept. 12—Lunch, Truckee	[illegible]	[illegible]
Sept. 12—Gasoline, Tahoe City	[illegible]	[illegible]
Expense account W. F. McClure, State Engineer	[illegible]	[illegible]
Expense Winton car, Sacramento to Fresno—Kratzer	[illegible]	[illegible]
Expense Oldsmobile—Sacramento to Fresno—[illegible]		
Personal expense account of C. L. Seavey	9	20
Personal expense account of Senator B. F. Rush—		
Railroad fare to Fresno	[illegible]	[illegible]
Hotel Fresno	4	[illegible]
Hotel Sacramento	[illegible]	[illegible]
Railroad fare—Sacramento to Suisun	[illegible]	[illegible]
Personal expense of Senator P. F. Cogswell—		
Railroad fare—Los Angeles to Fresno	[illegible]	[illegible]
Sleeper		[illegible]
Hotel at Fresno	[illegible]	[illegible]
Electric car fare		[illegible]
Personal expense of W. F. Chandler—		
Hotel at Sacramento	[illegible]	[illegible]
Railroad fare—Sacramento to Fresno	[illegible]	[illegible]
Personal expenses of A. G. Kuck—		
Hotel expense at Fresno	1	00
Hotel expense at Sacramento	[illegible]	[illegible]
Railroad fare—Sacramento to Los Angeles	[illegible]	[illegible]
Sleeper	[illegible]	[illegible]
Senator Cogswell expense, continued—		
Hotel at Sacramento	6	50
Railroad fare—Sacramento to Los Angeles	12	25
Sleeper—Sacramento to Los Angeles	2	50
Paid, Kratzer—Winton automobile, 1400 miles at 20 cents per mile	280	00
Winton automobile tire expense	[illegible]	00
Paid, Say—Oldsmobile, 1400 miles at 20 cents per mile	[illegible]	[illegible]
Oldsmobile tire expense	50	00

A. G. KUCK, Chairman.

Reading of speedometer on automobiles used by Legislative Advisory Committee.

Trip No. 1.

	Miles.
Fresno	6,174
Hume (night)	[illegible]
Exeter (night)	[illegible]
Bakersfield	[illegible]
Mojave (night)	6,502
Olancha	[illegible]
Bishop (night)	[illegible]
Mammoth (night)	6,745
Bridgeport (night)	[illegible]
Fales Hot Springs	6,816
Sonora Pass	[illegible]
Strawberry	6,902
Sonora, September 8th, (night)	6,933
Sonora, morning, September 9th, side of mountain	6,952
Calaveras Big Tree Grove	6,988
Woodfords (night)	7,050
Jackson	[illegible]
Placerville (night)	7,181
Tallac (night)	7,243
Truckee (night)	7,287
Sacramento (night)	7,404

Trip No. 2.

Statement of expenses incurred by the Legislative Advisory Committee, State Engineer, State Board of Control, Assembly Concurrent Resolution No. 31, Session 1913.

May 11—One water bag	$1	[illegible]
May 11—Gasoline and oil, Redlands	[illegible]	[illegible]
May 11—Dinners, Redlands	6	00
May 11—Hotel rooms at Banning	6	50
May 11—Garage, Banning	1	00
May 12—Breakfast, Palm Springs	[illegible]	00
May 12—One steel file to repair broken spring		25
May 12—Garage expense, Coachella	[illegible]	[illegible]
May 12—Beans, sardines and crackers	1	[illegible]
May 12—Lunch at Thermal	4	00
May 12—Dinner at Brawley	5	40
May 12—Hotel, rooms at Brawley	12	50
May 13—Garage, Brawley	1	00
May 13—Gasoline and oil, Brawley	7	60
May 13—Breakfast at El Centro	[illegible]	[illegible]
May 13—Gasoline at El Centro	[illegible]	10
May 13—Lunch at Mountain Springs	3	50
May 13—Gasoline at Mountain Springs	1	50
May 13—Dinner at San Diego	6	00
May 14—Garage expense, San Diego	7	35
May 14—Hotel rooms at San Diego	12	00
May 14—Breakfast at San Diego	3	85
May 14—Lunch at Oceanside	2	00
Railroad fare, Fresno to Los Angeles and return, Mr. Chandler	16	60
Railroad fare and sleepers from Suisun to Los Angeles and return, Senator [illegible]	[illegible]	[illegible]
Paid D. D. Holdridge for automobile hire, 534 miles at 20 cents per mile	106	80
Engineer McClure, expense	1	50
Typewriting report—14 pages, 2 copies, at 50 cents per page	7	00

A. G. KUCK, Chairman.

Reading of speedometer on automobile used by Legislative Advisory Committee on Trip No. 2.

	Miles
Los Angeles	[illegible]
Pasadena	[illegible]
Redlands	1,907
Banning (night)	[illegible]
Palm Springs	1,954
Coachella	1,980
Thermal	1,983
Brawley (night)	2,049
El Centro	2,064
Mountain Springs	2,128
Campo Indian School	2,150
Campo	[illegible]
San Diego (night)	2,212
Oceanside	2,263
Santa Ana	[illegible]
Los Angeles	[illegible]

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Charles E. Snook of Oakland.

PETITIONS.

Senator Duncan presented the following petition, which was read and ordered printed in the Journal:

RESOLUTION FROM SUTTER COUNTY BOARD OF SUPERVISORS.

Resolution against [illegible] Sutter Basin [illegible]

To the Honorable the Legislature of the State of California:

WHEREAS, The taxpayers and property owners of the county of Sutter are engaged in a contest with certain interests who, through the medium of Reclamation District No. 1,500, are endeavoring to [illegible] lands to the [illegible] and subject to overflow, and are seeking to [illegible] lands damaged thereby; and

WHEREAS, The county of Sutter has by legal proceedings, enjoined the further northward construction of these works of reclamation and the further northward construction of the levee of the East By-pass; and

WHEREAS, In this controversy private and public property rights of the [illegible] magnitude and the welfare and prosperity of [illegible] county are involved, as well as the right of a community to be protected by and not destroyed or injured by the State of which it is a part; and

WHEREAS, There have been introduced into the Legislature certain bills, among which are the following: Senate Bill No. [illegible] and Assembly Bill No. [illegible], Senate Bill No. [illegible] and Assembly Bill No. [illegible], Senate Bill No. 764, Senate Bill No. [illegible] and Assembly Bill No. [illegible], Senate Bill No. [illegible] and Assembly Bill No. 766, each bill, if these become laws, [illegible] in its right to its protection and [illegible] the interests [illegible] in the welfare of the county of Sutter [illegible];

Resolved, That we, the Board of Supervisors of the county of Sutter, most [illegible] request and importune you, the Legislature of the State of California, that you do not pass any of the above mentioned bills or any measures that may apply to the reclamation situation in the county of Sutter, but that you leave the lands and the [illegible] as they now stand [illegible] the law as it stands [illegible] when the property [illegible] were assessed.

In witness whereof, we, the said Board of Supervisors of the county of Sutter, have hereunto set our hands and caused the official seal to be affixed by the Clerk of this Board, this 2d day of February, 1915.

SAMUEL GRAY, *Chairman*,
W. J. GRAY,
F. J. HOOPER,
A. B. SCHELLENGER,
F. B. GRAVES,
Supervisors of Sutter County.

[SEAL]

Attest: ALVIN WEIS, *Clerk.*

STATE OF CALIFORNIA, } ss.
County of Sutter. }

I, Alvin Weis, county clerk of Sutter County, and ex officio clerk of the Board of Supervisors of said county, hereby certify the above and foregoing to be a full, true and correct copy of a resolution passed and adopted by said Board of Supervisors at a regular session held on the 2d day of February, A. D. 1915.

Witness my hand and the seal of the said Board this [illegible] day of March, 1915.

ALVIN WEIS,
County Clerk and ex officio Clerk of the Board of Supervisors of Sutter County.

Also:

Senator Purkitt presented the following petition, which was read and ordered printed in the Journal:

RESOLUTION ADOPTED BY THE COLUSA COUNTY BOARD OF SUPERVISORS

Resolution against legislative [illegible] affecting the Sutter Basin controversy.

To the Honorable, the Legislature of the State of California:

WHEREAS, The taxpayers and people and property owners of the county of [illegible] are engaged in a contest with [illegible] Reclamation District No. 1500 are [illegible] overflowed lands in the [illegible] lands are subjected to the [illegible] reclamation [illegible]; and

WHEREAS, The county of Sutter has [illegible] construction of [illegible] the levee of the [illegible]; and

WHEREAS, In this controversy, private and public property rights of the [illegible] magnitude and the welfare and prosperity of [illegible] county are involved, as well as the right of a community to be protected and not destroyed or injured by the State of which it is a part; and

WHEREAS, There have been introduced into the Legislature certain bills, among which are the following: Senate Bill No. [illegible] and Assembly Bill No. [illegible], Senate Bill No. [illegible] and Assembly Bill No. [illegible], Senate Bill No. 764, Senate Bill No. [illegible] and Assembly Bill No. [illegible], and Assembly Bill No. 766, [illegible] Senate Bill No. [illegible] [illegible] in its right for its protection [illegible] of the county of Sutter [illegible] to [illegible] the [illegible] county of Colusa [illegible];

Resolved, That we, the Board of Supervisors of the county of Colusa, do [illegible] request and importune you, the Legislature of the State of California, that you do not pass any of the above mentioned bills or any measures that may affect or apply to the reclamation situation in the county of Sutter, but that you leave the contest and the lawsuits arising therefrom to be settled under the laws as it stands and as it stood when the property rights involved were acquired, and this board earnestly requests that our Senator, Claude F. Purkitt, and Assemblyman E. L. Sisson use their utmost endeavors in opposing the passage of said bills.

In witness whereof, we the said Supervisors of the county of Colusa, have hereunto signed our names, and caused the official seal to be affixed by the clerk of this board this 13th day of March, 1915.

C. J. WESTCOTT,
Chairman of the Board of Supervisors of the County of Colusa.
R. RAHN.
GEO. B. PENCE.
H. H. HARLAN.
P. V. BERKEY.

Attest: T. D. CAIN, Clerk.

INVITATION.

An invitation was extended to the Senate by Senator Stuckenbruck to visit the exhibit of San Joaquin and Calaveras counties by the "Rush of '49 Association" at the Panama Pacific International Exposition, San Francisco, on next Tuesday, March 23, 1915.

REQUEST FOR INTRODUCTION OF BILLS.

Senator Flaherty requested permission to introduce a Senate bill entitled:

"An Act to amend sections twelve hundred forty, twelve hundred forty-five and twelve hundred forty-eight of the Code of Civil Procedure relating to eminent domain."

Request referred to Committee on Introduction of Bills.

Also:

Senator Thompson requested permission to introduce a Senate bill entitled:

"An Act to amend section four hundred eleven of the Code of Civil Procedure."

Request referred to Committee on Introduction of Bills.

Also:

Senator King requested permission to introduce a Senate bill entitled:

"An Act to regulate the sale of agricultural lime, and to provide penalties for the infraction thereof, and means for the enforcement of the Act."

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY FILE—THIRD READING.

Senate Bill No. 273—An Act to amend section one thousand two hundred seven of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, nineteen hundred and fifteen.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 273 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 650—An Act to amend section five hundred ninety-four of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

On motion of Senator Thompson Senate Bill No 650 was passed on file.

Senate Bill No. 124—An Act to amend section four hundred twenty-one of the Civil Code, relating to investments by insurance companies.

On motion of Senator Thompson. Senate Bill No. 124 was passed on file.

Senate Bill No. 324—An Act to amend sections four hundred fifty-three *t* and four hundred fifty three *y* of the Civil Code relating to title insurance companies.

On motion of Senator Thompson. Senate Bill No. 324 was passed on file.

Senate Bill No. 651—An Act to revise and amend chapter eight of title II of part IV of division first of the Civil Code relating to mortgage insurance.

On motion of Senator Thompson. Senate Bill No. 651 was passed on file.

Senate Bill No. 336—An Act to amend section four thousand two hundred and eighty of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

On motion of Senator Birdsall. Senate Bill No. 336 was passed on file.

Senate Bill No. 422—An Act to amend section one thousand five hundred forty-four of the Political Code of the State of California, relating to the annual report of the Superintendent of Schools.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 422 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Brown, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1043—An Act to amend section one thousand six of the Civil Code, relating to occupancy of real property.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1043 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate chamber for this day was unanimously extended to the following members of the faculty and student body of the University of California: Dr. David P. Barrows, Prof. Thomas H. Reed, Mrs. Thomas H. Reed, Gustav A. Muller, Berkeley; Henry W. Dunn, Long Beach; George W. Cohen, Los Angeles; Vaughan Brown, Bellingham, Wash.; Bert Helling, Berkeley; William McKie, Newport, Wash.; Constance G. Edmonds, Veterans' Home, Napa County; Ruth Frances Hord, Los Angeles; George C. Perkins, Oakland; Arthur T. La Prade, '17, Winslow, Ariz.; Lucile Hoover, '17, Santa Barbara; Blanche L. Shadle, '15, Suisun; Lady Elaine Gardner, '14, Berkeley; Roy L. Pomeld, '15, Suisun; Gustav Estergren, '16, Templeton; Lawrence T. Bayley, '17, Berkeley; David E. Snodgrass, '18, Selma; Frederick N. Edwards, '14, Whittier; Wendell M. Hauch, '17, Alameda; Douglas R. Sides, '18, Selma; Beulah E. Miller, '16, Fresno; Margaret L. Howard, '16, Los Angeles; Mildred Levy, '16, Alameda; Charlotte M. Palmer, '15, Berkeley; Grace Hobson, '16, Nordhoff; Calla Mattison, Los Angeles; Pauline Sheehan, Berkeley; Marie Pilcon, Sacramento; Luna Dell Dinsmore, '16, Inglewood; Helen V. Dean, '18, Berkeley; Mary H. Hutchinson, '16, Concord; Kathryn Thomas, '16, Oakland; Stanley M. Wilson, Berkeley; Arthur W. Towne, '16, San Francisco; H. Pendleton Searbrough, '16, Los Angeles; R. J. Wilson, '16, Berkeley; Kenneth E. Schepper, Redlands; Byron Jackson, Jr., Berkeley; E. W. Bullard, San Francisco; Stephen S. Barrows, Berkeley; Edwin S. Pehlury, Berkeley.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At ten o'clock and forty minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 626—An Act to amend section five hundred eighty-five of the Code of Civil Procedure of the State of California, referring to judgment upon failure to answer.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 626 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chamberlin, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gates, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1031—An Act to amend section five of an Act entitled "An Act to regulate the practice of architecture," approved March 23, 1901.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1033 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, [illegible], Breed, [illegible], [illegible], Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, [illegible], [illegible], [illegible], [illegible], Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—3[illegible].
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate chamber for this day was unanimously extended to Arthur G. Tasheira of Oakland.

THIRD READING OF BILLS—RESUMED.

Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts" by amending sections 3, 19, 21, and [illegible] of said Act.

On motion of Senator Strobridge, Senate Bill No. 105 was passed on file.

Senate Bill No. 454—An Act to amend sections forty two hundred sixty three and forty two hundred sixty three e of the Political Code, relating to the salaries of officers and fees of jurors in counties of the thirty fourth class.

In the absence of the author Senate Bill No. 454 was passed on file.

Senate Bill No. 490—An Act to amend section six hundred sixty three *a* of the Code of Civil Procedure of the State of California, relating to the setting aside of a judgment of the Superior Court and the rendition of a new judgment without a new trial.

On motion of Senator Jones, Senate Bill No. 490 was passed on file.

Senate Bill No. 491—An Act to amend section one thousand fifty four of the Code of Civil Procedure relating to the extension of time in which an act is to be done.

On motion of Senator Jones, Senate Bill No. 491 was passed on file.

Senate Bill No. 440—An Act to amend section eight hundred ninety of the Code of Civil Procedure relating to judgment of dismissal entered without prejudice.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 440 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, [illegible], Gates, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shannon, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILL—(OUT OF ORDER).

By consent, the Senate took up the third reading of Assembly Bill No. 839, out of the regular order.

Assembly Bill No. 839—An Act to amend section forty-two hundred eighty-four of the Political Code relating to salaries and fees of officers of counties of the fifty-fifth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 839 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REQUEST FOR INTRODUCTION OF BILLS.

Senator Irwin requested permission to introduce a Senate bill entitled: An Act to provide for the organization and government of conservation and flood control districts and to provide for the acquisition or construction thereby of works for the irrigation, reclamation and drainage of the lands embraced within such districts, and also to provide for the storage of water for irrigation and to provide for the reclamation of lands subject to overflow.

Request referred to Committee on Introduction of Bills.

JOINT RESOLUTION OFFERED.

The following joint resolution was offered:

By Senator King:

Senate Joint Resolution No. 12—Relative to the protection of second-growth timber on watersheds.

Resolution referred to Committee on Federal Relations.

PETITIONS—(OUT OF ORDER).

Senator Purkitt presented the following petition, which was read and ordered printed in the Journal:

GLENN, CAL., March 6, 1915.

Hon. Claude F. Purkitt, Sacramento.

Resolution offered and adopted at a meeting of the Jacinto Business Association of Farmers, March 6, 1915.

Since it is a well recognized fact that existing methods of distributing food products from the producers on the farms to the consumers in the cities is very defective, unsatisfactory, and expensive; and since much of this class of business is handled wastefully and even dishonestly through present methods; and, since our marketing machinery has no systematic or reliable means of bringing to the knowledge of the producers or consumers any accurate information as to the supply or demand for food stuffs at any marketing center; and, since it was these recognized facts that caused Congress to establish, through the Post Office Department the Parcels Post, in an effort to better conditions, and caused our sister state New York to establish her State Department of Foods and Markets to overcome the same un-economic condition; and, since there is now pending before Congress a bill to create a National Commission to aid in marketing food products, to prevent gluts in the markets at some points and scarcity at others and to bring the producers and consumers into more sound economic relation, which bill is known as House Joint Resolution No. 344; and, since Assemblyman McPherson of Santa Cruz, Cal., has drafted a bill to be introduced at the present session of the Legislature of California, and a similar bill, known as Senate Bill No. 344 to create a marketing commission, to be offered by Senator Brown at this same session, both of which bills provide for the creation and maintainance of a non-partisan state market commission to act in conjunction with the National Commission, which shall be empowered to receive and dispose of farm and other food products, in all the principal markets of the state, to have supervision over the grading of the same, and to furnish the producers and consumers of this State with reliable information regarding market conditions at all centers; and, since all statistics gathered by the Department of Agriculture at Washington and by other authoritative bodies prove that for every dollar paid by the consumer for food stuffs only thirty-five cents of this dollar ever reaches the farmer, and that sixty-five cents is lost, or wasted, or unnecessarily added to the cost of living; therefore, be it

Resolved, By the members of this, the Jacinto Business Association of Farmers, in meeting assembled, that we hereby express our commendation and endorsement of the Bill No. 344, now before Congress creating a National Commission, and of the measures championed by McPherson and Brown before our own Legislature; and that we urge all farmers and consumers to urge their representatives in Legislature and Congress to support these or similar measures to the end that this nation and this State shall enjoy the benefits that must come from such sound economic legislation.

DR. H. W. HAND, Chairman.
C. E. ELLIS
D. C. COWAN
Committee on Resolutions

SENATOR JONES IN THE CHAIR.

At eleven o'clock a.m., Senator Jones, of the Twenty-eighth District, in the chair.

RECESS.

At eleven o'clock and three minutes a.m., on motion of Senator Thompson, the Acting President declared the Senate at recess until eleven o'clock and twenty minutes a.m.

RECONVENED.

At eleven o'clock and twenty minutes a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 337—An Act to amend section four thousand two hundred and eighty-two of the Political Code, relating to the compensation of county and township officers and the fees and mileage of grand jurors and of trial jurors in criminal cases, in counties of the fifty-third class;

Also: Senate Bill No. 826—An Act to amend section 628*f* of the Penal Code of the State of California relating to the protection of shellfish;

And report that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 566—An Act to amend section two and section seven of an Act entitled, "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907;

Also: Senate Bill No. 427—An Act to add a new section to the Political Code to be numbered sixteen hundred seventeen *b*, relating to the employment of home teachers;

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Kehoe, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 172—An Act to protect [illegible], and forbidding the use of steel traps, etc., in their capture.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 172 read first time and referred to Committee on Fish and Game.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

By consent of the Senate the following report of standing committee was received and read, out of the regular order:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 628—An Act to amend an Act entitled "An Act providing for the [illegible] [illegible] of the State [illegible] [illegible] [illegible] [illegible] [illegible] and [illegible] of such [illegible] [illegible] received therefrom and providing the subsequent sale or [illegible] [illegible] [illegible] authorize the investment thereof in bonds of irrigation districts.

Also, Assembly Bill No. 629—An Act to add a new section to the Political Code to be numbered section 677a, relating to the purchase of bonds of irrigation districts by the Board of Control;

Has had the same under consideration, and respectfully recommend that they be re-referred to Committee on Finance.

MADDUX, Chairman.

Assembly Bills Nos. 628 and 629 ordered re-referred to Committee on Finance.

CONSIDERATION OF DAILY FILE—THIRD READING—OUT OF ORDER.

By consent of the Senate, the third reading of Senate bills was taken up out of the regular order.

Senate Bill No. 826—An Act to amend section six hundred twenty-eight l of the Penal Code of the State of California, relating to the protection of shellfish.

Read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 826 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Campbell, Chandler, Cogswell, [illegible], [illegible], [illegible], Flint, Irwin, Jones, Kehoe, Luce, Maddux, Owens, Rush, Scott, Slater, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR KEHOE IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Senator Kehoe, of the First District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. [illegible]—An Act to amend section two and section seven of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 566 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Boyd, Birdsall, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Finn, Irwin, Jones, Kehoe, Luce, Maddux, Owens, Rush, Scott, Slater, and Thompson—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 427—An Act to add a new section to the Political Code to be numbered sixteen hundred seventeen *b*, relating to the employment of home teachers.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 427 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Boyd, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Finn, Irwin, Jones, Kehoe, Luce, Maddux, Owens, Rush, Scott, Shearer, Slater, and Thompson—.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At eleven o'clock and forty-five minutes a.m., on motion of Senator Thompson, the Acting President declared the Senate at recess until two o'clock p.m.

RE-CONVENED.

At two o'clock p.m., the Senate re-convened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 217—An Act to amend section one hundred sixty-two of the Political Code, establishing the legal distance from the county seat of Imperial County to Sacramento.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 217 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Boyd, Brown, Butler, Cohn, Crowley, Duncan, Finn, Flaherty, Grant, Jones, Kehoe, King, Rush, Shearer, Slater, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 932—An Act to amend sections two and three of an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick, etc.' "

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 932 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Brown, Butler, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Jones, Kehoe, King, Rush, Shearer, Slater, Stuckenbruck, and Thompson—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO REPEAL STANDING RULE.

Senator Slater gave notice that he would, on the next legislative day, move to repeal Senate standing rule No. 63.

THIRD READING OF SENATE BILL—(OUT OF ORDER).

By consent of the Senate, the third reading of the following Senate bill was taken up, out of the regular order.

Senate Bill No. 337—An Act to amend section four thousand two hundred and eighty-two of the Political Code of the State of California, relating to the compensation of officers in counties of the fifty-third class.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 337 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Jones, Kehoe, King, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY EDWIN F. SMITH AT THE DESK.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 342—An Act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof—and report that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

THIRD READING OF BILLS (RESUMED).

Senate Bill No. 342—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 342 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Butler, Campbell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Jones, Kehoe, King, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 723—An Act amending an Act entitled "An Act establishing a legislative counsel bureau and making an appropriation therefor," approved May 26, 1913, by amending section 2 thereof;

Also: Senate Bill No. 725—An Act to add a new section to the Political Code to be numbered eleven hundred ninety-seven *a*, relating to titles and summaries for initiative and referendum measures;

Also: Senate Bill No. 726—An Act to add a new section to the Penal Code to be numbered four hundred seventy-two *a*, relating to signing to any initiative, referendum, or recall petition a fictitious name or the name of another;

Also: Senate Bill No. 727—An Act to add a new section to the Penal Code of the State of California to be known as section sixty-four *b*, relating to prohibiting misrepresentation or fraud in relation to certain initiative, referendum or recall petitions, and prescribing a penalty therefor;

Has had the same under consideration, and respectfully report the same back with amendments and recommend that they do pass as amended.

BENSON, Chairman.

Senate Bills Nos. 723, 725, 726 and 727 ordered on file for second reading.

ADJOURNMENT.

At two o'clock and twenty minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Friday, March 19, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by Assistant Secretary J. W. Kavanagh and the following answered to their names:

Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry L. Stark.

LEAVES OF ABSENCE.

Senator Beban was, on motion of Senator Gerdes, granted leave of absence for this day.

Senator Hans was, on motion of Senator Breed, granted leave of absence for this day.

Senator Tyrrell was, on motion of Senator Breed, granted leave of absence for this day.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for this day.

Senator Shearer was, on motion of Senator Slater, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 18, 1915, the further reading was dispensed with, on motion of Senator Rush.

PETITION.

Senator Stuckenbruck presented the following petition, which was ordered printed in the Journal:

To the Members of the Legislature of the State of California:

WHEREAS, An effort is being made to have the Legislature of the State of California declare abandoned the Sonora and Mono State Highway, leading through the counties of Tuolumne and Mono, and across the Sierra Nevada Mountains; and

WHEREAS, Said efforts if enacted into law will result in a detriment to the State of California, and particularly to the interior counties of the central portion of California, and said highway should not be abandoned for the following reasons:

First—It is the only route directly connecting the county of Mono with the counties on the western slope of the Sierras.

Second—In the neighborhood of one hundred thousand (100,000) dollars has already been expended on said road by the State in permanent improvement which little cost will keep in repair.

Third—It opens up a scenic country that is visited by thousands of tourists annually.

Fourth—It forms an extension to the present State Highway that is being built to the city of Sonora.

Fifth—That said road was originally built at a cost of $250,000 and its abandonment at this time will mean a total loss of the use of said road to the people of the State.

Therefore, we, the undersigned citizens and residents of the State of California, do earnestly petition your honorable body that you take no action which will result in the abandonment of said road.

S. E. SEMPLE, and 194 others.

Also: Chamber of Commerce of Northern San Joaquin, Stockton Chamber of Commerce, and Rotary Club.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Senate Bill No. 830—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred twenty-eight *c*, relating to the protection of fish;

Also: Senate Bill No. 832—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred thirty-seven *b*, relating to the protection of game;

Also: Senate Bill No. 830—An Act to amend section six hundred thirty-[illegible] of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 972—An Act to amend section six hundred [illegible] and one-half of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 756—An Act to amend section [illegible] of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 833—An Act to amend section six hundred twenty-[illegible] of the Penal Code of the State of California, relating to the protection of game;

Also: Senate Bill No. 739—An Act to amend section [illegible] of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 655—An Act to provide for branding on the back of all crabs brought into the State of California, name of the place where they were caught, and providing a penalty for the violation thereof;

Has had the same under consideration and respectfully recommend that they do pass.

FLINT, Chairman.

Senate Bills Nos. 836, 832, 830, 972, 756, 833, 739 and 655 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 584—An Act to amend section two thousand four hundred sixty-six of the Political Code and to add a new section to be numbered two thousand four hundred sixty-six a, relating to rates of pilotage at San Francisco, has had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

BROWN, Chairman.

Senate Bill No. 584 ordered on file for second reading.

Also:

SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 523—An Act to amend section fourteen of an Act entitled "An Act creating a board of pilot commissioners for the harbor of San Diego, defining their duties and fixing their compensation;"

Also: Senate Bill No. 521—An Act to amend sections two thousand six hundred five and two thousand six hundred seven of the Political Code of the State of California, relating to State Board of Harbor Commissioners for the Bay of San Diego;

Has had the same under consideration, and respectfully report the same back and recommend that they do pass.

BROWN, Chairman.

Senate Bills Nos. 523 and 521 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to whom was referred Senate Bill No. 79—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments;

Also: Senate Bill No. 753—An Act to recognize and declare valid all proceedings in Oakdale Irrigation District;

Also: Assembly Bill No. 342—An Act to legalize bonds issued and to be issued and sold by Imperial Irrigation District;

Has had the same under consideration, and respectfully recommend that they do pass.

MADDUX, Chairman.

Senate Bills Nos. 79 and 753 ordered on file for second reading.

Assembly Bill No. 342 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 17, 1915.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Senate Bill No. 143—An Act to amend section four thousand one hundred twelve of the Political Code of the State of California, relating to county treasurers' reports—has had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

BREED, Chairman.

Senate Bill No. 143 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 816—An Act to amend section twenty-three hundred nineteen of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties;

Also: Senate Bill No. 702—An Act making an appropriation for the conducting of experiments in the manufacture of by-products from citrus fruits at Citrus Experiment Station at Riverside, California;

Has had the same under consideration, and respectfully recommend that they do pass, and be re-referred to the Committee on Finance.

KING, Chairman.

Senate Bills Nos. 816 and 702 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section thirty-one of article IV thereof relating to the loan by the State of its credit to public or private corporations—has had the same under consideration, and respectfully recommend that it do pass and be re-referred to the Committee on Judiciary.

KING, Chairman.

Senate Constitutional Amendment No. 17 ordered re-referred to Committee on Judiciary.

Also:

SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Senate Bill No. 658—An Act regulating the sale and shipment of citrus fruits damaged by frost, and prescribing penalties for the violation of the provisions thereof—has had the same under consideration, and respectfully recommend that it do pass as amended.

KING, Chairman.

Senate Bill No. 658 ordered on file for second reading.

Also:

SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to whom was referred Assembly Bill No. 20—An Act to regulate the distribution of date palms and date palm offshoots and to hold the same in quarantine under the supervision of the State Commissioner of Horticulture until they are free from Marlatt scale (*Phœnicococcus marlatti*) and Blanchard scale (*Parlatoria blanchardi*) when introduced from, or grown in, any infested locality within this State or from other States, or if of foreign introduction, after they have been released by the Federal Horticultural Board, and to fix a penalty for violation of this Act—has had the same under consideration, and respectfully recommend that it do pass.

KING, Chairman.

Assembly Bill No. 20 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 507—An Act to amend section fourteen hundred ninety-one of the Code of Civil Procedure, relating to the time to be given by notice to creditors;

Also: Senate Bill No. 489—An Act to amend sections six hundred fifty-eight, six hundred fifty-nine and six hundred sixty, and to repeal sections six hundred sixty-one and six hundred sixty-two of the Code of Civil Procedure of the State of California, all relating to new trials;

Also, Senate Bill No. 560—An Act to amend sections nine hundred fifty, nine hundred fifty-one and nine hundred fifty-two of the Code of Civil Procedure, all relating to appeals;

Also, Senate Bill No. 561—An Act to amend section nine hundred fifty-six of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment;

Also, Senate Bill No. 559—An Act to amend section nine hundred thirty-nine of the Code of Civil Procedure of the State of California, relating to the time within which an appeal may be taken;

Also, Senate Bill No. 487—An Act to amend section nine hundred forty-one *b* of the Code of Civil Procedure of the State of California, relating to a new and alternative method by which appeals may be taken from judgments, orders or decrees of the Superior Court of the State of California to the Supreme Court or District Courts of Appeal thereof;

Also, Senate Bill No. 563—An Act to amend section nine hundred sixty-three of the Code of Civil Procedure of the State of California, relating to cases in which an appeal may be taken;

Also, Senate Bill No. 486—An Act to amend sections nine hundred fifty-three *a* and nine hundred fifty-three *b* of the Code of Civil Procedure of the State of California relating to a new and alternative method for the preparation of records to be used on appeal from judgments, orders or decrees from the Superior Court to the Supreme Court or District Courts of Appeal;

Also, Senate Bill No. 488—An Act to amend section six hundred fifty of the Code of Civil Procedure of the State of California, relating to executions;

Also, Senate Bill No. 562—An Act to amend section one hundred thirty-one of the Civil Code of the State of California relating to actions for divorce;

Also, Senate Bill No. 335—An Act to amend section four thousand two hundred and sixty of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-first class;

Also, Senate Bill No. 666—An Act to amend section four thousand two hundred and forty-eight of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

PETITION—OUT OF ORDER.

By consent of the Senate, the following petition by Senator Duncan was received and read out of the regular order and ordered printed in the Journal.

RESOLUTION BY BOARD OF SUPERVISORS OF YUBA COUNTY ON SUTTER BASIN PROJECT.

WHEREAS, Reclamation District No. 1500, commonly referred to as the "Armour Project," is engaged in building certain levees in the Sutter Tule Basin of Sutter County, which levees will, if completed, turn the waters of said tule basin from their accustomed channels and cause such waters to overflow and inundate at least 30,000 acres of high and valuable agricultural land in said county not now subject to overflow from that source thereby destroying and endangering many homes and many miles of public highways and county bridges; and

WHEREAS, Sutter County and a number of land owners in said county have commenced separate actions against said Reclamation District 1500 and others, praying for an injunction against said reclamation district to restrain it from building any levees or dams which will divert said waters from said tule basin on to the highways and lands of said plaintiff; and

WHEREAS, Said actions are now pending in the Superior Court of Sutter County, before Hon. Emmet Seawell, Judge of the Superior Court of Sonoma County, and said Judge has ruled that the complaint of said county and the complaint of said landowners state a cause of action, and said actions are now awaiting trial on their merits; and

WHEREAS, The construction and maintenance of said levees in said Sutter Tule Basin as now proposed will raise the water plane in that vicinity over ten feet and necessarily the water plane in the Feather River, thereby endangering valuable agricultural lands in the county of Yuba; and

WHEREAS, There has been introduced in the present Legislature certain bills known as Senate Bills Nos. 631, 634, 660, 661, 662 and 722 and Senate Constitutional Amendment No. 34, which seek to change the fundamental law of this State relating to reclamation and property rights, and are especially aimed to strengthen the position of said Reclamation District No. 1500 in said litigation and permit the injury complained;

Resolved, This Board protests against the passage of any of said bills, or bills of like nature, and that we approve the position of said Sutter County, and said landowners in their fight, and we ask the help of the Governor of this State and of the Legislature for the people of Sutter County in their struggle to save their lives and property.

D. MORRISON.
J. J. CASEY.

Dated this 3d day of February, 1915.

STATE OF CALIFORNIA, }
County of Yuba. } ss.

I, J. F. Eastman, County Clerk and ex officio Clerk of the Superior Court in and for the County of Yuba, State of California, do hereby certify that I have compared the foregoing copy with the original resolutions adopted by the Board of Supervisors of Yuba County, February 3, 1915, in the aforesaid entitled matter, as the same now remains of record and on file in the office of the said court, and that it is a full, true and correct transcript therefrom and of the whole thereof.

Witness my hand with the seal of the said Superior Court affixed at the city of Marysville, the county seat of said county, this 18th day of March A. D., 1915.

[Seal] J. F. EASTMAN, Clerk.

COMMUNICATION.

The following communication was read by Senator Thompson:

SAN FRANCISCO, CAL., March 17, 1915.

Lieutenant Governor John M. Eshleman, Sacramento:

We hereby tender an invitation to the Senate to dine with us Saturday evening or at any later date they may be here with the Assembly on the visit to the Exposition. We are sending a similar wire to the Governor and the Assembly and trust both will do us the honor.

SAN FRANCISCO COMMERCIAL CLUB,
PHILIP S. TELLER, President.

Senator Thompson moved that the communication be printed in the Journal and that the Senate express its appreciation of the invitation, but express regret that the limits of the trip would preclude acceptance.

Motion carried.

CONSIDERATION OF DAILY FILE—THIRD READING.

Senate Bill No. 650—An Act to amend section five hundred ninety-four of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

On motion of Senator Thompson Senate Bill No. 650 was passed on file.

Senate Bill No 124—An Act to amend section four hundred twenty-one of the Civil Code, relating to investments by insurance companies.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Thompson moved to refer to Senator Kehoe as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

Strike out of line 14, page 2 of the amended printed bill the period following the word "companies" and insert in lieu thereof a semicolon and the following: "*provided*, that the total amount of bonds issued by any such irrigation district does not exceed sixty per centum of the aggregate market value of the lands within such district, and of the water, water rights, canals, reservoirs, reservoir sites and irrigation works owned or to be acquired or constructed with the proceeds of any such bonds, by such district, such facts in reference to bonds of irrigation districts to be determined by a commission now or hereafter authorized by law to ascertain and report upon such facts."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 124, with instructions to amend, respectfully reports the same back, amended, as per instructions.

KEHOE, Committee.

Report read, and on motion of Senator Thompson adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 324—An Act to amend sections four hundred fifty-three f and four hundred fifty-three g of the Civil Code, relating to title insurance companies.

On motion of Senator Thompson Senate Bill No. 324 was passed on file.

Senate Bill No. 651—An Act to revise and amend chapter eight of title II of part IV of division first of the Civil Code relating to mortgage insurance.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Thompson moved to refer to Senator Kehoe as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE

Strike out of line 26, page 8 of the [illegible] word "banks" and insert in lieu thereof a semicolon and the following: "provided *further*, that the legality or validity of [illegible] participation certificates heretofore [illegible] law in force at date of issuance shall not be affected [illegible] of this chapter and such [illegible] tificates shall continue to be legal [illegible] extent and in the manner provided by the law in force at date of such issuance."

AMENDMENT NUMBER TWO

Strike out of line 9, page 6 of the [illegible] word "companies" and insert in lieu thereof a semicolon and the following: "*provided* that the total amount of bonds issued by any such irrigation district does not exceed sixty per centum of the aggregate market value of the lands [illegible] district, and of the water, water rights, [illegible] tion works owned or to be acquired or constructed with the proceeds of such bonds, by said district, such facts [illegible] determined by a commission now or hereafter [illegible] by law to [illegible] report upon such facts."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 651, with instructions to amend, respectfully reports the same back, amended, as per instructions.

KEHOE, Committee.

Report read, and on motion of Senator Thompson adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 336—An Act to amend section four thousand two hundred eighty of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

On motion of Senator Thompson Senate Bill No. 336 was passed on file.

Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21, and 26 of said Act.

On motion of Senator Strobridge, Senate Bill No. 105 was passed on file.

Senate Bill No. 454—An Act to amend sections forty-two hundred sixty-three and forty-two hundred sixty-three *a* of the Political Code relating to the salaries of officers and fees of jurors in counties of the thirty-fourth class.

On motion of Senator Thompson, Senate Bill No. 454 was passed on file.

Senate Bill No. 490—An Act to amend section six hundred sixty-three *a* of the Code of Civil Procedure of the State of California, relating to the setting aside of a judgment of the Superior Court and the rendition of a new judgment without a new trial.

On motion of Senator Jones, Senate Bill No. 490 was passed on file.

Senate Bill No. 491—An Act to amend section one thousand fifty-four of the Code of Civil Procedure relating to the extension of time in which an act is to be done.

On motion of Senator Jones, Senate Bill No. 491 was passed on file.

Senate Bill No. 507—An Act to amend section one thousand four hundred ninety-one of the Code of Civil Procedure, relating to the time to be given by notice to creditors.

In the absence of the author, Senate Bill No. 507 was passed on file.

Senate Bill No. 489—An Act to amend sections six hundred fifty-eight, six hundred fifty-nine and six hundred sixty, and to repeal sections six hundred sixty-one and six hundred sixty-two of the Code of Civil Procedure of the State of California, all relating to new trials.

On motion of Senator Jones, Senate Bill No. 489 was passed on file.

Senate Bill No. 560—An Act to amend sections nine hundred fifty, nine hundred fifty-one and nine hundred fifty-three of the Code of Civil Procedure, and to repeal section nine hundred fifty-two of said Code, all relating to appeals.

On motion of Senator Benedict, Senate Bill No. 560 was passed on file.

Senate Bill No. 561—An Act to amend section nine hundred fifty-six of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment.

On motion of Senator Benedict, Senate Bill No. 561 was passed on file.

Senate Bill No. 559—An Act to amend section nine hundred thirty-nine of the Code of Civil Procedure of the State of California, relating to the time within which an appeal may be taken.

On motion of Senator Benedict, Senate Bill No. 559 was passed on file.

Senate Bill No. 487—An Act to amend section nine hundred forty-one *b* of the Code of Civil Procedure of the State of California, relating to a new or alternative method by which appeals may be taken from judgments, orders or decrees of the Superior Court of the State of California to the Supreme Court or District Courts of Appeal thereof.

On motion of Senator Kehoe, Senate Bill No. 487 was passed on file.

Senate Bill No. 563—An Act to amend section nine hundred sixty-three of the Code of Civil Procedure of the State of California, relating to cases in which an appeal may be taken.

On motion of Senator Benedict, Senate Bill No. 563 was passed on file.

Senate Bill No. 486—An Act to amend sections nine hundred fifty-three *a* and nine hundred fifty-three *b* of the Code of Civil Procedure of the State of California relating to a new and alternative method for the preparation of records to be used on appeal from judgments, orders or decree from the superior court to the supreme court or district courts of appeal.

On motion of Senator Kehoe, Senate Bill No. 486 was passed on file.

Senate Bill No. 666—An Act to amend section four thousand two hundred and forty-eight of the Political Code of the State of California relating to the salaries, fees and expenses of officers in counties of the nineteenth class.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 666 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Butler, Carr, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly

Senate Bill No. 758—An Act to prevent blindness from ophthalmia neonatorum; to vest certain powers and duties in the State Board of Health and health officers; to impose certain duties upon physicians, midwives, nurses, and other persons; and to provide for the enforcement of this Act, and the repeal of chapter XIV statutes of 1897, entitled "An Act to regulate medical practice, to prevent blindness in infants," and other Acts in conflict herewith.

On motion of Senator Jones, Senate Bill No. 758 was ordered re-referred to Committee on Finance.

SECOND READING FILE

Senate Bill No. 846—An Act to amend section one of an Act entitled "An Act providing for vacations for certain employees of the State," approved March 15, 1909.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 955—An Act to amend an Act entitled "An Act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903, by amending section one thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 982—An Act to amend an Act entitled "An Act providing for the time of payment of wages," approved May 1, 1911, by amending section three thereof, providing penalties for the violation of said Act.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 987—An Act to amend an Act entitled "An Act prohibiting the issuances as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911, by prohibiting the issuance of any scrip, coupons, cards, or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 438—An Act to prohibit any employer from discriminating against any of his employees on account of engaging in politics or running for public office, and providing a penalty for the violation thereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, in section 1, in lines 3, 4 and 5 strike out after the word "California," the words, "to discriminate in any manner against any of his or its employees who may engage in politics or become a candidate for public office," and insert in lieu thereof the following: "to make any rule or regulation prohibiting or preventing any employee from engaging in politics or becoming a candidate for any public office in this State."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill 772—An Act to amend sections one thousand nine hundred and twenty-five, one thousand nine hundred twenty-seven, one thousand nine hundred twenty-eight, one thousand nine hundred twenty-eight *a*, one thousand nine hundred twenty-eight *b*, one thousand nine hundred twenty-eight *d*, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one, one thousand nine hundred thirty-four, one thousand nine hundred fifty-one, one thousand nine hundred fifty-four, one thousand nine hundred fifty-seven, one thousand nine hundred sixty-three, one thousand nine hundred eighty-five, two thousand six, two thousand eighty-one, one thousand nine hundred eight, two thousand seventy-nine, two thousand eighty-six, two thousand one hundred seven, one thousand nine hundred sixty-two, one thousand nine hundred sixty-seven, one thousand nine hundred eighty-one, one thousand nine hundred eighty-four, two thousand eighty, two thousand one hundred eleven, two thousand one hundred twelve of the Political Code of the State of California, and to add one new section to said code to be known as section one thousand nine hundred sixty-three *a*, all relating to the organization, equipment, maintenance and government of the national guard of the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 7, page 2, of the printed bill, strike out the word "quartermaster's" and insert the word "quartermaster".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 21, page 2, of the printed bill, strike out the word "organizations" and insert the word "organization".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 21, page 2, of the printed bill, insert a comma after the word "politic".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 14, page 3, of the printed bill strike out the word "and".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 15, page 4, of the printed bill strike out the word "described" and insert the word "prescribed".

Amendment adopted.

AMENDMENT NUMBER SIX.

In line 16, page 8, of the printed bill, after the word "by" insert the words "[illegible] and".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

In lines 19 and 20, page 9, of the printed bill, strike out the words "The quartermaster's corps shall consist of the chief of the quartermaster's corps" and insert in lieu thereof the following: "The quartermaster corps shall consist of a quartermaster general,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

In line 32, page 9, of the printed bill strike out the word "quartermaster's" and insert the word "quartermaster".

Amendment adopted.

AMENDMENT NUMBER NINE.

In line 36, page 9, of the printed bill, strike out the word "quartermaster's" and insert the word "quartermaster".

Amendment adopted.

AMENDMENT NUMBER TEN.

In line 30, page 12, of the printed bill, after the comma insert the word "and".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

In line 31, page 12, of the printed bill, strike out the word "[illegible]" and insert the word "title".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

In line 31, page 12, of the printed bill, after the word "title" strike out the comma and insert a period.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

In line 31, page 12, of the printed bill, strike out the words "and qualified".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

In line 2, page 13, of the printed bill, strike out the words "any surgeon" and insert the words "a medical officer".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

In line 30, page 13, of the printed bill, strike out the word "shall" and insert the word "may".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

In line 34, page 13, of the printed bill, strike out the word "qualified" and insert the word "qualify".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

In line 36, page 13, of the printed bill, strike out the word "shall" and insert the word "may".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

In line 13, page 14, of the printed bill, strike out the word "surgeons" and insert the words "medical officers".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

In line 24, page 14, of the printed bill, strike out the words "commissioned officer" and insert the word "person".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

In line 25, page 14, of the printed bill, strike out the word "such" and insert the words "a commissioned officer".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

In line 29, page 14, of the printed bill, strike out the word "applications" and insert the word "application".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

In line 4, page 15, of the printed bill, strike out the words "such application is made" and insert the words "he becomes supernumerary".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

In line 28, page 15, of the printed bill, strike out the word "term" and insert the word "year".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

In line 24, page 16, of the printed bill, strike out the word "the" and insert the word "a".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

In line 35, page 16, of the printed bill, after the semicolon insert the word "such."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

In line 35, page 16, of the printed bill, strike out the words "for such".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

In line 36, page 16, of the printed bill, strike out the word "reasons".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

In line 21, page 17, of the printed bill, strike out the word "[illegible]" and insert the word "immediate".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

In line 29, page 17, of the printed bill, strike out the words "shall be" and insert the word "being".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

In line 34, page 17, of the printed bill, strike out the word "disapproved" and insert the word "disapproves".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

In line 3, page 18, of the printed bill, strike out the word "organizations" and insert the word "organization".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

In line 9, page 18, of the printed bill, after the word "September" insert a comma.

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

In line 25, page 18, of the printed bill, after the word "the" insert the word "immediate".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

In line 35, page 18, of the printed bill, strike out the word "[illegible]".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

In line 37, page 18, of the printed bill, strike out the word "nor" and insert the word "or".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

In line 1, page 20, of the printed bill, strike out the word "to" and insert the word "or".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

In line 18, page 22, of the printed bill, after the comma immediately following the word "battalion" insert the word "or".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

In line 18, page 22, of the printed bill, strike out the words and punctuation "or separate company,".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

In line 7, page 24, of the printed bill, strike out the words "division of".

Amendment adopted.

AMENDMENT NUMBER FORTY.

In line 9, page 24, of the printed bill, after the period insert the words "No enlisted man discharged without honor from the National Guard or Naval Militia of

California shall be permitted to accept any commission in the National Guard or the Naval Militia except the office [illegible] adjutant general".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

In line 1, page 27, of the printed bill, after the word "corps" insert the words "except the coast artillery corps".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

In line 4, page 27, of the printed bill, strike out the word "subsequent" and insert the word "consequent".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

In line 8, page 27, of the printed bill, strike out the word "shall" and insert the word "may".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

In line 12, page 27, of the printed bill, strike out the word "shall" and insert the word "may".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

In line 15, page 27, of the printed bill, strike out the word "shall" and insert th word "may".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

CASE OF URGENCY.

The following resolution was offered:

By Senator Maddux:

Resolved, That Assembly Bill No. 342 presents a case of urgency, as that term is used in section 15 of article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, and Wolfe—32.

NOES—None.

Whereupon the President declared the provisions of section 15 of article IV of the Constitution suspended for the purpose of considering at this time Assembly Bill No. 342.

Assembly Bill No. 342—An Act to legalize bonds issued and to be issued and sold by Imperial Irrigation District.

Bill read first time previously.

Read second time, and ordered on the third-reading file.

Read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, and Wolfe—31.
NOES—None.

The question being on the passage of the bill

The roll was called and Assembly Bill No. 342 finally passed by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Breed, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, and Wolfe—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—OUT OF ORDER

By consent of the Senate the following report of standing committee was received and read, out of the regular order:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Flaherty to introduce a bill entitled: "An Act to amend sections twelve hundred forty, twelve hundred forty-five and twelve hundred forty-eight of the Code of Civil Procedure relating to eminent domain";

Also: The request of Senator Thompson to introduce a bill entitled: "An Act to amend section four hundred eleven of the Code of Civil Procedure relating to service of summons";

Also: The request of Senator King to introduce a bill entitled: "An Act to regulate the sale of agricultural lime, and to provide penalties for the infraction thereof, and means for the enforcement of the Act";

Also: The request of Senator Irwin to introduce a bill entitled: "An Act to provide for the organization and government of conservation and flood control districts and to provide for the acquisition or construction thereby of works for the irrigation, reclamation and drainage of the lands embraced within such districts, and also to provide for the storage of water for irrigation and to provide for the reclamation of lands subject to overflow";

Has had the same under consideration, and respectfully report the same back and recommend that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section two of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, and Wolfe—31.
NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with above report:

By Senator Flaherty: Senate Bill No. 1220—"An Act to amend sections twelve hundred forty, twelve hundred forty-five and twelve hundred forty-eight of the Code of Civil Procedure relating to eminent domain."

Bill read first time, and referred to Committee on Judiciary.

By Senator Thompson: Senate Bill No. 1221—"An Act to amend section four hundred eleven of the Code of Civil Procedure, relating to service of summons."

Bill read first time, and referred to Committee on Judiciary.

By Senator King: Senate Bill No. 1222—"An Act to regulate the sale of agricultural lime, and to provide penalties for the infraction thereof, and means for the enforcement of the Act."

Bill read first time, and referred to Committee on Agriculture.

By Senator Irwin: Senate Bill No. 1223—"An Act to provide for the organization and government of conservation and flood control districts and to provide for the acquisition or construction thereby of works for the irrigation, reclamation and drainage of the lands embraced within such districts, and also to provide for the storage of water for irrigation and to provide for the reclamation of lands subject to overflow."

Bill read first time, and referred to Committee on Drainage, Swamp, and Overflowed Lands.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 12—An Act to amend sections three thousand four hundred fifty-seven and three thousand four hundred sixty-six of the Political Code of the State of California, relating to reclamation and swamp land districts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, after the word "registered" insert the following: "and bear interest from the date of such warrant at the rate of seven per cent per annum.".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 31—An Act to add a new section to the Political Code of the State of California, to be numbered section three thousand four hundred seventy-six and one-half, relating to reclamation and swamp land districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, beginning with the word "notify" strike out down to and including the word "and" on page 1, line 11, of said bill, and insert in lieu thereof the following: "send by mail, postage prepaid, to each person owning land within the district notice of said apportionment, which notice shall be addressed to the land owner at his place of residence if known, or as the same appears on the county assessment roll, and if unknown the notice shall be addressed to him at the place where the principal office of the district is located."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 11, commence the word "the" with a capital letter.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 12, after the word "days" insert the following "after the mailing of said notice".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 151—An Act to amend section three thousand four hundred ninety-one of the Political Code of the State of California, relating to reclamation and swamp land districts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Beginning with the word "and" on line 11, page 2 of the printed bill strike out down to and including the comma after the word "vote" on line 13, page 3 of said printed bill.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 953—An Act to amend section three thousand four hundred sixty-two of the Political Code, relating to assessments of reclamation districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, after the word "mail" insert the following "postage prepaid".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, strike out the words "owner of" and insert in lieu thereof the following: "person owning".

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 542—An Act to amend section four thousand seventy-five and section four thousand seventy-six of the Political Code, relating to payment and form of claims against the county.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 538—An Act to amend section four thousand two hundred eighty-eight of the Political Code by adding a new section thereto permitting Boards of Supervisors in counties of the first class or counties operating under a charter to fix dates on which salaried employees may be paid.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 4—An Act to amend section five hundred seventy of the Code of Civil Procedure of the State of California, relating to the disposition of unclaimed funds in the hands of a receiver.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In lines 18 and 19, page 1, strike out: "upon receiving satisfactory evidence of the identity of such owner." and insert in lieu thereof the following: "in such manner and upon such terms as are now or may hereafter be provided by law."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 717—An Act to amend section three hundred ninety-six of the Code of Civil Procedure of California, relating to change of place of trial to the proper county.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 8, page 1, strike out the words "appears and".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 11, page 1, strike out the word "property" and insert in lieu thereof the word "proper".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 15, page 1, strike out the words "wrong county" and insert in lieu thereof the following: "county in which the action is pending".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 18, page 1, strike out the word "demand" and insert in lieu thereof the following: "the order transferring the case is entered".

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 1120—An Act to amend sections seven, eight, eight *a*, eight *b*, eight *d*, and nine of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907; approved March 19, 1909; approved April 25, 1911; approved June 11, 1913.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8 of the printed bill, after the word "conviction" insert "shall be guilty of and shall".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9 of the printed bill, after the word "offense" insert "said person so convicted shall be deemed guilty of a misdemeanor and shall be punished".

Amendment adopted.

AMENDMENT NUMBER THREE

On page 1, line 13 of the printed bill, after the word "offense" insert "said person so convicted shall be deemed guilty of a misdemeanor and shall be punished".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 3 of the printed bill, after the word "offense" insert "said person so convicted shall be deemed guilty of a felony and shall be punished".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 20 of the printed bill, after the word "than" strike out the word "eight" and insert the word "two". On the same line after the word "or" strike out the word "one" and insert "one-quarter".

Amendment adopted.

AMENDMENT NUMBER SIX

On page 3, line 21 of the printed bill, after the first word "or" strike out the word "two" and insert the word "one". On the same line, same page, after the second word "or" strike out the word "one half" and insert the word "one-eighth".

Amendment adopted.

AMENDMENT NUMBER SEVEN

On page 3, line 22 of the printed bill, after the comma following the word "person" strike out all of the balance of the line, also strike out all of line 23, page 3.

Amendment adopted.

AMENDMENT NUMBER EIGHT

On page 3, line 24 of the printed bill, before the word "grains" insert the words "or ten". On the same line, after the comma following the word "hydrate" insert "or four grains of Indian hemp or loco-weed".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 5 of the printed bill, after the word "petition" strike out the word "shall". Also strike out all of lines 6 to 16 inclusive and insert the following: "shall keep in a manner readily accessible, the written orders or blank forms required to be preserved under the provisions of section 2 of the Act of Congress, approved December 17th, 1914, relating to the production, importation, manufacture, compounding, sale, dispensing or giving away of opium or coca leaves and salts, derivatives or preparations".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 17 of the printed bill, after the word "said" strike out the word "book" and insert the word "records".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 19 of the printed bill, after the word "such" strike out the word "book" and insert the word "records".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 20 of the printed bill, after the word "least" strike out the word "five" and insert the word "two".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 33 of the printed bill, after the word "recorded" strike out "by entry in a book used for that purpose only" and insert the following: "as required under the provisions of section 2 of an Act of Congress, approved December 17th, 1914, relating to the production, importation, manufacture, compounding, sale, dispensing or giving away of opium or coca leaves, their salts, derivatives or preparations".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 35 of the printed bill, after the word "for" strike out one of the words "in".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 5, line 34 of the printed bill, after the second word "one" strike out "half".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 5, line 35 of the printed bill, after the comma following the word "codeine" strike out "or one-sixth grain of cocaine". Also on the same line after the second word "or" strike out the word "one-sixth" and insert the word "one-eighth".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 36 of the printed bill, after the comma following the word "Heroin" strike out "or one-sixth grain eucaine or one-sixth grain nova". Also strike out on line 37, page 5, beginning with the word "caine" up to and including "eucaine".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 1 of the printed bill, after the word "hydrate" insert "or four grains of Indian hemp or loco-weed".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 6, line 5 of the printed bill, after the word "pipes" strike out the words "or other contrivance".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 6, line 7 of the printed bill, after the comma following the word "thereto" insert "or other contrivance used for smoking opium".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 6, line 9 of the printed bill, after the word "compounds" insert "containing more than four grains to each fluid or avoirdupois ounce".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 6, line 22 of the printed bill, after the word "compounds" insert "containing more than four grains of Indian hemp or loco-weed to each fluid or avoirdupois ounce".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 6, line 32 of the printed bill, after the word "hemp" insert "or preparations of hemp or loco-weed". On the same line, same page, following the word "ordered" insert the word "destroyed".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 1 of the printed bill, after the semicolon insert the following: "and provided further that any narcotic drugs specified in section 8, opium pipes and the usual attachments thereto, or smoking opium, seized under the provisions of this Act, now in the possession of any city or county official or officials, or the California State Board of Pharmacy, or which may hereafter come into their or its possession, in which no trial was had, shall be delivered to the California State Board of Pharmacy for destruction by said Board; provided however, that none of the narcotic drugs specified in section 8, opium pipes and the usual attachments thereto, or smoking opium coming into the possession of said Board, as above described, shall not be destroyed within a period of six months from the date of such seizure".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE

On page 7, line 21 of the printed bill, after the word "fines" insert "moneys or forfeited bail".

Amendment adopted.

AMENDMENT FROM FLOOR

During second reading of the bill, the following amendment by Senator Gerdes was offered:

On page 7, line 30 of printed bill, strike out the comma after the word "sublimate" and insert the following: "in quantities of less than one pound,"

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

SENATOR KEHOE IN THE CHAIR

At eleven o'clock a.m., Senator Kehoe, of the First District, in the chair.

SECOND READING OF BILLS—RESUMED

Senate Bill No 580—An Act to amend section one of an Act approved May 1, 1911, entitled "An Act for the regulation and control of fraternal benefit societies."

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1037—An Act to amend section six hundred twenty-three of the Political Code of the State of California, relating to the bonds of insurance companies.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 979—An Act to amend section seven hundred eighty-nine of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the duties of city attorney in cities of the fifth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

After the word "court" on page 1, line 6 of the printed bill, insert the words "in which the city is a party, or in which it is interested".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 77—An Act to amend an Act entitled "An Act to amend sections numbers eight hundred fifty-one and eight hundred fifty-two of an Act entitled 'An Act to provide for the organization, incorporation and government of municipal corporations, approved March 13, 1883,' approved March 9, 1911."

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 98—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 123—An Act to amend section four of an Act entitled "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended, so as to authorize the use of highways for the construction and maintenance of sewers.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 564—An Act authorizing any municipality to incur indebtedness by the issuance and sale of bonds for the purpose of investing the proceeds arising from the sale thereof in other bonds, evidences of debt or liens issued for public improvements in said municipality.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 956—An Act to amend section eight hundred sixty-two of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1057—An Act to amend section four of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1058—An Act to amend section five of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,' " approved March 19, 1889, as amended.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1129—An Act to amend section one thousand seven hundred fifteen of the Political Code, relating to the control and location of libraries.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1150—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by providing for the taking over and administering by counties of certain functions, powers and property previously administered by municipalities that have disincorporated.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 681—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts, approved March 21, 1911."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

COMMITTEE AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED EIGHTY-ONE

AMENDMENT NUMBER ONE.

Amend title by striking out the word "twenty seven" in the second line thereof.

Amendment adopted.

AMENDMENT NUMBER TWO.

Amend title by changing the period after "1911" to a comma and adding thereto the following: "and all acts or parts of acts inconsistent herewith".

Amendment adopted.

AMENDMENT NUMBER THREE

On page 1, line 2, of the printed bill, strike out the word "twenty-seven".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 16, of the printed bill, after the word "twenty-seven" change the period to a comma and add thereto the following: "fish and game district twenty-eight, fish and game district twenty-nine".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, lines 2 to 23, of the printed bill, strike out all after the word "include" in line 2 and all of lines 3 to 23 inclusive and insert in lieu thereof the following: "the following counties: Siskiyou, Modoc, Lassen, Shasta, Tehama, Plumas, Butte, Yuba, Amador, Calaveras, Alpine, Tuolumne, Mariposa, Madera, Mono, Inyo, Tulare and Kings, and that portion of the county of Del Norte not included in fish and game districts five and six and that portion of Humboldt County not included in fish and game districts six, seven, eight and nine; that portion of Trinity County not included in fish and game district twenty-six; these portions of the counties of Sierra, Nevada, Placer and El Dorado not included in fish and game district twenty-three; those portions of the counties of Sutter and Sacramento not included in fish and game district twelve; that portion of San Joaquin County lying east and north of the east or right hand bank of the San Joaquin River and not included in fish and game districts three and twelve; that portion of Stanislaus County lying east of the west bank of the San Joaquin River; that portion of Merced County lying east of the west bank of the San Joaquin River; that portion of Fresno County lying east of the west bank of Fresno Slough, Fish Slough and Summit Lake; and that portion of Kern County lying east of the west bank of Bull Slough, and the west and south banks of Buena Vista Lake to the southeast corner of said lake; that portion of Kern County lying north of a line extending from this point directly east and intersecting the Tejon Pass State Highway; that portion of Kern County lying east of the said State Highway from the above mentioned point of intersection to where the said State Highway crosses the northern boundary line of Los Angeles County."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, lines 25 to 28, of the printed bill, strike out all after the word "Napa" in line 25 and all of lines 26 to 28 inclusive and insert in lieu thereof the following: "; that portion of Mendocino County not included in fish and game district ten; that portion of Sonoma County not included in fish and game districts ten and twelve; that portion of Marin County not included in fish and game districts ten, eleven, and twelve; those portions of the counties of Solano, Yolo and Colusa not included in fish and game district twelve."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, lines 29 to 35, of the printed bill, strike out all after the word "district" in line 29 and all of lines 30 to 35 inclusive and insert in lieu thereof the following: "three shall consist of and include that portion of Contra Costa County not included in fish and game district twelve; that portion of Alameda County not included in fish and game districts twelve and thirteen; that portion of San Francisco County not included in fish and game districts ten, eleven, twelve and thirteen; that portion of San Mateo County not included in fish and game districts ten, thirteen and twenty-seven; that portion of Santa Clara County not included in fish and game district thirteen; that portion of Santa Cruz County not included in fish and game districts ten, fourteen, fifteen, seventeen and twenty-seven; that portion of Monterey County not included in fish and game districts sixteen, seventeen, eighteen and twenty-five; that portion of San Luis Obispo County not included in fish and game district eighteen; those portions of Kern, Fresno, Merced and Stanislaus counties not included in fish and game district one; that portion of San Joaquin County not included in fish and game districts one and twelve; and that portion of San Benito County not included in fish and game district twenty-five."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On pages 2 and 3 of the printed bill, strike out all after the word "district" in line 36 and all of line 37 on page 2, and all of lines 1 to 4 inclusive on page 3, and insert in lieu thereof the following: "four shall consist of and include all those portions of San Bernardino and Imperial counties not included in fish and game districts twenty-two, twenty-eight and twenty-nine; all that portion of San Diego County not included in fish and game districts nineteen and twenty-one; all that portion of Riverside County not included in fish and game districts twenty-two, and twenty-four; all that portion of Orange County not included in fish and game districts nineteen and twenty-four; all that portion of Los Angeles County not included in fish and game districts nineteen, twenty and twenty-nine; and all those portions of the counties of Ventura and Santa Barbara not included in fish and game district nineteen."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 6, of the printed bill, strike out the words "of the state" and insert in lieu thereof the following: "and the tide lands of the state to high water mark".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 12, of the printed bill, strike out the words "of the state" and insert in lieu thereof the following: "and the tide lands of the state to high water mark".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 20, of the printed bill, strike out the words "of the state" and insert in lieu thereof the following: "and the tide lands of the state to high water mark".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 25, of the printed bill, after the figure "3" in said line, insert the word "north".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 28, of the printed bill, strike out the word "lakes" and insert in lieu thereof the word "lagoons".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 31, of the printed bill, strike out the words "all those portions of Humboldt Bay" and insert in lieu thereof the words "the waters and tide lands to high water mark of Humboldt Bay".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, line 37, of the printed bill, strike out the words "those portions of Humboldt Bay" and insert in lieu thereof the words "the waters and tide lands to high water mark of Humboldt Bay".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 4, line 6, of the printed bill, strike out the words "of the state" and insert in lieu thereof the words "and the tide lands of the state to high water mark".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 15, of the printed bill, strike out all of said line after the word "waters" and insert in lieu thereof the words "and the tide lands of San Francisco and Richardson bays to high water mark".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 25, of the printed bill, after the word "waters" strike out the words "of San Francisco Bay" and insert in lieu thereof the words "and tide lands of San Francisco Bay to high water mark".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 4, line 26 of the printed bill, after the word "waters" at the end of the line, insert the words "and tide lands to high water mark".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On pages 4 and 5 of the printed bill, strike out all after the comma after the word "bay" in line 29 and all of lines 30 to 36 inclusive on page 4, also all of lines 1 and 2 on page 5, and insert in lieu thereof the following: "all waters of the Sacramento River flowing within the main channel between the mouth thereof and the bridge across said river at the city of Colusa; the waters of the main channels of Steamboat Slough and Sutter Slough, the waters of New York Slough and Broad Slough; the waters of the main channel of the San Joaquin River between its mouth and the south boundary of San Joaquin County; the waters of the main channel of Old River, the area lying between the main channels of the San Joaquin River and Old River south of the mouth of Old River and all lands and waters lying within the exterior boundaries of said fish and game district and excluding all tributary sloughs, creeks, bays, rivers and overflowed areas not specifically described herein."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE

On page 5, line 4 of the printed bill, after the word "waters" insert the words "and tide lands to high water mark".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 12 of the printed bill, after the word "include" insert the words "the waters and tide lands to high water mark of".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 18 of the printed bill, after the word "include" insert the words "the waters and tide lands to high water mark of".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 26 of the printed bill, after the word "waters" insert the words "and tide lands to high water mark".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 31 of the printed bill, strike out the comma after the word "sloughs" and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 5, line 35 of the printed bill, after the word "waters" insert the words "and tide lands to high water mark".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 6, line 4 of the printed bill, after the word "waters" insert the words "and tide lands to high water mark".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 6, line 17 of the printed bill, after the word "waters" insert the words "and tide lands to high water mark".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 6, line 22 of the printed bill, after the word "Colorado" insert the word "River".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 6, line 23 of the printed bill, after "Sec." strike out the figures "22" and insert in lieu thereof the figures "24".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 6, line 28 of the printed bill, after "Sec." strike out the figures "23" and insert in lieu thereof the figures "25".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 6, line 32 of the printed bill, insert the word "south" after the figure "5" in said line.

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 7, line 3 of the printed bill, after "Sec." strike out the figures "24" and insert in lieu thereof the figures "26".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE *a*.

On page 7, line 4 of the printed bill, strike out all of said line after the word "include" and all of lines 5 and 6 of said page and insert in lieu thereof the following: "those certain lands within the counties of San Benito and Monterey embraced within the Pinnacles National Monument and more particularly described as follows, to wit: All of sections 20 to 29 inclusive, all of sections 33, 34 and 35 and the west half of section 36 of township 16 south, range 7 east; the west half of section 1, all of sections 2 and 3, the east half of section 4, the east half of section 9, all of sections 10 and 11, the west half of section 12, the west half of section 13 and all of sections 14 and 15 of township 17 south, range 7 east. All townships and ranges mentioned herein being referred to Mount Diablo base line and meridian."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 7, line 7 of the printed bill, after "Sec." strike out the figures "25" and insert in lieu thereof the figures "27".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 7, line 11 of the printed bill, strike out the word "north" in said line and insert in lieu thereof the word "west".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 7, line 14 of the printed bill, strike out the word "and" in said line.

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 7, line 20 of the printed bill, strike out the word "west" after the figure "4" in said line and insert in lieu thereof the word "north".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 7, line 24, of the printed bill, after "Sec." strike out the figures "26" and insert in lieu thereof the figures "28".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 7 of the printed bill, strike out the whole of line 26 and insert in lieu thereof the following: "Redwood Park, Santa Cruz County, commonly known as the "Big Basin", and more particularly described as follows, to wit: The east half and the east half of the west half of section 1, the north half of the northeast quarter and the northeast quarter of the northwest quarter of section 12, all in township 9 south, range 4 west; the west half of section 4, all of sections 5 and 6, the north half of the northwest quarter, the northeast quarter, the east half of the southeast quarter of section 7, the north half, the southwest quarter, the north half of the southeast quarter and the southwest quarter of the southeast quarter of section 8, the north half of the northwest quarter, the southwest quarter of the northwest quarter and the northwest quarter of the southwest quarter of section 9, all in township 9 south, range 3 west; all that portion of the southwest quarter of section 28 lying south and west of the road known as the "China Grade," all that portion of the east half of section 29 lying south and west of said "China Grade," the east half of section 32, the southwest quarter and that portion of the northwest quarter of section 33 lying south of said "China Grade," all in township 8 south, range 3 west; all townships and ranges mentioned herein being referred to Mount Diablo base line and meridian."

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 7, between lines 26 and 27, of the printed bill, insert a paragraph as follows:

"Sec. 29. Fish and game district twenty-eight shall consist of and include a portion of the Angeles National Forest lying within the county of San Bernardino and more particularly described as follows, to wit:

All of township 2 north, range 2 east; all of township 2 north, range 1 east; all of township 1 north, range 1 east; all of township 1 south, range 1 east; sections 1 to 18 inclusive of township 1 south, range 1 west; all of township 1 north, range 1 west; all of township 2 north, range 1 west; all of township 1 north, range 2 west; all of township 2 north, range 2 west; sections 1 to 18 inclusive, that portion of section 19 within the Angeles National Forest, all of sections 20 to 27 inclusive, the north half of section 28, the north half and southeast quarter of section 35 and all of section 36, township 1 north, range 3 west; all of township 2 north, range 3 west; all that portion of township 1 north, range 4 west within the Angeles National Forest lying north of the north line of the Muscupiabe Grant, and all of township 2 north, range 4 west; all townships and ranges mentioned herein being referred to San Bernardino base line and meridian."

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 7, between lines 26 and 27, of the printed bill, insert a further new paragraph as follows:

"Sec. 29. [illegible] San Bernardino and Los Angeles [illegible] within the Angeles National Forest [illegible] sections 10, 11, 12 and 13 within the Angeles National Forest in township [illegible]

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 7, line 27, of the printed bill, strike out the figures "27" and insert in lieu thereof the figures "31".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 7, line 28, of the printed bill, strike out the words "is hereby repealed" and the period and insert in lieu thereof the following: "and all acts and parts of acts inconsistent herewith are hereby repealed."

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 72[illegible]—An Act amending an Act entitled "An Act establishing a legislative counsel bureau and making an appropriation therefor," approved [illegible] 1913, by amending section two thereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed bill, strike out the period and insert the words "when requested in writing so to do by [illegible] electors proposing such a measure."

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 725—An Act to add a new section to the Political Code to be numbered eleven hundred ninety-seven *a*, relating to titles and summaries for initiative and referendum measures.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the title strike out everything after the words "An Act" and insert in lieu thereof the following "to add two new sections to the Political Code to be numbered 1197*a* and 1197*b*, respectively, relating to initiative, referendum and recall petitions."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, strike out the words "the circulation" and insert in lieu thereof "circulating any petition"; also in the same line strike out the last word in said line, to wit "of" and in line 7 strike out the words "the petition therefor" and insert in lieu thereof the word "thereon"

Amendment adopted.

AMENDMENT NUMBER THREE

On page 1, line 8, strike out the words "of the state".

Amendment adopted

AMENDMENT NUMBER FOUR

On page 1, line 9, after the word "title" insert a comma

Amendment adopted

AMENDMENT NUMBER FIVE.

On page 1, line 14, after the word "all" insert the following:
"Sec. 2. A new section is hereby added to the Political Code to be numbered 1197*b* and to read as follows:
1197*b*."

Amendment adopted

AMENDMENT NUMBER SIX.

On page 2, line 1, after the word "each" insert the following: "section of the".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 2, strike out the letter "a" where it first appears in said line and insert in lieu thereof the word "the".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 2, strike out the words "above referred to" and insert in lieu thereof the following: "referred to in section 1197*a* of the Political Code."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 3, after the word "each" insert the following: "page of any."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 8, strike out the word "measure."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 11, after the word "petition" insert the following: "or section thereof."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, strike out lines 16 and 17, and insert in lieu thereof the following: "No officer chargeable by law with receiving or filing in his office any initiative, referendum or recall petition shall receive or file any such petition which does not conform with the provisions of this section. This section shall apply only to initiative, referendum and recall measures affecting the constitution or laws of the State, or State officers."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

SENATOR STROBRIDGE IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Senator Strobridge of the Thirteenth District, in the chair.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 726—An Act to add a new section to the Penal Code to be numbered four hundred seventy-two *a*, relating to signing to any initiative, referendum, or recall petition a fictitious name or the name of another.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title after the word "a," strike out the word "relating" and insert in lieu thereof the following: "making it a felony".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title after the first word "to" strike out the word "signing" and insert in lieu thereof the word "sign".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 5 of the title strike out the period and add the following: "and prescribing the penalty therefor."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 6, after the word "another" strike out the words "without the latter's consent."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 7, after the word "of" strike out the word "forgery" and add the following: "a felony and is punishable by imprisonment in the state prison for not less than one nor more than fourteen years."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 727—An Act to add a new section to the Penal Code of the State of California to be known as section sixty-four *b*, relating to prohibiting misrepresentation or fraud in relation to certain initiative, referendum or recall petitions, and prescribing a penalty therefor

COMMITTEE AMENDMENTS.

During second reading of the bill, the folowing committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the title strike out the words "relating to".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, of the title strike out the words "in relation to certain".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 6, of the printed bill strike out the words "or not to sign".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 19, strike out the period after the word "section" and insert "or the signatures appended thereto."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 27, of the printed bill strike out the words "guilty of a misdemeanor" and insert in lieu thereof the following: "punishable by imprisonment in the state prison, or in a county jail, not exceeding two years, or by fine not exceeding five thousand dollars, or by both."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REQUEST FOR INTRODUCTION OF BILL.

Senator Crowley requested permission to introduce a Senate bill entitled: "An Act to amend section 16 of an Act entitled the 'Bank Act' of the State of California, approved March 1, 1909, approved as amended April 21, 1911, approved as amended May 31, 1913."

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 96—An Act to establish the Yolo and Lake Highway; to define its course; to provide for its survey and construction; and to make an appropriation therefor;

Also: Senate Bill No. 149—An Act to provide for the construction of a building to be used as a barn and garage in California Redwood Park, and making an appropriation therefor;

Also: Senate Bill No. 286—An Act to make an appropriation for the construction and completion of a state highway connecting the counties of Trinity, Shasta and Humboldt with the road system of Tehama County;

Also: Senate Bill No. 331—An Act making an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along the northern boundary of Lake Tahoe to the western boundary of the State of Nevada at Crystal Bay in Placer County;

Also: Senate Bill No. 592—An Act to make an appropriation for the purpose of making a survey for a state highway from the intersection of the state highway and the Klamath River road in Siskiyou County to the terminus of the Humboldt County road at Orleans at the mouth of the Redwood River;

Have had the same under consideration, and respectfully report the same back and recommend that they do pass and be re-referred to the Committee on Finance.

BIRDSALL, Chairman.

Senate Bills Nos. 96, 149, 286, 331 and 592 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 617—An Act providing for the location and construction of a state highway in Imperial County, and making an appropriation therefor;

Also: Senate Bill No. 687—An Act to provide for the survey, location and estimate of cost of a state highway from a point on the present located California State highway in Kern County, California, south of Bakersfield, southerly to the town of Nordhoff, Ventura County;

Also: Senate Bill No. 894—An Act to make appropriations for the continuation of the location, survey and construction of a state highway from Goodyear Bar, Sierra County, California, in a westerly direction to Indian Valley, California;

Also: Senate Bill No. 952—An Act providing for the location, survey and construction of a proposed highway to connect the San Joaquin Valley State Highway trunk line in Tulare County with the coast State highway trunk line in Monterey County through Coalinga Pass;

Has had the same under consideration, and respectfully report the same back and recommend that they do pass and be re-referred to Committee on Finance.

BIRDSALL, Chairman.

Senate Bills Nos. 617, 687, 894 and 952 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 351—An Act to appropriate money to construct a highway between El Centro, California, and a point on the California State line directly opposite Yuma, Arizona—has had the same under consideration, and respectfully report the same back and recommend that the same do pass and be re-referred to Committee on Finance.

BIRDSALL, Chairman.

Senate Bill No. 351 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 44—An Act to make an appropriation for the purpose of purchasing additional rights of way, land and trees on and along the course of the Lake Tahoe wagon road—has had the same under consideration, and respectfully report the same back and recommend that the same do pass as amended and be re-referred to Committee on Finance.

BIRDSALL, Chairman.

Senate Bill No. 44 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 498—An Act to add two new sections to the Political Code of the State of California, to be numbered two thousand six hundred ninety-seven and two thousand six hundred ninety-eight, relating to the abandonment of highways—has had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

BIRDSALL, Chairman.

Senate Bill No. 498 ordered on file for second reading.

Also:

SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 144—An Act to provide for the survey and construction of a state highway through the Pacheco Pass connecting the state highway in Santa Clara County at Gilroy with the state highway in Madera County at or near Califa, and making an appropriation therefor—has had the same under consideration, and respectfully report the same back and recommend that the same do pass as amended.

BIRDSALL, Chairman.

Senate Bill No. 144 ordered on file for second reading

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 164—An Act to amend section four thousand two hundred ninety-five of the Political Code, relating to official services and fees;

Also: Senate Bill No. 196—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty;

Also: Senate Bill No. 7—An Act to amend section one thousand four hundred fifty-four of the Code of Civil Procedure, relating to the collection by surviving heirs of money in banks;

Has had the same under consideration, and respectfully recommend that they do pass as amended.

KEHOE, Chairman

Senate Bills Nos. 164, 196 and 7 ordered on file for second reading

Also:

SACRAMENTO, March 19, 1915

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 850—An Act to amend section eight hundred sixty-eight of the Penal Code, relating to who may be present at an examination before a magistrate;

Also: Senate Bill No. 378—An Act to amend section nine hundred fifty-four of the Penal Code of the State of California, relating to charging two or more different offenses in indictments and informations;

Also: Senate Bill No. 715—An Act to amend section four hundred eighty-five of the Civil Code of the State of California, relating to damages in certain cases;

Has had the same under consideration, and respectfully recommend that they do pass

KEHOE, Chairman.

Senate Bills Nos. 850, 378 and 715 ordered on file for second reading.

Also:

SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 199—An Act to amend section one thousand eight hundred eighty-one of the Code of Civil Procedure of the State of California, relating to confidential communications—has had the same under consideration, and respectfully recommend that it do not pass.

KEHOE, Chairman.

Senate Bill No. 199 ordered on file for second reading.

Also:

SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending section sixteen and one-half of article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks—has had the same under consideration, and respectfully recommend that it be adopted as amended.

KEHOE, Chairman.

Senate Constitutional Amendment No. 19 ordered on file.

Also:

SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of said State, by adding to article six thereof a new section to be numbered ten and one-half, relative to the length of time a person appointed to fill a vacancy in the office of Justice of the Supreme Court, Justice of the District Court of Appeal or Judge of a Superior Court shall hold office—has had the same under consideration, and respectfully recommend that it be adopted.

KEHOE, Chairman.

Senate Constitutional Amendment No. 11 ordered on file.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to whom was referred Senate Bill No. 319—An Act validating the formation and organization, and determining the boundaries of Alameda County Water District in the county of Alameda, State of California;

Also: Assembly Bill No. 310—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, by amending sections 3, 19, 21, and 26 of said Act;

Has had the same under consideration, and respectfully recommend that they do pass.

MADDUX, Chairman.

Senate Bill No. 319 ordered on file for second reading.

Assembly Bill No. 310 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Education to whom was referred Senate Bill No. 1005—An Act to carry into effect the provisions of section one *a* of article thirteen of the Constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered three thousand six hundred thirteen—has had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

ANDERSON, Chairman.

Senate Bill No. 1005 ordered on file for second reading.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Public Morals to whom was referred Assembly Bill No. 675—An Act prohibiting the sale, gift or delivery of intoxicating liquor at public schoolhouses, and prescribing penalties for the violation of any provision hereof—has had the same under consideration, and respectfully report the same back and recommend that it do pass.

LUCE, Chairman.

Assembly Bill No. 675 ordered on file for second reading.

Also:

SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Public Morals to whom was referred Senate Bill No. 588—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating liquors to persons addicted to the inordinate use of intoxicating liquors," approved March 19, 1889—has had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

LUCE, Chairman.

Senate Bill No. 588 ordered on file for second reading.

Also:

SACRAMENTO, March 18, 1915.

MR. PRESIDENT: Your Committee on Public Morals to whom was referred Senate Bill No. 401—An Act to amend sections one, two, eight and eleven of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911, relative to territory included within petition, form of petition, form of ballot—has had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

LUCE, Chairman.

Senate Bill No. 401 ordered on file for second reading

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 300—An Act amending section three of an Act entitled "An Act authorizing the construction of the unfinished portion of the library building of the University of California, and the construction of a building for general use as a recitation building, of a building for the use of the College of Agriculture and of a building for the use of the College of Natural Sciences as a chemistry building upon the grounds of said University of California at Berkeley; providing for the issuance and sale of state bonds to meet the cost of the foregoing purposes, and providing the necessary moneys for the payment of the principal and interest to become due on said bonds," adopted as an initiative measure by vote of the people November 3, 1914—and report that the same has been correctly enrolled, and presented the same to the Governor on this 18th day of March, 1915, at two o'clock and thirty minutes p.m.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 56—An Act to amend section three thousand fifty-one of the Civil Code of the State of California relating to liens upon personal property;

Also: Senate Bill No. 20—An Act to license and regulate the business of private detectives and detective agencies;

Also: Senate Bill No. 735—An Act to amend sections one, four, five and six of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by an Act approved March 20, 1905, and as amended by an Act approved March 4, 1907, and as amended by an Act approved April 21, 1911;

Also: Senate Bill No. 439—An Act to add two new sections to the Political Code of the State of California to be numbered sections seventeen hundred fifty *a* and sixteen hundred seventeen *d*, relating to the establishment of intermediate school courses by high school boards, and authorizing boards of school trustees and boards of education in common school districts to permit pupils of certain grades to attend such intermediate school courses;

Also: Senate Bill No. 1048—An Act to amend section 21 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907;

Also: Senate Bill No. 1046—An Act to amend sections nine and twenty-two of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended by an Act entitled "An Act to amend sections 20 and 22 of an Act entitled 'An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor,' approved March 11, 1907," which amendatory Act was approved April 26, 1911;

And report that the same have been correctly engrossed

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 333—An Act to prevent the propagation, by the production of seed, of those certain plants known as *Sorghum halpense*, *Cnicus arvensis*, *Salsoli kali*, *Onopordon acanthium*, *Cnicus lanceolatus* and *Convolvulus arvensis*; and repealing all Acts or parts of Acts inconsistent herewith—and report that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by adding a new section to article XVI thereof, to be numbered section 2, relating to the issuance and sale of state bonds and purchasing with the proceeds thereof bonds of irrigation, drainage, flood control and reclamation districts;

Also: Senate Constitutional Amendment No. 34—A resolution proposing to the people of the State of California an amendment to article XIV of the Constitution of the State of California, to be numbered section three of said article, providing for the creation of a river control commission providing for its appointment, defining its powers and duties and conferring jurisdiction upon such commission to hear and determine controversies;

Has had the same under consideration, and respectfully report the same back and recommend that the same be re-referred to the Committee on Judiciary.

CHANDLER, Chairman.

Senate Constitutional Amendments Nos. 32 and 34 ordered re-referred to Committee on Judiciary.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to whom was referred Senate Bill No. 755—An Act to amend section 635 of the Penal Code of the State of California, relating to the pollution of the streams and public waters—has had the same under consideration, and respectfully report the same back and recommend that it be re-referred to the Committe on Fish and Game.

BUTLER, Chairman.

Senate Bill No. 755 ordered re-referred to Committee on Fish and Game.

Also:

SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine to whom was referred Senate Bill No. 1029—An Act to prohibit the contamination of streams, creeks, irrigation ditches, lakes and other sources of surface water supply by the discharge and flow of petroleum or petroleum emulsion resulting from the operations of any person, firm, corporation or association in drilling, pumping or maintaining an oil or petroleum producing well; providing for the stoppage of such discharge or flow and providing penalties for the violating of the provisions of this Act—has had the same under consideration, and respectfully report the same back and recommend that it be re-referred to the Committee on Oil Industries.

BUTLER, Chairman.

Senate Bill No. 1029 ordered re-referred to Committee on Oil Industries.

Also:

SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine to whom was referred Senate Bill No. 967—An Act to establish a state hospital for the care, custody and maintenance of inebriates and drug habitues within the State of California, to be known as the California State Hospital and to provide for the government and management thereof, and making an appropriation therefor;

Also: Senate Bill No. 558—An Act to amend section two thousand nine hundred seventy-eight of the Political Code, relating to the constitution of the State Board of Health and the terms of the members of said board;

Also: Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same;

Has had the same under consideration, and respectfully report the same back and recommend that they do pass.

BUTLER, Chairman.

Senate Bill No. 967 ordered re-referred to Committee on Finance.

Senate Bills Nos. 558 and 10 ordered on file for second reading.

Also:

SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine to whom was referred Senate Bill No. 482—An Act to amend section one of an Act entitled "An Act to create the office of state dental surgeon, prescribing his duties, fix his manner of appointment, salary and term of office, and to make an appropriation for the expenses of his office," approved April 16, 1909—has had the same under consideration, and respectfully report the same back and recommend that it do pass.

BUTLER, Chairman.

Senate Bill No. 482 ordered on file for second reading.

ON REVENUE AND TAXATION

SENATE CHAMBER, SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the constitution by adding a new section to article XIII, to be numbered fifteen, authorizing and empowering the Legislature to revise, amend or annul the provisions of section fourteen of article XIII of the constitution, relative to the separation of state and local taxation of public service and other corporations.

Also: Senate Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the constitution by amending section nine of article XIII, relating to state and county boards of equalization and to the assessment of taxable property in the State, and creating a state tax commission and defining its powers and duties, and the powers of the Legislature relative to assessment and taxation.

Also: Senate Constitutional Amendment No. 36—A resolution proposing to the people of the State of California to amend section twelve of article XIII of the Constitution of the State of California relative to poll tax.

Has had the same under consideration, and respectfully report the same back and recommend that they be re-referred to Committee on Judiciary.

COGSWELL, Chairman.

Senate Constitutional Amendments Nos. 30, 31 and 36 ordered re-referred to Committee on Judiciary.

SECOND READING OF BILLS—OUT OF ORDER

Senator Thompson asked for and was granted unanimous consent for the second reading at this time under suspension of the rules of the bills previously reported from the committees on this legislative day.

Senate Bill No. 836—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred twenty-eight *i*, relating to the protection of fish.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 832—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred thirty-seven *b*, relating to the protection of game.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 830—An Act to amend section six hundred thirty-three of the Penal Code of the State of California, relating to the protection of fish.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 972—An Act to amend section six hundred thirty-six and one-half of the Penal Code of the State of California, relating to the protection of fish.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 756—An Act to amend section 626*m* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 833—An Act to amend section six hundred twenty-six *g* of the Penal Code of the State of California, relating to the protection of game.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 769—An Act to amend section 626*a* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 655—An Act to provide for branding on the back of all crabs brought into the State of California, name of the place where they were caught, and providing a penalty for the violation thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 584—An Act to amend section two thousand four hundred sixty-six of the Political Code and to add thereto a new section to be numbered two thousand four hundred sixty-six *a*, relating to rates of pilotage at San Francisco.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 9 of the printed bill, strike out the word "and" and insert the word "or" in lieu thereof.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 523—An Act to amend section fourteen of an Act entitled "An Act creating a Board of Pilot Commissioners for the harbor of San Diego, defining their duties and fixing their compensation."

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 521—An Act to amend sections two thousand six hundred five and two thousand six hundred seven of the Political Code of the State of California, relating to State Board of Harbor Commissioners for the bay of San Diego.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 79—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 753—An Act to recognize and declare valid all proceedings in Oakdale Irrigation District.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 143—An Act to amend section four thousand one hundred twelve of the political code of the State of California, relating to county treasurers' reports.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE

On page 1 of the printed bill, line 4 strike out the words "meeting each month of the" and insert in lieu thereof the words, "meeting held in any month by the".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 658—An Act regulating the sale and shipment of citrus fruits damaged by frost, and prescribing penalties for the violation of the provisions thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 1 line 2 strike out the word "any" and all of lines 3, 4, 5, 6, and 7, and insert in lieu thereof the following: "citrus fruits in boxes or in bulk, if the contents of any package, or if the fruit in bulk contains fifteen per cent or more of citrus fruits which on a transverse section through the center, shows a mark of drying in twenty per cent or more of the exposed pulp."

Amendment adopted.

AMENDMENT NUMBER TWO

On page 2, line 1 insert a period after the word "misdemeanor" and strike out the remainder of the bill.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

SECRETARY EDWIN F. SMITH AT THE DESK.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 20—An Act to regulate the distribution of date palms and date palm offshoots and to hold the same in quarantine under the supervision of the State Commissioner of Horticulture until they are free from Marlatt scale (*Phoenicococcus marlatti*) and Blanchard scale (*Parlatoria blanchardii*) when introduced from, or grown in, any infested locality within this State or from other States, or if of foreign introduction, after they have been released by the Federal Horticultural Board, and to fix a penalty for violation of this Act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 498—An Act to add two new sections to the Political Code of the State of California, to be numbered two thousand six hundred ninety-seven and two thousand six hundred ninety-eight, relating to the abandonment of highways.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out of the printed bill on page 1, line 10 the words "which may have been" and also all of lines 11, 12, and 13, page 1, and all of lines 1 and 2, page 2.

Amendment adopted.

AMENDMENT NUMBER TWO.

Insert after the word "place" on page 1, line 10, a period.

Amendment adopted.

AMENDMENT NUMBER THREE.

Insert on page 2, line 9 of the printed bill after the period following the word "hearing" the following: "A similar notice shall also be posted conspicuously along the line of the proposed vacation."

Amendment adopted.

AMENDMENT NUMBER FOUR.

Strike out on page 2, line 16 of the printed bill the word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 164—An Act to amend section four thousand two hundred ninety-five of the Political Code, relating to official services and fees.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 7, page 1, after the comma following the word "county" insert the following: "city,".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 9, page 1, after the word "county" insert a comma and the word: "city".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 558—An Act to amend section two thousand nine hundred seventy-eight of the Political Code, relating to the Constitution of the State Board of Health and the terms of the members of said board.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 850—An Act to amend section eight hundred sixty-eight of the Penal Code, relating to who may be present at an examination before a magistrate.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 378—An Act to amend section nine hundred fifty-four of the Penal Code of the State of California, relating to charging two or more different offenses in indictments and informations.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 715—An Act to amend section four hundred eighty-five of the Civil Code of the State of California, relating to damages in certain cases.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 199—An Act to amend section one thousand eight hundred eighty one of the Code of Civil Procedure of the State of California, relating to confidential communications.

Bill read second time, ordered engrossed and on file for third reading.

Assembly Bill No. 310—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21 and 26 of said Act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 319—An Act validating the formation and organization, and determining the boundaries of Alameda County Water District in the county of Alameda, State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1005—An Act to carry into effect the provisions of section one *a* of article XIII of the constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered three thousand six hundred thirteen.

COMMITTEE AMENDMENTS

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 strike out all of line 10 after the figure "2" and all of line 11 and insert in lieu thereof the following: "An educational institution of collegiate grade is deemed and defined to be an institution incorporated as a college or seminary of learning under the laws of this State, which requires for regular admission the completion of a four year high school course or its equivalent, and confers upon its graduates at least one academic or professional degree, based upon a course of at least four years in liberal arts and sciences, or upon a course of at least three years in professional studies, including law, theology, education, medicine, dentistry, engineering, veterinary medicine, pharmacy, architecture, fine arts, commerce or journalism."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, strike out all after the figure "3" and all of line 13 and insert the following: "An educational institution not conducted for profit is deemed and defined to be an institution incorporated as a college or seminary of learning under the laws of this State conducted exclusively for scientific or educational purposes, no part of the net income of which inures to the benefit of any private stockholder, member or individual."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 5 and 6 of the printed bill strike out the words, "and located as follows" and insert in lieu thereof the following: ", located and selected by the assessor of the county or city and county in which said grounds are situated but said grounds need not be contiguous or in one tract".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Assembly Bill No. 675—An Act prohibiting the sale, gift or delivery of intoxicating liquor at public school houses, and prescribing penalties for the violation of any provision hereof.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 588—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating liquors to persons addicted to the inordinate use of intoxicating liquors," approved March 19, 1889.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 4, after the word "officer" strike out the period and add the following: "or District Attorney".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 401—An Act to amend sections one, two, eight and eleven of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911, relative to territory included within petition; form of petition; form of ballot.

MOTION.

Senator Slater moved that the proposed amendments to Senate Bill No. 401 be printed in the Journal before further consideration, and that Senate Bill No. 401 be passed, to retain its place on file.

Motion carried.

AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED ONE.

AMENDMENT NUMBER ONE.

On page 1, in line 1 of the title strike out the word "eight" and insert in lieu thereof the following: "five, six, eight, ten".

AMENDMENT NUMBER TWO.

On page 1, line 1 of the title, between the words "eleven" and "of" insert the following: "and repealing section seven".

AMENDMENT NUMBER THREE.

On page 2, in the last two lines of the title strike out the comma following the figures "1911", also strike out the words, "Relative to territory included within petition; form of petition; form of ballot".

AMENDMENT NUMBER FOUR.

On page 2, strike out lines 18 to 32 inclusive, and on page 3, strike out lines 1 to 8 inclusive and insert in lieu thereof the following:

"Section 1. Qualified electors of any county or of any city and county, numbering not less than twenty-five per cent of the number of votes cast for all candidates for Governor in such county, or city and county, at the last preceding election for Governor of the State, may petition the board of supervisors of said county, or city and county, to call an election to vote upon the question whether the sale of alcoholic liquors shall be licensed in such county, or city and county."

AMENDMENT NUMBER FIVE.

On page 3, strike out lines 13 to 32 inclusive, and insert in lieu thereof the following:

To the board of supervisors of the county (or city and county) of

———— (here insert the name of the county, or city and county.)

The undersigned, residents and qualified electors of the county (or city and county) of ———— (here insert name of the county or city and county) respectfully petition that you cause to be submitted, in the manner provided by law, to the voters of this county (or city and county) the question, "Shall the sale of alcoholic liquors be licensed in this county (or city and county)?"
**

Name of Signer	House Number	Street	Post Office	Date of Signing	Precinct

AMENDMENT NUMBER SIX.

On page 3, strike out lines 33 to 36 inclusive, and on page 4, strike out lines 1 to 8 inclusive, and insert in lieu thereof the following:

"Section 3. Section five of said Act is hereby amended to read as follows:

"Section 5. Such election shall be called and held in the manner provided by law; and all the provisions of law, penal or otherwise, applicable to general state elections shall apply to special elections held under this Act."

AMENDMENT NUMBER SEVEN.

On page 4, strike out lines 9 to 20 inclusive, and insert in lieu thereof the following:

"Section 4. Section six of said Act is hereby amended to read as follows:

"Section 6. If said petition shall be certified as sufficient within six months and not less than forty days before the holding of the next general state election, such question shall be submitted at said general state election; otherwise a special election to vote upon the question shall be called to be held within not less than thirty nor more than sixty days after the petition has been certified as sufficient; *provided* that no election under this Act shall be held in any county within two years of any previous county-wide election held under this Act in such county."

AMENDMENT NUMBER EIGHT.

Add to the bill four additional sections, to be numbered sections 5, 6, 7 and 8, as follows:

"Section 5. Section seven of said Act is hereby repealed.

"Section 6. Section eight of said Act is hereby amended to read as follows:

"Section 8. The form of the ballot shall be as follows:

Shall the sale of alcoholic liquors be licensed in this county (or city and county)?	Yes	
	No	

"To vote for license electors shall stamp a cross in the square opposite the word 'Yes' on the ballot; and to vote against license they shall stamp a cross in the square opposite the word 'No' thereon.

"Section 7. Section ten of said Act is hereby amended to read as follows:

"Section 10. Unless a majority of the votes cast on this question at such election are in favor of license, the county, or city and county, named in the petition shall be no-license territory on and after ninety days from the date of said election; and the board of supervisors of such county, or city and county, shall thereupon make an entry in its records declaring that such county, or city and county, is no-license territory; but a failure to make such entry shall not affect the result or effect of such election. In any prosecution under this Act the original record in the minutes of said supervisors shall be prima facie evidence that the county, or city and county, in which such election was held is no-license territory; *provided* such record shows that at said election there was not a majority vote in favor of license.

"Section 8. Section eleven of said Act is hereby amended to read as follows:

"Section 11. When any county, or city and county, becomes no-license territory it shall remain such until at a subsequent election, called as herein provided, to vote upon the question whether the sale of alcoholic liquors shall be licensed therein, a majority of the votes cast on that question are in favor of license. It shall thereupon cease to be no-license territory within the meaning of this Act; *provided*, that any incorporated city or town and that portion of any supervisoral district which is outside of any incorporated city or town, which, at the time this Act goes into effect, is no-license territory as defined in section ten of an Act entitled 'An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing, that no licenses, permits or other authority to sell or distribute alcoholic liquors in no license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses,' approved April 4, 1911, shall be and remain no-license territory until at an election held throughout the entire county, as herein provided, a majority of the votes cast on this question in such city, town or part of supervisoral district are in favor of license. In cases where cities, towns, or parts of supervisoral districts remain no-license territory, while the counties of which they form a part are not no-license territory under this Act, the original entry in the minutes of the governing body of such city, town or supervisoral district, showing that at an election held in such city, town or district a majority of the votes cast on the license question were not in favor of license shall be prima facie evidence that such city, town or part of district is no-license territory."

COMMUNICATIONS—(OUT OF ORDER).

By consent of the Senate the following communication offered by Senator Brown was read out of the regular order and ordered printed in the Journal:

CORONA, CALIFORNIA, March 17, 1915.

Hon. W. E. Brown, Legislative Chamber, Sacramento, California.

MY DEAR SENATOR: The question of a state market commission has been becoming yearly of greater importance.

The vital purpose of a market is to put producer and consumer in the closest relations possible.

The experience of the present time shows that agencies of distribution, when left unchecked, often become predatory, and exploit both the producer and the consumer at the expense of the legitimate share in the nation's prosperity to which each is entitled. Under these conditions, the economic loss to agriculture retards the best development of country life.

Some means must be devised to stop this economic loss to agriculture.

A critic speaking recently of the State Market Commission says: "These legislators complain that commission merchants are mulcting farmers to such an extent that the State must step in and save agriculturists from the folly of their own business sense." The trouble with so many writers on this subject is that they are "writers" only, not farmers.

It is not the lack of business sense that deprives the farmer of his legitimate returns from his crops—it is lack of a proper distributing agency for his products. It is not the duty of the producer to supply the proper distributing agency. It is not the farmers "lack of business sense" that is responsible for the city's inadequate terminal facilities or means of distributing products after they reach a market.

In our complex state of society it is impossible for the producer to be his own distributor. Society—that vast body of consumers which require the farmers' products—must see to it that the products are more efficiently distributed. It is they, the consumers, who must see that the proper means are provided for such distribution.

The responsibility for the marketing difficulties of the producer rests largely with the consumers. At least, it rests four-fifths on the consumer and one-fifth on the producer. Roughly speaking, in the United States 20,000,000 producers supply 80,000,000 consumers.

Whatever defects then there are in the economic system of the United States which affect adversely the producers and consumers of agricultural products, it is the joint duty of both parties to get together, to solve this great problem.

This question is a much larger one than mere financial profit and loss between the two great classes of producers and consumers. It goes to the very basis of society.

The existence of society and of man himself depends upon certain forces which are properly called the essential forces. These are the preservative and reproductive forces of nature.

These forces control all life.

The preservative forces can be designated under the single appellation—Want.

Human subsistence requires food, clothing and shelter.

The first and greatest of all wants is the want of food. "The cravings of the human soul for glory, fame and power are wholly insignificant in comparison with the cravings of the human stomach for food."

Agriculture has become a great systematized industry to supply these cravings of the stomach. The motive of agriculture is none other than the preservation of the existence of the community. Agriculture is the backbone of America.

The Secretary of Agriculture in speaking of the question has said:

"Problems of production have heretofore received the attention, from the standpoint of the individual farmer, the broader economic problem of marketing received relatively little attention.

This is now become an urgent problem. We have been suddenly brought face to face with the fact that in many directions *further production waits on better distribution*, and that the field of distribution presents problems which raise in very grave ways the simple issue of justice.

That under existing conditions in many instances the farmer does not get what he should for his product; that the consumer is required to pay an unfair price, and that unnecessary burdens are imposed under the existing systems of distribution, there can be no question.

Just what part of the burden is due to lack of systematic planning, or inefficiency and economic waste or to unfair manipulation, one can not say. As difficult as are the problems of production, they are relatively simple as compared with those of distribution."

The question of cheaper transportation was not solved until we got the "Interstate Commerce Commission", the question of money was not solved until we got the "Federal Reserve Commission", the question of curbing trusts has had to wait to obtain the "Federal Trade Commission," and the question of marketing will not be solved until we obtain a "Marketing Commission."

Our Federal Trade Commission is largely based upon that of Australia. In 1912 Australia created a trade commission "with broad investigating and quasi-judicial power, to investigate conditions, to enforce the laws regarding commerce and to aid Australian industry." It was in consonance with this conception of the Australian commission, that our own "Federal Trade Commission" was advanced.

Now Australia for many years has had working very successfully a Marketing Commission, or as known there, the "Government Produce Export Depot."

Sir John Cockburn, as far back as 1899 in an address before the American Academy of Social and Political Science, gave this interesting exposition of its workings. He stated that:

> "It is chiefly in our agriculture that the sphere of state activity has developed. The success of the community and our national welfare depend on the prosperity of the farmer, and, therefore, we adapt our institutions to make his occupation as profitable as possible. If the farmer does well the whole community is prosperous, the doctor gets his fees, the pastor gets his stipend raised, and everybody shares in the general prosperity.
>
> So the farmer is, as it were, that part of the community whose welfare we watch with the greatest possible interest. The State, in order to enable the farmer to get the greatest possible return for his labor, inaugurated what is known as the Government Produce Export Depot. We have also established a receiving depot. We take from the farmer and from the fruit grower his produce and send it to the world's markets. Before the State moved in this direction, the small farmer or fruit grower was practically unable to reach the markets of the world, even though there was a great demand for his produce, by reason of the high rates for freights and insurance, which would be so high on small parcels that practically they are excluded. So the State stepped in, and by grouping together the little rivulets of produce into one shipment, sends them forward at the lowest possible charges for necessary expenses of transit. The State in this way has been able to bring the world's markets within the reach of the farmer and the fruit grower.
>
> The State in undertaking this function is able to insist upon a certain grade of quality. There is nothing more dangerous or more ruinous to those who send produce to a market than to have good produce accompanied by articles of inferior quality. The presence of articles of inferior quality deteriorates the value of the whole shipment. If articles are inferior we have nothing to do with them. No produce is sent unless it receives the government's stamp of approval. After the goods have been received and forwarded by the State, they are received in London by the receiving depot there. The government does not undertake their sale, but it selects

> corn and cotton brokers and auctioneers of recognized ability, who can be depended upon to make the best possible terms for the consignor and for the seller of the produce. Now, in South Australia, all the farmer has to do when he wishes to send a box of butter, honey, or some sheep abroad, is to write to the Agricultural Department, and if they are approved and forwarded, the consignor has nothing to do but sit at home and await return by check."

Compare this condition of the Australian farmer with the American producer.

A few concrete facts culled from my own experience will typify this: For twenty-five years I have been farming and fruit growing in Southern California. When my groves were young I was told to grow crops between the trees to pay expenses. I did so, I raised peanuts. Successful crops both in quantity and quality were grown. Two carloads of the product were shipped to market. After waiting seven months I received $54.00 for my crops. I was told, on relating my experience, that if I went into the peanut business I ought to expect peanut returns. Well, I did! In 1888 fifty acres of raisin grapes were planted by me, only to be rooted out later for lack of proper returns from crops.

In one season I have shipped 7,400 packed boxes of lemons, and the packers who advanced the money for their picking, at the final accounting demanded, besides the crop, $326.00 for services in picking. For the privilege of raising and shipping over twenty carloads of as fine lemons as grew in Southern California, I paid the shippers $326.00.

This was, however, before the improvements in shipping brought about by the California Fruit Growers' Exchange, yet even now, the past two seasons I have received red ink from my orange crop.

Also I have raised olives for the benefit of the packers. The greed, cupidity and refined methods of the olive packer, who by his system of 1/16 of an inch in grading can so juggle the crop that he can take the olives from the "pickle" class and place it as an "oil" olive, makes the difference to the grower of a loss of $50.00 a ton by this manipulation.

In Los Angeles last summer during the grape season 3½ to 5 cents a pound was the price on the market for table grapes. This is $75.00 to $100.00 a ton. I was at that time feeding the same kind of grapes to my hogs. An offer of $6.00 per ton being all I could get for my grapes. It would seem that $20.00 per ton to the producer and distributor should be a sufficient profit under a proper system of distribution. This means 5 pounds for 5 cents to the consumer instead of five cents for one pound.

Agriculture in order to be made less difficult and more profitable will have to receive from the government more care and attention than at present.

When we give that care and consideration to the marketing and distribution of agricultural products, such as is given by other governments, Australia and Germany, for instance, then we can expect that the slogan of "back to the farm" will be heeded and that the results from such increased production, together with an efficient and equitable distribution, will result in a decreased cost of living to the consumer.

A step forward in this direction is the creation of a State Marketing Commission, and later the creation of a National Marketing Commission. When these two steps have been taken in our State and national government, then can the producer look forward to the proper reward for his labor, and the consumer an added volume of products at a lessened cost.

We of the South are looking anxiously forward to the creation of this State Marketing Commission, and are wishing you and your co-workers most hearty success in the work of the creation of this commission.

Sincerely yours,

JOHN W. CRAIG.

Also:

By Senator Purkitt:

To the Legislature of California:

WHEREAS, Assemblyman B. Bruck has introduced into the Legislature of the State of California, Assembly Bill No. 401, providing for the transfer of the Frye Ranch at Yountville, Napa County, to the regents of the University of California; and

WHEREAS, It is very desirable that every facility be granted for the development of the Agricultural Department of the University of California; and

WHEREAS, The possession of this property by the University of California would very much increase its equipment for agricultural experiment and instruction; therefore, be it

Resolved, That we, Potter Valley Grange, No. 115, P. of H., call upon Assemblyman Pettis and Senator Purkitt, representing this district in the Legislature of the State of California, to vote for and work for the passage of said Assembly Bill No. 401.

RECESS.

At twelve o'clock and twenty minutes p.m., on motion of Senator Thompson, the Acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate re-convened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

PETITIONS—(OUT OF ORDER).

By consent of the Senate the following petitions were read out of the regular order and ordered printed in the journal:

SAN FRANCISCO, March 18, 1915.

Keith Parlor No. 137, N. D. G. W., at their last regular meeting adopted the following resolution, presented by Rose London, Alice Gally and [illegible] [illegible], and copies of same have been ordered sent to the State Legislature, the Grand Secretary, N. D. G. W., and the Grizzly Bear Magazine.

WHEREAS, The principal object of the Order of Native Daughters of the Golden West is to uphold the fair name of the State of California and to take up the work of its advancement and upbuilding so nobly begun by our pioneer fathers and mothers, who endured many hardships and made untold sacrifices that we of the present day might enjoy its beauties and benefits; therefore, be it

Resolved, That we show our appreciation of their noble deeds by using every endeavor to protect the future prosperity of this glorious heritage from the encroachments of those who, with no love for the State, to serve their political ends are making strenuous efforts to divide our well beloved California; and be it further

Resolved, That Keith Parlor No. 137, N. D. G. W., go on record as opposed to the division of the State of California.

[Seal] MRS. MAE L. EDWARDS, Recording Secretary.

Also:

LOS ANGELES, CALIFORNIA, March 18, 1915.

To the Senate and Assembly of California:

We, the Los Angeles City Teachers' Club do hereby respectfully petition your honorable body to give your support to the following educational measures:

Assembly Bill No. 239, compulsory education.
Assembly Bill No. 17, state school fund.
Assembly Bill No. 1250, building fund.
Assembly Bill No. 1252, county school tax.
Assembly Bill No. 1228, kindergarten tax.
Senate Bill No. 427, home teachers.
Senate Bill No. 700, county school tax.
Senate Bill No. 630, minimum salary.

We further respectfully petition that your honorable body do not pass

Assembly Bills Nos. 429, 364, 627, 739—Senate Bills Nos. 212, 470, retirement salary law.
Senate Bills Nos. 352, 763—Assembly Bill No. 510, relating to elementary teachers.
Senate Bill No. 217, repealing section 1712, school library.
Senate Bill No. 1016, city boards of education and school trustees.
Senate Bill No. 1017, state court of appeals.

CORA E. LAMB, Chairman Legislation.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 64—An Act providing that any person, firm, association or corporation or agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor and providing that said accused employee shall have the opportunity to be confronted with the person making such report, and providing for the punishment for the violation thereof.

On motion of Senator Luce, Assembly Bill No. 64 was passed on file.

Assembly Bill No. 276—An Act authorizing any municipal corporation using the word "city" in its corporate name, to change such word to "town," and providing the procedure therefor.

Bill read second time, and ordered on file for third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 19, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 758—An Act to prevent blindness from ophthalmia neonatorum; to vest certain powers and duties in the State Board of Health and health officers; to impose certain duties upon physicians, midwives, nurses, and other persons; and to provide for the enforcement of this Act, and the repeal of chapter XIV, Statutes of 1907, entitled "An Act to regulate medical practice, to prevent blindness in infants," and other Acts in conflict herewith.

Also, Senate Bill No. 55—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons.

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

NOTICE OF MOTION POSTPONED.

Senator Slater moved that Rule 63 be repealed.

Consideration of the motion to repeal Rule 63 was postponed until the next legislative day on motion of Senator Slater.

ADJOURNMENT.

At two o'clock and twenty minutes p.m., on motion of Senator Kehoe, the President pro tem. declared the Senate adjourned until Monday, March 22, 1915, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Monday, March 22, 1915.

Pursuant to adjournment, the Senate met at eleven o'clock a.m. Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chamberlin, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gates, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Sharkey, Strobridge, Stuckenbruck, Thompson, and Tyrrell—36.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

LEAVES OF ABSENCE

Senators Irwin and Mott were, on motion of Senator Crowley, granted leave of absence for this day.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for this day.

Senator Wolfe was, on motion of Senator Finn, granted leave of absence for this day.

READING OF THE JOURNAL

During the reading of the Journal of Friday, March 19, 1915, the further reading was dispensed with, on motion of Senator Rush.

PETITIONS

The following petitions were read and ordered printed in the Journal:

RESOLUTION AGAINST LEGISLATIVE ACTION IN MATTERS AFFECTING THE SUTTER BASIN CONTROVERSY, BY BOARD OF SUPERVISORS OF YOLO COUNTY.

To the Honorable, the Legislature of the State of California:

WHEREAS, The taxpayers and property owners of the county of Sutter are engaged in a contest with certain interests, who through the medium of Reclamation District 1500 are endeavoring to [illegible] flowed lands to the detriment and irreparable injury of [illegible] lands not subject to overflow, and are seeking to throw the burden of this reclamation upon lands damaged thereby; and

WHEREAS, The county of Sutter has by legal proceedings [illegible] the further northward construction of these works of reclamation and the further northward construction of the levee of the East Bypass; and

WHEREAS, There have been introduced into the Legislature certain bills, among which are the following: Senate Bill No. 631 and Assembly Bill No. [illegible], Senate Bill No. 634 and Assembly Bill No. 848, Senate Bill No. [illegible] and Assembly Bill No. 764, Senate Bill No. 662 and Assembly Bill No. [illegible], Senate Bill No. [illegible] and Assembly Bill No. 766, that will, if [illegible], [illegible] hamper the county of Sutter in its fight for its preservation and protection, and [illegible] of the interests opposed to the welfare of the county of Sutter; now, therefore, be it

Resolved, That we, the Board of Supervisors of the county of Yolo, do [illegible] request and importune you, the Legislature of the State of California, that you do not pass any of the above mentioned bills or any measures that may [illegible] to the reclamation situation in the county of Sutter, but that you leave the matter and the law suits arising therefrom to be settled under the law as it stands and as it stood when the property rights involved were acquired; and this board earnestly requests that our Senator, W. F. [illegible], Jr., and Assemblyman, L. N. [illegible], use their utmost endeavors in opposing the passage of said bills.

Adopted this 18th day of March, 1915, by the following vote:

AYES—Supervisors Edson, Lemberger, Russell, Scott, Stitt.

NOES—None.

ABSENT—None.

STATE OF CALIFORNIA, }
County of Yolo. } ss.

I, H. R. Saunders, county clerk of the county of Yolo, State of California, and ex officio clerk of the Superior Court thereof, do hereby certify that I have compared the foregoing copy with the original resolution against legislative action in matters affecting the Sutter Basin controversy, filed in my office on the 18th day of March, 1915, and that the same is a full, true and correct copy of the original, and the whole thereof, as the same remains of record and on file in my office.

Witness my hand and the seal of the Superior Court this 19th day of March, 1915.

[SEAL]

H. R. SAUNDERS, Clerk.
By C. L. HIDDLESON, Deputy.

Also:

To the Members of the Legislature of the State of California:

WHEREAS, An effort is being made to have the Legislature of the State of California declare abandoned the Sonora and Mono State Highway, leading through the counties of Tuolumne and Mono, and across the Sierra Nevada Mountains; and

WHEREAS, Said efforts if enacted into law will result in a detriment to the State of California, and particularly to the interior counties of the central portion of California, and said highway should not be abandoned for the following reasons:

First—It is the only route directly connecting the county of Mono with the counties on the western slope of the Sierras.

Second—In the neighborhood of one hundred thousand (100,000) dollars has already been expended on said road by the State in permanent improvement which little cost will keep in repair.

Third—It opens up a scenic country that is visited by thousands of tourists annually.

Fourth—It forms an extension to the present State Highway that is being built to the city of Sonora.

Fifth—That said road was originally built at a cost of $250,000 and its abandonment at this time will mean a total loss of the use of said road to the people of the State.

Therefore, we, the undersigned citizens and residents of the State of California, do earnestly petition your honorable body that you take no action which will result in the abandonment of said road.

FRANK J. DONDERO, and 305 others.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate bills:

Senate Bill No. 846—An Act to amend section one of an Act entitled "An Act providing for vacations for certain employees of the State," approved March 15, 1909;

Also: Senate Bill No. 955—An Act to amend an Act entitled "An Act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903, by amending section 1 thereof;

Also: Senate Bill No. 982—An Act to amend an Act entitled "An Act providing for the time of payment of wages," approved May 1, 1911, by amending section three thereof, providing penalties for the violation of said Act;

Also: Senate Bill No. 987—An Act to amend an Act entitled "An Act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911, by prohibiting the issuance of any scrip, coupons, cards, or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money;

Also: Senate Bill No. 266—An Act to provide for memorial halls, and meeting places for army and navy veterans of the Civil war, the Spanish-American war and the Philippine insurrection;

Also: Senate Bill No. 406—An Act to select, designate and adopt a state song to be known as "California's State Song";

Also: Senate Bill No. 542—An Act to amend section four thousand seventy-five and section four thousand seventy-six of the Political Code, relating to payment and form of claims against the county;

Also: Senate Bill No. 538—An Act to amend section four thousand two hundred eighty-eight of the Political Code by adding a new section thereto permitting boards or supervisors in counties of first class or counties operating under a charter to fix dates of which salaried employees may be paid;

Also: Senate Bill No. 580—An Act to amend section one of an Act approved May 1, 1911, entitled "An Act for the regulation and control of fraternal benefit societies";

Also: Senate Bill No. 1037—An Act to amend section six hundred twenty-three of the Political Code of the State of California, relating to the bonds of insurance companies;

Also: Senate Bill No. 77—An Act to amend an Act entitled "An Act to amend sections numbers eight hundred fifty-one and eight hundred fifty-two of an Act entitled 'An Act to provide for the organization, incorporation and government of municipal corporations, approved March 13, 1883,' approved March 9, 1911";

Also: Senate Bill No. 98—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 123—An Act to amend section four of an Act entitled "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits [illegible] construct and maintain sewers, water mains [illegible] benefit, and at their joint expense [illegible] purposes," approved March 22, [illegible] highways for the construction and maintenance [illegible]

Also: Senate Bill No. 564—An Act [illegible] edness by the issuance and sale of bonds [illegible] arising from the sale thereof in other bonds [illegible] public improvements in said municipality;

Also: Senate Bill No. 956—An Act to amend section [illegible] hundred and sixty two of an Act entitled "An Act to provide for the [illegible] government of municipal corporations," approved March 13, 1883, and all amendments thereto;

Also: Senate Bill No. 1057—An Act to amend section [illegible] of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and [illegible] the [illegible] tion, or completion thereof," which became a law under constitutional provision without the Governor's approval February [illegible], 1901;

Also: Senate Bill No. 1058—An Act to amend section five of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements [illegible] whatever, and to repeal the Act approved March [illegible] authorize municipal corporations of the [illegible] sand and less than ten thousand inhabitants [illegible] an Act approved March 15, 1887, entitled [illegible] indebtedness by cities, towns and municipal corporations [illegible] laws of this State,'" approved March 19, 1889, as amended;

Also: Senate Bill No. 1129—An Act to amend section [illegible] dred fifteen of the Political Code, relating to [illegible]

Also: Senate Bill No. 1150—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by providing for the taking over and administering [illegible] certain functions, powers and property previously administered by municipalities that have disincorporated;

Also: Senate Bill No. 836—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred twenty-eight [illegible], relating to the protection of fish;

Also: Senate Bill No. 832—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred thirty-seven b, relating to the protection of game;

Also: Senate Bill No. 830—An Act to amend section six hundred thirty-three of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 972—An Act to amend section six hundred thirty-six and one-half of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 756—An Act to amend section [illegible] of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 769—An Act to amend section [illegible] of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 655—An Act to provide for branding on the back of all crabs brought into the State of California, name of the place where they were caught, and providing a penalty for the violation thereof;

Also: Senate Bill No. 523—An Act to amend section fourteen of an Act entitled "An Act creating a board of pilot commissioners for the harbor of San Diego, defining their duties and fixing their compensation";

Also: Senate Bill No. 521—An Act to amend sections two thousand six hundred five and two thousand six hundred seven of the Political Code of the State of California, relating to State Board of Harbor Commissioners for the bay of San Diego;

Also: Senate Bill No. 79—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments;

Also: Senate Bill No. 758—An Act to recognize and declare valid all proceedings in Oakdale irrigation district;

Also: Senate Bill No. 850—An Act to amend section eight hundred sixty-eight of the Penal Code, relating to who may be present at an examination before a magistrate;

Also: Senate Bill No. 378—An Act to amend section nine hundred fifty-four of the Penal Code of the State of California, relating to charging two or more different offenses in indictments and informations;

Also: Senate Bill No. 715. An Act to amend section four hundred eighty-five of the Civil Code of the State of California, relating to damages in certain cases;

Also: Senate Bill No. 199. An Act to amend section one thousand eight hundred eighty-one of the Code of Civil Procedure of the State of California, relating to confidential communications;

Also: Senate Bill No. 319. An Act validating the formation and organization, and determining the boundaries of Alameda County water district in the county of Alameda, State of California;

Also: Senate Bill No. 558. An Act to amend section two thousand nine hundred seventy-eight of the Political Code, relating to the constitution of the State Board of Health and the terms of the members of said board;

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

JOINT RESOLUTION OFFERED.

The following joint resolution was offered by Senator Thompson:

Joint Resolution No. 13—Relative to co-operative agricultural extension work between the United States Department of Agriculture and the University of California.

Resolution referred to Committee on Federal Relations.

RESOLUTION.

The following resolution was offered by Senator Breed:

Resolved, That W. M. Reese, be transferred from the position of Sergeant-at-Arms at $5.00 per day to the position of assistant at the desk at $5.00 per day.

Senator Breed moved that the resolution be adopted.

The question being on the adoption of the resolution

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, King, Luce, Maddux, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

REQUESTS FOR INTRODUCTION OF BILLS.

Senator Purkitt requested permission to introduce a Senate bill entitled:

An Act making an appropriation to pay the claim of J. V. Stanton, against the State of California.

Request referred to Committee on Introduction of Bills.

Also:

Senator Tyrrell requested permission to introduce a Senate bill entitled:

An Act to amend section twenty-one hundred forty-five of the Political Code, relating to state hospitals for the insane and other incompetent persons.

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY FILE—THIRD READING.

Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

On motion of Senator Flaherty, Senate Bill No. 10 was passed on file.

SENATE CONSTITUTIONAL AMENDMENT NUMBER ELEVEN.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to article VI thereof a new section to be numbered ten and one half, relative to the length of time a person appointed to fill a vacancy in the office of Justice of the Supreme Court, Justice of the District Court of Appeal or Judge of a Superior Court, shall hold office.

The legislature of the State of California at its regular session commencing on the fourth day of January, 1915, two-thirds of the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California by adding to article VI thereof a new section, to be numbered ten and one-half, to read as follows:

SEC. 10½. Whenever the governor of the state appoints any person to fill a vacancy in the office of justice of the supreme court, justice of the district court of appeal, or judge of the superior court, and the term of office of the justice or judge, whose place is so filled by appointment, is fixed by law to expire on the first Monday in January after the next succeeding general election, then the person so appointed shall hold office for the remainder of the unexpired term for which such justice or judge was elected or appointed.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 11 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Boynton, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, King, Luce, Maddux, Purkitt, Rush, Scott, [illegible], [illegible], Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Constitutional amendment ordered transmitted to the Assembly.

Senate Bill No. 650—An Act to amend section five hundred ninety-four of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

On motion of Senator Thompson, Senate Bill No. 650 was passed on file.

Senate Bill No. 324—An Act to amend sections four hundred fifty-three *t* and four hundred fifty-three *y* of the Civil Code, relating to title insurance companies.

On motion of Senator Thompson, Senate Bill No. 324 was passed on file.

Senate Bill No. 336—An Act to amend section four thousand two hundred eighty of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Birdsall moved to refer to Senator Cogswell as a Special Committee of One to amend Senate Bill No. 336, as follows:

On page 2, lines 4 to 10, of the printed bill, as amended in the Senate March 12, 1915, strike out all of said lines 4 to 10, inclusive, and insert in lieu thereof the following:

"7. The assessor, twenty-six hundred dollars per annum; *provided, however,* that such compensation shall be in full for all services of every kind and description rendered by the assessor; *and it is further provided,* that in counties of this class, from and after the date upon which this act takes effect, the assessor shall pay into the county treasury for the use of the county all commissions and fees which would otherwise be allowed to him by the provisions of section forty-two hundred [illegible] of the Political Code, as compensation for the services therein mentioned. The provisions of this subdivision are not intended to increase the compensation of the incumbent of such office, but are intended to change the compensation of the assessor from a mixed fee and salary system to a fixed salary basis and shall take effect ninety days after the final adjournment of the forty-first session of the legislature."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 336, with instructions to amend, respectfully reports the same back, amended as per instructions.

COGSWELL, Committee.

Report read, and on motion of Senator Birdsall adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 333—An Act to prevent the propagation, by the production of seed, of those certain plants known as *Sorghum halepense*, *Cnicus arvensis*, *Salsol kali*, *Onopordon acanthium*, *Cnicus lanceolatus* and *Convolvulus arvensis*; and repealing all Acts or parts of Acts inconsistent herewith.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 333 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21 and 26 of said Act.

On motion of Senator Strobridge, Senate Bill No. 105 was passed on file.

Senate Bill No. 454—An Act to amend sections forty-two hundred sixty-three and forty-two hundred sixty-three *a* of the Political Code relating to the salaries of officers and fees of jurors in counties of the thirty-fourth class.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Birdsall moved to refer to Senator Cogswell as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

By striking out of the title, line 2, the words, "and 4263*a*".

AMENDMENT NUMBER TWO.

By striking out of the title, line 3, the words, "Fees of Jurors" and inserting in lieu thereof the following: "Compensation of Official Reporter."

AMENDMENT NUMBER THREE.

By striking out of line 10, page 1, the words, "nine hundred," and inserting in lieu thereof the following, "six hundred fifty".

AMENDMENT NUMBER FOUR.

By striking out of page 2 all of lines 31 to 37, inclusive, and inserting in lieu thereof the following:

"13. Supervisors, each the sum of nine hundred dollars per annum for all services performed by them, as supervisors, and members of the board of equalization and road commissioners; *provided*, that each supervisor shall receive ten cents for each mile traveled by the ordinary route, in going from his residence to the county seat and returning, once during each month."

AMENDMENT NUMBER FIVE

By striking out of line 3 on page 3 the word, "twelve", and inserting in lieu thereof the following: "nine".

AMENDMENT NUMBER SIX

By striking out on page 4 all of lines 7 to 16, inclusive.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 454, with instructions to amend, respectfully reports the same back, amended as per instructions.

COGSWELL, Committee.

Report read, and on motion of Senator Birdsall adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 507—An Act to amend section one thousand four hundred ninety-one of the Code of Civil Procedure, relating to the time to be given by notice to creditors.

In the absence of the author, Senate Bill No. 507 was passed on file.

Senate Bill No. 335—An Act to amend section four thousand two hundred and sixty of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-first class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 335 passed by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 56—An Act to amend section three thousand fifty-one of the Civil Code of the State of California, relating to liens upon personal property.

Read third time.

The question being on the passage of the bill.

The roll was called, and Snate Bill No. 56 passed by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 20—An Act to license and regulate the business of private detectives and detective agencies.

Read third time.

On motion of Senator Purkitt, Senate Bill No. 20 was passed on file.

Senate Bill No. 735—An Act to amend sections one, four, five and six of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by an Act approved March 20, 1905, and as amended by an Act approved March 4, 1907, and as amended by an Act approved April 21, 1911.

On motion of Senator Strobridge, Senate Bill No. 735 was passed on file.

SENATOR STROBRIDGE IN THE CHAIR.

At eleven o'clock and fifty minutes a.m., Senator Strobridge of the Thirteenth District, in the chair.

Senate Bill No. 439—An Act to add two new sections to the Political Code of the State of California to be numbered sections seventeen hundred fifty *a*, and sixteen hundred seventeen *d*, relating to the establishment of intermediate school courses by high school boards, and authorizing boards of school trustees and boards of education in common school districts to permit pupils of certain grades to attend such intermediate school courses.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 439 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1048—An Act to amend section twenty-one of an Act entitled "An Act for the prevention of manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1048 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1046—An Act to amend section twenty-two of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended by an Act entitled "An Act to amend sections twenty and twenty-two of an Act entitled 'An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled, or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs, and making an appropriation therefor,' approved March 11, 1907,'' which amendatory Act was approved April 26, 1911.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No 1046 passed by the following vote:

AYES—Senators Andersen, Ballard, Behan, Benedict, Benson, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Gates, Gerdes, Kehoe, King, Luce, Maddux, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons

On motion of Senator Finn, Senate Bill No 55 was passed on file

Senate Bill No. 846—An Act to amend section one of an Act entitled "An Act providing for vacations for certain employees of the State," approved March 15, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 846 passed by the following vote:

AYES—Senators Andersen, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Gates, Gerdes, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—30

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 955—An Act to amend an Act entitled "An Act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903, by amending section one thereof.

On motion of Senator Carr, Senate Bill No. 955 was passed on file

Senate Bill No 982—An Act to amend an Act entitled "An Act providing for the time of payment of wages," approved May 1, 1911, by amending section three thereof, providing penalties for the violation of said Act.

On motion of Senator Carr, Senate Bill No. 982 was passed on file.

Senate Bill No. 987—An Act to amend an Act entitled "An Act prohibiting the issuances as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911, by prohibiting the issuance of any scrip, coupons, cards, or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money.

On motion of Senator Carr, Senate Bill No. 987 was passed on file.

Senate Bill No. 266—An Act to provide for memorial halls and meeting places for army and navy veterans of the Civil war, the Spanish-American war, and the Philippine insurrection.

On motion of Senator Scott, Senate Bill No. 266 was passed on file.

Senate Bill No. 406—An Act to select, designate and adopt a state song to be known as "California's State Song."

On motion of Senator Scott, Senate Bill No. 406 was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At twelve o'clock m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Senate Bill No. 542—An Act to amend section four thousand seventy-five and section four thousand seventy-six of the Political Code, relating to payment and form of claims against the county.

On motion of Senator Cogswell, Senate Bill No. 542 was passed on file.

Senate Bill No. 538—An Act to amend section four thousand two hundred eighty-eight of the Political Code by adding a new section thereto permitting boards of supervisors in counties of the first class or counties operating under a charter to fix dates on which salaried employees may be paid.

On motion of Senator Cogswell, Senate Bill No. 538 was passed on file.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF BILLS RESUMED.

Senate Bill No. 580—An Act to amend section one of an Act approved May 1, 1911, entitled "An Act for the regulation and control of fraternal benefit societies."

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 580 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1037—An Act to amend section six hundred twenty-three of the Political Code of the State of California, relating to the bonds of insurance companies.

Read third time.

On motion of Senator Kehoe, Senate Bill No. 1037 was passed on file.

Senate Bill No. 77—An Act to amend an Act entitled "An Act to amend sections numbers eight hundred fifty-one and eight hundred fifty-two of an Act entitled 'An Act to provide for the organization, incorporation and government of municipal corporations, approved March 13, 1883,' approved March 9, 1911."

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 77 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Maddux, Rush, Scott, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 98—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 98 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Maddux, Rush, Scott, Slater, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 123—An Act to amend section four of an Act entitled "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended, so as to authorize the use of highways for the construction and maintenance of sewers.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 123 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Maddux, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 564—An Act authorizing any municipality to incur indebtedness by the issuance and sale of bonds for the purpose of investing the proceeds arising from the sale thereof in other bonds, evidences of debt or liens issued for public improvements in said municipality.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 564 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Maddux, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 956—An Act to amend section eight hundred sixty-two of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

On motion of Senator Benedict, Senate Bill No. 956 was passed on file.

Senate Bill No. 1057—An Act to amend section four of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof,'' which became a law under constitutional provision without the Governor's approval February 15, 1901.

On motion of Senator Breed, Senate Bill No. 1057 was passed on file.

Senate Bill No. 1058—An Act to amend section five of an Act entitled ''An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,' '' approved March 19, 1889, as amended.

On motion of Senator Breed, Senate Bill No. 1058 was passed on file.

Senate Bill No. 1129—An Act to amend section one thousand seven hundred fifteen of the Political Code, relating to the control and location of libraries.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1129 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Kehoe, Luce, Maddux, Rush, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1150—An Act to amend an Act entitled ''An Act to provide for the disincorporation of municipal corporations of the sixth class,'' approved March 26, 1895, by providing for the taking over and administering by counties of certain functions, powers and property previously administered by municipalities that have disincorporated.

On motion of Senator Benson, Senate Bill No. 1150 was passed on file.

Senate Bill No. 836—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred twenty-eight *i*, relating to the protection of fish.

Read third time.

The question being on the passage of bill.

The roll was called, and Senate Bill No. 836 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Maddux, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 832—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred thirty-seven *b*, relating to the protection of game.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Flint moved to refer to Senator Chandler as a Special Committee of One to amend Senate Bill No. 832, as follows:

AMENDMENT NUMBER ONE

In line 3 of the title, after the word "thirty-seven" strike out the letter "a" and insert in lieu thereof the figure "1."

AMENDMENT NUMBER TWO

In line 4 of the printed bill, after the figures "637" strike out the letter "a" and insert in lieu thereof the figure "1."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 832, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHANDLER, Committee.

Report read and on motion of Senator Flint adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 830—An Act to amend section six hundred thirty-three of the Penal Code of the State of California, relating to the protection of fish.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 830 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Hans, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At twelve o'clock and thirty minutes p.m., Hon. Newton W. Thompson, President pro tem. declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m. the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Minute Clerk Clifton E. Brooks at the desk.

THIRD-READING FILE—ASSEMBLY BILLS.

Assembly Bill No. 276—An Act authorizing any municipal corporation, using the word "city" in its corporate name, to change such word to "town," and providing the procedure therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 276 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Curtin, Duncan, Finn, Flaherty, Flint, Jones, Kehoe, King, Luce, Lyon, Maddux, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—30.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 20—An Act to regulate the distribution of date palms and date palm offshoots and to hold the same in quarantine under the supervision of the State Commissioner of Horticulture until they are free from Marlatt scale (*Phoenicococcus marlatti*) and Blanchard scale (*Parlatoria blanchardii*) when introduced from, or grown in any infested locality within this State or from other states, or if of foreign introduction, after they have been released by the Federal Horticultural Board, and to fix a penalty for violation of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 20 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Birdsall, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Jones, Kehoe, King, Luce, Lyon, Maddux, Rush, Strobridge, Thompson, and Tyrrell—23.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 310—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21 and 26 of said Act.

On motion of Senator Strobridge, Assembly Bill No. 310 was passed on file.

Assembly Bill No. 675—An Act prohibiting the sale, gift or delivery of intoxicating liquor at public schoolhouses and prescribing penalties for the violation of any provision hereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 675 passed by the following vote:

Ayes—Senators Anderson, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Jones, Kehoe, King, Luce, Lyon, Maddux, Rush, Shearer, Strobridge, Thompson, and Tyrrell—24.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING FILE—ASSEMBLY BILLS.

Assembly Bill No. 64—An Act providing that any person, firm, association or corporation or agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor and providing that said accused employee shall have the opportunity to be confronted with the person making such report, and providing for the punishment for the violation thereof.

MOTION

Senator Strobridge moved that the proposed amendments to Assembly Bill No. 64 be printed in the Journal before consideration.
Motion carried.

PROPOSED COMMITTEE AMENDMENTS TO ASSEMBLY BILL NUMBER SIXTY-FOUR.

AMENDMENT NUMBER ONE.

On page 1, in line 2 of the title of the printed bill, strike out the words "person, firm, association or corporation or" and insert in lieu thereof the following: "public service corporation."

AMENDMENT NUMBER TWO.

On page 1, in lines 8, 9 and 10 of the title of the printed bill, strike out the words "and providing that said accused employee shall have the opportunity to be confronted with the person making such report."

AMENDMENT NUMBER THREE.

On page 1, in lines 1 and 2 of the printed bill, strike out the words "person, firm, association or corporation or" and insert in lieu thereof the following: "public service corporation,"

AMENDMENT NUMBER FOUR.

On page 1, in line 5 of the printed bill, strike out the word "his" and insert in lieu thereof the following: "its".

AMENDMENT NUMBER FIVE.

On page 1, in line 6 of the printed bill, strike out the word "his" and insert in lieu thereof the following: "its".

AMENDMENT NUMBER SIX.

On page 1, in line 7 of the printed bill, strike out the word "his" and insert in lieu thereof the following: "its".

AMENDMENT NUMBER SEVEN.

On page 1, in line 11 of the printed bill, strike out the word "his" and insert in lieu thereof the following: "its".

AMENDMENT NUMBER EIGHT.

On page 2, in line 11 of the printed bill, strike out the words "an association or a" and insert in lieu thereof the following: "a public service".

AMENDMENT NUMBER NINE.

On page 2, in lines 2 and 3 of the printed bill, strike out the words "shall have an opportunity to be confronted with the person making such report and",

AMENDMENT NUMBER TEN.

On page 2, in line 2 of the printed bill, after the word "ing" insert the following: "said employer shall state specific charges on which said act or discharge is based and at which".

AMENDMENT PROPOSED FROM FLOOR.

By Senator Luce:

AS SUBSTITUTE FOR AMENDMENTS NUMBERS NINE AND TEN, PROPOSED BY COMMITTEE.

On page 2 of the printed bill, strike out lines 1 to 4 inclusive, and insert in lieu thereof the following: "thus accused, when requested by said employee, at which hearing said employer shall state each specific charge on which said act or discharge is based, and at which said employee shall have the right to furnish testimony in his defense, and also to have a representative present."

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

On motion of Senator Strobridge, the following Senate bills were taken up for consideration, out of the regular order:

Senate Bill No. 972—An Act to amend section six hundred thirty-six and one-half of the Penal Code of the State of California, relating to the protection of fish.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 972 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Lee, Lyon, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 756—An Act to amend section six hundred twenty-six *a* of the Penal Code of the State of California, relating to the protection of fish and game.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Flint moved to refer to Senator Chandler as a Special Committee of One to amend Senate Bill No. 756, as follows:

AMENDMENT NUMBER ONE.

In line 9, page 1 of the printed bill, strike out the word "one-half" and insert in lieu thereof the word "one".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 756, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHANDLER, Committee.

Report read and on motion of Senator Flint adopted.

Bill ordered to print and re-engrossment.

SENATOR BENSON IN THE CHAIR.

At two o'clock and twenty-five minutes p.m., Senator Benson of the Twenty-seventh District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 833—An Act to amend section six hundred twenty-six *a* of the Penal Code of the State of California, relating to the protection of game.

Read third time.

On motion of Senator Butler, Senate Bill No. 833 was passed on file.

REQUEST FOR INTRODUCTION OF BILL.

Senator Shearer requested permission to introduce a Senate bill entitled:

An Act to regulate the sale of impure and unwholesome milk, to grade milk, and to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service.

Request referred to Committee on Introduction of Bills.

THIRD READING OF BILLS—RESUMED.

Senate Bill No. 769—An Act to amend section six hundred twenty-six *a* of the Penal Code of the State of California, relating to the protection of fish and game.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 769 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 655—An Act to provide for branding on the back of all crabs brought into the State of California, name of the place where they were caught, and providing a penalty for the violation thereof.

On motion of Senator Scott, Senate Bill No. 655 was passed on file.

Senate Bill No. 523—An Act to amend section fourteen of an Act entitled "An Act creating a Board of Pilot Commissioners for the harbor of San Diego, defining their duties and fixing their compensation."

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 523 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 521—An Act to amend sections two thousand six hundred five and two thousand six hundred seven of the Political Code of the State of California, relating to State Board of Harbor Commissioners for the Bay of San Diego.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 521 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Jones, Kehoe,

King, Luce, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 79—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section thirty-nine thereof, relating to the levying and collection of assessments.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 79 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Jones, King, Luce, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At two o'clock and forty minutes p. m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 753—An Act to recognize and declare valid all proceedings in Oakdale Irrigation District.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 753 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 850—An Act to amend section eight hundred sixty-eight of the Penal Code, relating to who may be present at an examination before a magistrate.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 850 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 378—An Act to amend section nine hundred fifty-four of the Penal Code of the State of California, relating to charging two or more different offenses in indictments and informations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 378 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, [illegible], [illegible], Jones, [illegible], [illegible], [illegible], Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—26.

NOES—Senators Anderson, Ballard, Duncan, Finn, King, Lyon, and Tyrrell—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 715—An Act to amend section four hundred eighty-five of the Civil Code of the State of California, relating to damages in certain cases.

Read third time.

On motion of Senator Stuckenbruck, Senate Bill No. 715 was passed on file, to retain its place.

Senate Bill No. 199—An Act to amend section one thousand eight hundred eighty-one of the Code of Civil Procedure of the State of California, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 199 was passed on file.

Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the constitution of the State, by amending section sixteen and one-half of article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks.

Constitutional amendment read.

COMMITTEE AMENDMENTS.

Upon the reading of Senate Constitutional Amendment No. 19 the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3, page 1, after the word "the" strike out the word "sixth" and insert in lieu thereof the word "fourth".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 4, page 1, after the word "and" strike out the word "thirteen" and insert in lieu thereof the word "fifteen".

Amendment adopted.

Senate Constitutional Amendment No. 19 ordered to print.

Senate Bill No. 319—An Act validating the formation and organization and determining the boundaries of Alameda County Water District in the county of Alameda, State of California.

On motion of Senator Strobridge, Senate Bill No. 319 was passed on file.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 124—An Act to amend section four hundred twenty-one of the Civil Code, relating to investments by insurance companies;

Also: Senate Bill No. 651—An Act to revise and amend chapter VIII of title II of part IV of division first of the Civil Code, relative to mortgage insurance; And report that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

SECOND-READING FILE.

Senate Bill No. 401—An Act to amend sections one, two, eight, and eleven of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits, or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911, relative to territory included within petition; form of petition; form of ballot.

On motion of Senator Duncan, further consideration of the proposed amendments to Senate Bill No. 401 was made a special order for Wednesday, March 24, at eleven o'clock a.m.

REQUESTS FOR INTRODUCTION OF BILLS.

Senator Slater requested permission to introduce a Senate bill entitled:

"An Act prohibiting animal tamers and other persons from entering cages, pits, pens or other places of confinement or restraint wherein any animal or animals, other than domestic, are performing or are being exhibited, for the purpose of directing, assisting or participating in such performances or exhibitions, and providing a penalty therefor."

Request referred to Committee on Introduction of Bills.

Senator Beban requested permission to introduce a Senate bill entitled:

"An Act to amend section two hundred eighty *b* of the Code of Civil Procedure, relating to licenses to practice law."

Request referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate the following report of standing committee was received and read, out of the regular order:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Crowley to introduce a bill entitled "An Act to amend section 16 of an Act entitled the 'Bank Act' of the State of California, approved March 1, 1909, approved as amended April 21, 1911, approved as amended May 31, 1913.";

Also: The request of Senator Purkitt to introduce a bill entitled "An Act making an appropriation to pay the claim of J. V. Stanton, against the State of California.";

Also: The request of Senator Tyrrell to introduce a bill entitled "An Act to amend section 2145 of the Political Code, relating to state hospitals for the insane and other incompetent persons".
Have had the same under consideration and respectfully report the same back and recommend that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section two of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Finn, Jones, Kehoe, King, Luce, Lyon, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—32.
NOES—None.

INTRODUCTION AND FIRST READING OF BILLS

The following bills were introduced in accordance with above report:

By Senator Crowley: Senate Bill No. 1224—An Act to amend section sixteen of an Act entitled the "Bank Act" of the State of California, approved March 1, 1909, approved as amended April 21, 1911, approved as amended May 31, 1913.

Bill read first time, and referred to Committee on Banking.

By Senator Purkitt: Senate Bill No. 1225—An Act making an appropriation to pay the claim of J. V. Stanton against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Tyrrell: Senate Bill No. 1226—An Act to amend section 2145 of the Political Code, relating to state hospitals for the insane and other incompetent persons.

Bill read first time, and referred to Committee on Hospitals and Asylums.

CONSIDERATION OF BILLS—OUT OF ORDER

Senator Jones asked for and was granted unanimous consent to take up, out of the regular order, the third reading file of Senate bills.

Senate Bill No. 490—An Act to amend section six hundred sixty-three *a* of the Code of Civil Procedure of the State of California, relating to the setting aside of a judgment of the Superior Court and the rendition of a new judgment without a new trial.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 490 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Hans, Jones, Kehoe, King, Luce, Maddux, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 491—An Act to amend section one thousand fifty-four of the Code of Civil Procedure relating to the extension of time in which an act is to be done.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 491 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 489—An Act to amend sections six hundred fifty-eight, six hundred fifty-nine and six hundred sixty, and to repeal sections six hundred sixty-one and six hundred sixty-two of the Code of Civil Procedure of the State of California, all relating to new trials.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 489 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 438—An Act to prohibit any employer from discriminating against any of his employees on account of engaging in politics or running for public office, and providing a penalty for the violation thereof—and report that the same has been correctly engrossed.

LUCE, Vice Chairman.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 560—An Act to amend sections nine hundred fifty, nine hundred fifty-one and nine hundred fifty-three of the Code of Civil Procedure, and to repeal section nine hundred fifty-two of said Code, all relating to appeals.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 560 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 561—An Act to amend section nine hundred fifty-six of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 561 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 559—An Act to amend section nine hundred thirty-nine of the Code of Civil Procedure of the State of California, relating to the time within which an appeal may be taken.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 559 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Jones, King, Luce, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 487—An Act to amend section nine hundred forty-one *b* of the Code of Civil Procedure of the State of California, relating to a new or alternative method by which appeals may be taken from judgments, orders or decrees of the superior court of the State of California to the supreme court or district courts of appeal thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 487 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 563—An Act to amend section nine hundred sixty-three of the Code of Civil Procedure of the State of California, relating to cases in which an appeal may be taken.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 563 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Jones, Kehoe, King, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 486—An Act to amend sections nine hundred fifty-three *a* and nine hundred fifty-three *b* of the Code of Civil Procedure of the State of California relating to a new and alternative method for the preparation of records to be used on appeal from judgments, orders or decree from the superior court to the supreme court or district courts of appeal.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 486 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 488—An Act to amend section six hundred fifty of the Code of Civil Procedure of the State of California, relating to exceptions.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 488 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 562—An Act to amend section one hundred thirty-one of the Civil Code of the State of California, relating to actions for divorce.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 562 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 7—An Act to amend section one thousand four hundred fifty-four of the Code of Civil Procedure relating to the collection by surviving heirs of money in banks.

On motion of Senator Kehoe, Senate Bill No. 7 was re-committed to Committee on Judiciary.

Senate Bill No. 196—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

On motion of Senator Kehoe, Senate Bill No. 196 was re-committed to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 7—An Act to amend section 1454 of the Code of Civil Procedure relating to the collection by surviving heirs of money in banks—have had the same under consideration and respectfully report the same back with amendments and recommend that the bill do pass and be committed with special instructions to amend as follows:

AMENDMENT NUMBER ONE.

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

"SECTION 1. Section 1454 of the Code of Civil Procedure is hereby amended to read as follows:

1454. The surviving husband or wife or the guardian of the estate of any insane or incompetent husband or wife, of any deceased person, or if no husband or wife is living, then the children, or the guardian of the estates of any minor or insane or incompetent children of said deceased, or, if no children are living, then the father or mother or guardian of the estate of any insane or incompetent father or mother of such decedent, and if neither the father nor mother is living, then the brothers and sisters or the guardian of the estates of any minor or insane or incompetent brothers and sisters of such decedent, may, without procuring letters of administration, collect of any bank any sum which said deceased may have left on deposit in such bank at the time of his or her death; *provided*, such deposits shall not exceed the sum of one thousand dollars. Any bank, upon receiving an affidavit stating that said depositor is dead, and that affiant is the surviving husband or wife or the guardian of the estate of an insane or incompetent surviving husband or wife, as the case may be, of said decedent, or stating that decedent left no husband or wife, and that affiant is the child, or that affiants are the children, or the guardians of the estates of the minor, insane or incompetent children, as the case may be, of said decedent, or stating that decedent left neither husband, wife nor children, and that affiant is the father or mother, or the guardian of the estate of the insane or incompetent father or mother, as the case may be, of said decedent, or stating that the decedent left neither husband, wife, children, father nor mother, and that affiants are the brothers and sisters, or the guardians of the estates of the minor, insane or incompetent brothers and sisters, as the case may be, of said decedent, and that the whole amount that said decedent left on deposit in any and all banks of deposit in this state, does not exceed the sum of one thousand dollars, may pay to said affiant or affiants any deposit of said decedent, if the same does not exceed the sum of one thousand dollars, and the receipt of such affiant or affiants, is sufficient acquittance therefor."

KEHOE, Chairman.

REFERENCE TO SPECIAL COMMITTEE OF ONE.

Thereupon the President pro tem. appointed Senator Crowley a Special Committee of One to amend Senate Bill No. 7 as recommended by the Committee on Judiciary.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 7, with instructions to amend, respectfully reports the same back, amended as per instructions.

CROWLEY, Committee.

Report read and, on motion of Senator Kehoe, adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 196—An Act to amend section 200 of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty—have had the same under consideration and respectfully report the same back with amendments and recommend that the bill do pass and be committed with special instructions to amend as follows:

AMENDMENT NUMBER ONE.

In line 7, page 2, of the amended bill, strike out the following "10. An express agent, mail carrier, or a superintendent, employee or operator of a telegraph or telephone company doing a general telegraph or telephone business in this State, or keeper of a public ferry or toll gate, or a superintendent or employee of a gas company;" and insert in lieu thereof the following: "10. An express agent, mail carrier, or a superintendent, employee or operator of a telegraph or telephone company, or of an electric light or power company, or of a gas company, doing a general business in this state, or keeper of a public ferry or toll gate".

AMENDMENT NUMBER TWO.

In line 27, page 2, after the word "than" strike out the words "one hundred" and insert in lieu thereof the word "fifteen".

KEHOE, Chairman.

REFERENCE TO SPECIAL COMMITTEE OF ONE.

Thereupon the President pro tem. appointed Senator Ballard a Special Committee of One to amend Senate Bill No. 196 as recommended by the Committee on Judiciary.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 196, with instructions to amend, respectfully reports the same back, amended as per instructions.

BALLARD, Committee.

Report read and, on motion of Senator Kehoe, adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEE—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 314—An Act to amend section 2189 of the Political Code, relating to the discharge of patients from state hospitals;

Also: Senate Bill No. 315—An Act to amend section 2192 of the Political Code, relating to the commitment of incompetents other than insane persons;

Also: Senate Bill No. 340—An Act to amend section two thousand one hundred seventy-five of the Political Code, relating to the expenses incurred in determining the insanity of a person and securing his admission into a state hospital;

Have had the same under consideration, and respectfully recommend that they be re-referred to the Committee on Hospitals and Asylums.

KEHOE, Chairman.

Senate Bills Nos. 314, 313 and 340 ordered re-referred to the Committee on Hospitals and Asylums.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Committee on Banking to whom was referred Senate Constitutional Amendment No. 33—A resolution proposing to the people of the State of California an amendment to section 16½ of article IX of the Constitution of the State of California, relating to deposit of public funds in banks in compliance with Senate resolution—have had the same under consideration, and respectfully report the same back and recommend that it be re-referred to Committee on Judiciary.

HANS, Chairman.

Senate Constitutional Amendment No. 33 ordered re-referred to Committee on Judiciary.

ON COUNTY GOVERNMENT

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 970—An Act to add a new section to the Political Code, to be numbered 4236a, relating to and fixing the compensation of grand and trial jurors in the superior courts in counties of the thirty-fourth class and providing for the payment thereof—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BREED, Chairman.

Senate Bill No. 970 ordered on file for second reading.

Also:

SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 969—An Act to add a new section to the Code of Civil Procedure, to be numbered one hundred three a, relating to the duties of clerks of certain justices of the peace—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BREED, Chairman.

Senate Bill No. 969 ordered on file for second reading.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Strobridge the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 471—An Act to provide for the separation of the deaf and the blind departments in the California School for the Deaf and the Blind.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

Senate Bill No. 471 ordered to enrollment.

REQUEST FOR INTRODUCTION OF BILL.

Senator Luce requested permission to introduce a Senate bill entitled: "An Act to amend sections 4, 5 and 6 of an Act entitled, 'An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof,' approved May 1, 1911."

Request referred to Committee on Introduction of Bills.

USE OF SENATE CHAMBER GRANTED.

Senator Chandler asked for and was granted unanimous consent for the use of the Senate Chamber for a public hearing on the proposed reclamation of Sutter Basin, by the Committee on Drainage, Swamp and Overflowed Lands on Thursday evening, March 25, 1915, at eight o'clock.

ADJOURNMENT.

At four o'clock p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Tuesday, March 23, 1915.

The Senate met at ten o'clock a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

LEAVE OF ABSENCE.

Senator Irwin was, on motion of Senator Gerdes, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 22, 1915, the further reading was dispensed with, on motion of Senator Rush.

PETITIONS.

Senator Duncan presented the following petition, which was read and ordered printed in the Journal:

RESOLUTIONS ADOPTED BY THE BOARD OF EDUCATION OF THE COUNTY OF SUTTER PERTAINING TO THE SUTTER BASIN CONTROVERSY AND LEGISLATION RELATING THERETO.

To the Governor and the Legislature of the State of California:

WHEREAS, There are now pending before the Legislature certain bills, among which are the following: Senate Bill No. 631 and Assembly Bill No. 759; Senate Bill No. 634 and Assembly Bill No. 831; Senate Bill No. 661 and Assembly Bill No. 764; Senate Bill No. 662 and Assembly Bill No. 765; Senate Bill No. 660 and Assembly Bill No. 766; Senate Bill No 910 and Assembly Bill No. 1151; Senate Bill No. 722 and Assembly Bill No. 793; and Senate Constitutional Amendment No. 34 and Assembly Constitutional Amendment No. 30; and

WHEREAS, The passage of these bills at the present session of the Legislature will greatly endanger and affect the rights and property of the county of Sutter and will serve to aid and assist the Armour interests in the litigation now pending between them and the county of Sutter, and will change the fundamental law of the State of California pertaining to reclamation under which the communities of this section of the state have been established; and

WHEREAS, In this controversy property rights of the whole county are involved and the welfare and existence of nine public schools jeopardized, to wit, Noyes, West Butte, Farmer, Slough, Winship, Washington, Grant, Gaither, Central, and four others seriously affected, to wit, Barry, Lincoln, Franklin, and Brittan; now, therefore, be it

Resolved, That we, the Board of Education of the county of Sutter, do earnestly request and importune you, the Governor and the Legislature of the State of California, not to pass or aid in the passage of any of the above mentioned bills or any measures that may affect or apply to this litigation, but that you do not in any manner interfere with the lawsuits now pending in this county.

In witness whereof, We, the said Board of Education of the county of Sutter, have hereunto signed our names and caused the official seal of said board to be affixed by the secretary of this board this 20th day of March, 1915.

(Signed) ALICE CARROLL, President.
GEO. H. KIMBALL.
C. G. KLINE.
HOBART W. HELKEN.
LIZZIE VAGEDES, Secretary.

I hereby certify that the above and foregoing is a full, true and correct copy of the resolutions adopted by said board on the 20th day of March, 1915.

In witness whereof, I have hereunto set my hand and the seal of said Board of Education of the county of Sutter this 20th day of March, 1915.

[SEAL]

LIZZIE VAGEDES,
Secretary of the Board of Education of the County of Sutter.

Also:

The following petition was read and ordered printed in the Journal:

To the Legislature of the State of California:

We, the undersigned citizens of the State of California, do respectfully request your honorable body to vote for and pass Assembly Joint Resolution No. 19, which memorializes the Congress of the United States to prohibit the present making of the shipment of all goods to the warring nations of Europe, and especially the shipment of arms or munitions, to the end that the war cease for lack of stores to sustain it.

LEROY HICKS, and 163 others.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 58—An Act to amend section two hundred and five of the Code of Civil Procedure, relating to the selection and listing of jurors;

Also: Assembly Bill No. 59—An Act to amend section one hundred ninety-eight of the Code of Civil Procedure, relating to qualifications of jurors;

Also: Assembly Bill No. 529—An Act to prohibit the bringing of actions against owners of live stock trespassing upon unfenced private lands within the boundaries of any national forest in the State of California;

Also: Assembly Bill No. 624—An Act to amend section four thousand two hundred sixty-six of the Political Code, relating to the compensation of county and township officers of counties of the twenty-eighth class, and to the number, appointment and salaries of their assistants and deputies.

Also: Assembly Bill No. 854—An Act legalizing and validating the formation and organization of Marin Municipal Water District in the county of Marin, State of California; declaring the same created; fixing, defining and establishing the boundaries thereof; providing for its management and control subject to the provisions of the laws of the State of California relative to municipal water districts; and repealing all Acts and parts of Acts inconsistent therewith.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 58, 59, and 529 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 624 read first time, and referred to Committee on County Government.

Assembly Bill No. 854 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1406—An Act to add a new section to the Civil Code to be numbered and designated 653½a, providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1406 read first time, and referred to Committee on Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly's on [illegible] has adopted Assembly Concurrent Resolution No. 15, relative to the [illegible] Rose [illegible] Day."

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Resolution referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 47—An Act declaring the county road extending from Auburn, State of California, [illegible] to a point near Emigrant Gap, a state highway [illegible] thereof, has had the same under consideration, and respectfully report the same back and recommend that it do pass and be referred to the Finance Committee.

BIRDSALL, Chairman.

Senate Bill No. 47 ordered re-referred to Committee on Finance.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 772—An Act to amend sections one thousand nine hundred and twenty-five, one thousand nine hundred and twenty-seven, one thousand nine hundred and twenty-eight a, [illegible] and thirty, [illegible] and thirty-one, one thousand [illegible] hundred and fifty-one, one thousand nine hundred and [illegible] hundred and fifty-seven, one thousand nine hundred [illegible] and eighty-five, [illegible] one thousand nine hundred and [illegible], two thousand [illegible] one thousand [illegible] and sixty-two, one thousand nine hundred [illegible] and eighty-one, one thousand [illegible] two thousand and eighty, two thousand [illegible] and twelve of the Political Code of the State of California and to add a new section to said code to be known as section one thousand nine hundred and seventy-three a, all relating to the [illegible] of the National Guard of the State of California.

Also: Senate Bill No. 12—An Act to amend sections three thousand four hundred and fifty-seven and three thousand four hundred and sixty-six of the Political Code of the State of California, relating to reclamation and swamp land districts;

Also: Senate Bill No. [illegible]—An Act to add a new section to the Political Code of the State of California, to be numbered section three thousand four hundred seventy-six and one-half, relating to reclamation and swamp land districts.

Also: Senate Bill No. [illegible]—An Act to amend section three thousand four hundred ninety-one of the Political Code of the State of California, relating to reclamation and swamp land districts;

Also: Senate Bill No. [illegible]—An Act to amend section three thousand four hundred sixty-[illegible] of the Political Code, relating to [illegible] of reclamation districts;

Also: Senate Bill No. [illegible]—An Act to amend section five hundred seventy of the Code of Civil Procedure of the State of California, relating to the disposition of [illegible] in the hands of a receiver;

Also: Senate Bill No. 717—An Act to amend section three hundred ninety-six of the Code of Civil Procedure of California, relating to change of place of trial to the [illegible].

Also: Senate Bill No. 1120—An Act to amend sections seven, eight, eight *a*, eight *b*, eight *c*, eight *d*, and nine of an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907; amended March 19, 1909; approved April 25, 1911; approved June 11, 1913

Also, Senate Bill No. 979—An Act to amend section seven hundred eighty-nine of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to the duties of city attorney in cities of the fifth class.

Also, Senate Bill No. 681—An Act to divide the State of California into fish and game districts and to repeal an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, and all Acts or parts of Acts inconsistent herewith.

Also, Senate Bill No. 723—An Act amending an Act entitled "An Act establishing a legislative counsel bureau and making an appropriation therefor," approved May 26, 1913, by amending section 2 thereof.

Also, Senate Bill No. 725—An Act to add two new sections to the Political Code to be numbered 1197*a* and 1197*b* respectively, relating to initiative, referendum and recall petitions.

Also, Senate Bill No. 726—An Act to add a new section to the Penal Code to be numbered four hundred seventy-two *a*, making it a felony to sign to any initiative, referendum, or recall petition a fictitious name or the name of another and prescribing the penalty therefor.

Also, Senate Bill No. 727—An Act to add a new section to the Penal Code of the State of California to be known as section [illegible] prohibiting misrepresentation or fraud in initiative, referendum or recall petitions and prescribing a penalty therefor.

Also, Senate Bill No. 584—An Act to amend section two thousand four hundred sixty-six of the Political Code and to add thereto a new section to be numbered two thousand four hundred sixty-six *a*, relating to rate of pilotage at San Francisco.

Also, Senate Bill No. 143—An Act to amend section four thousand one hundred twelve of the Political Code of the State of California, relating to county treasurers' reports.

Also, Senate Bill No. 658—An Act regulating the sale and shipment of citrus fruits damaged by frost, and prescribing penalties for the violation of the provisions thereof.

Also, Senate Bill No. 498—An Act to add two new sections to the Political Code of the State of California, to be numbered two thousand six hundred ninety-seven and two thousand six hundred ninety-eight, relating to the abandonment of highways.

Also, Senate Bill No. 164—An Act to amend section four thousand two hundred ninety-five of the Political Code, relating to official salaries and fees.

Also, Senate Bill No. 1005—An Act to carry into effect the provisions of section one *a* of article XIII of the Constitution of California, exempting property from taxation in certain instances, defining certain terms, providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered three thousand six hundred thirteen.

Also, Senate Bill No. 588—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating liquors to persons addicted to the inordinate use of intoxicating liquors," approved March 19, 1889.

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

ON JUDICIARY

SENATE CHAMBER, SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 818—An Act to add a new section to the Penal Code of the State of California, to be known as section six hundred fifty-four *b*, relating to the protection of the purchasers of real estate against fraud and deception;

Also, Assembly Bill No. 44—An Act to amend section four hundred twenty-seven of the Code of Civil Procedure of the State of California;

Also, Senate Bill No. 824—An Act to add a new section to an Act entitled "An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, statutes of California of 1913, page six hundred eight, to be known as section ten *a*, relating to the translation of contracts and other documents;

Has had the same under consideration, and respectfully recommends that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 818 and 824 ordered on file for second reading.

Assembly Bill No. 44 ordered on file for second reading.

Also:

SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 797—An Act to amend section four hundred ten of the Political Code, relating to the distribution of the laws, resolutions and journals of Legislature; of reports of Supreme Court;

Also: Senate Bill No. 518—An Act to amend section two hundred seventy of the Penal Code of the State of California;

Has had the same under consideration, and respectfully recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 797 and 518 ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, March 23, 1915.

MR. PREIDENT: Your Committee on Hospitals and Asylums, to whom was referred Assembly Bill No. 177—An Act to amend sections two thousand one hundred fifty-three *a* and two thousand one hundred sixty-one of the Political Code, relating to the government and management of state hospitals for the insane and other incompetent persons—has had the same under consideration, and respectfully reports same back and recommends that it do pass.

CROWLEY, Chairman.

Assembly Bill No. 177 ordered on file for second reading.

SENATOR COGSWELL IN THE CHAIR.

At ten o'clock and twenty minutes a.m., Senator Cogswell of the Thirty-third District, in the chair.

CONSIDERATION OF DAILY FILE—THIRD READING.

Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

On motion of Senator Flaherty, Senate Bill No. 10 was passed on file.

Senate Bill No. 650—An Act to amend section five hundred ninety-four of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 650 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Campbell, Chandler, Cogswell, Crowley, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 124—An Act to amend section four hundred twenty-one of the Civil Code, relating to investments by insurance companies.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 124 passed by the following vote:

AYES—Senators :Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 324—An Act to amend sections four hundred fifty-three *t* and four hundred fifty-three *y* of the Civil Code relating to title insurance companies.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 324 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 651—An Act to revise and amend chapter eight of title II of part IV of division first of the Civil Code relating to mortgage insurance.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 651 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 507—An Act to amend section one thousand four hundred ninety-one of the Code of Civil Procedure, relating to the time to be given by notice to creditors.

Read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 507 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Gerdes, Hans, Jones, Kehoe, King, Luce, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 20—An Act to license and regulate the business of private detectives and detective agencies.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 20 passed by the following vote:

AYES—Senators Ballard, Beban, Birdsall, Breed, Campbell, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Hans, King, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—24.

NOES—Senators Anderson, Benson, Brown, Butler, Carr, Cogswell, Gerdes, Jones, Kehoe, and Luce—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 735—An Act to amend sections one, four, five and six of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by an Act approved March 20, 1905, and as amended by an Act approved March 4, 1907, and as amended by an Act approved April 21, 1911.

On motion of Senator Strobridge, Senate Bill No. 735 was passed on file.

Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

On motion of Senator Finn, Senate Bill No. 55 was passed on file.

Senate Bill No. 955—An Act to amend an Act entitled "An Act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903, by amending section one thereof.

On motion of Senator Carr, Senate Bill No. 955 was passed on file.

Senate Bill No. 982—An Act to amend an Act entitled "An Act providing for the time of payment of wages," approved May 1, 1911, by amending section three thereof, providing penalties for the violation of said Act.

On motion of Senator Carr, Senate Bill No. 982 was passed on file.

Senate Bill No. 987—An Act to amend an Act entitled "An Act prohibiting the issuances as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911, by prohibiting the issuance of any scrip, coupons, cards, or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money.

On motion of Senator Carr, Senate Bill No. 987 was passed on file.

Senate Bill No. 438—An Act to prohibit any employer from discriminating against any of his employees on account of engaging in politics or running for public office, and providing a penalty for the violation thereof.

Read third time.

MOTION.

Senator Campbell moved that the proposed amendments to Senate Bill No. 438 be printed in the Journal before consideration of the motion to refer to the Committee of One and that Senate Bill No. 438 retain its place on file.

Motion carried.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer Senate Bill No. 438 to Senator Carr as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

Strike out all of the title after the words "An Act" and insert in lieu thereof the following: "prohibiting employers of labor from interfering with the political activities of their employees and providing penalties for a violation hereof."

AMENDMENT NUMBER TWO

On page 1, strike out lines 1 to 5, inclusive (being all of section 1), and insert in lieu thereof the following:

"SECTION 1. It shall be unlawful for any employer of labor to make, adopt or enforce any rule, regulation or policy forbidding or preventing its employees, or any of them, from engaging or participating in politics or from becoming candidates or a candidate for public office, or controlling or directing, or tending to control or direct the political activities or affiliations of such employees or any of them; or to coerce or influence or attempt to coerce or influence such employees or any of them, through or by means of threat of discharge or loss of employment, to adopt or follow or refrain from adopting or following any particular course or line of political action or political activity. The expression 'employer of labor' as herein used shall be deemed to mean and include any person, firm or corporation regularly having in his or its employ twenty or more employees."

AMENDMENT NUMBER THREE

On page 1, strike out lines 6 to 13, inclusive, and the word "[illegible]", in line 14 and insert in lieu thereof the following:

"SEC. 2. Any employer violating the provisions of this act shall, upon conviction thereof, if an individual, be punishable by imprisonment in the county jail for not to exceed one year or by a fine of not to exceed $1,000.00, or by both such fine and imprisonment, and, if a corporation, by a fine of not to exceed $5,000.00."

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 772—An Act to amend sections one thousand nine hundred twenty-five, one thousand nine hundred twenty-seven, one thousand nine hundred twenty-eight, one thousand nine hundred twenty-eight *a*, one thousand nine hundred twenty-eight *b*, one thousand nine hundred twenty-eight *d*, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one, one thousand nine hundred thirty-four, one thousand nine hundred fifty-one, one thousand nine hundred fifty-four, one thousand nine hundred fifty-seven, one thousand nine hundred sixty-three, one thousand nine hundred eighty-five, two thousand six, two thousand eighty-one, one thousand nine hundred eight, two thousand seventy-nine, two thousand eighty-six, two thousand one hundred seven, one thousand nine hundred sixty-two, one thousand nine hundred sixty-seven, one thousand nine hundred eighty-one, one thousand nine hundred eighty-four, two thousand eighty, two thousand one hundred eleven, two thousand one hundred twelve of the Political Code of the State of California, and to add one new section to said code to be known as section one thousand nine hundred sixty-three *a*, all relating to the organization, equipment, maintenance and government of the national guard of the State of California.

On motion of Senator Scott, Senate Bill No. 772 was passed on file.

Senate Bill No. 266—An Act to provide for memorial halls and meeting places for army and navy veterans of the Civil war, the Spanish-American war, and the Philippine insurrection.

On motion of Senator Scott, Senate Bill No. 266 was passed on file.

Senate Bill No. 406—An Act to select, designate and adopt a state song to be known as "California's State Song."

On motion of Senator Scott, Senate Bill No. 406 was passed on file.

Senate Bill No. 12—An Act to amend sections three thousand four hundred fifty-seven and three thousand four hundred sixty-six of the Political Code of the State of California, relating to reclamation and swamp land districts.

In the absence of the author, Senate Bill No. 12 was passed on file.

Senate Bill No. 31—An Act to add a new section to the Political Code of the State of California, to be numbered section three thousand four hundred seventy six and one-half, relating to reclamation and swamp land districts.

In the absence of the author, Senate Bill No. 31 was passed on file.

Senate Bill No. 151—An Act to amend section three thousand four hundred ninety-one of the Political Code of the State of California, relating to reclamation and swamp land districts.

In the absence of the author, Senate Bill No. 151 was passed on file.

Senate Bill No. 953—An Act to amend section three thousand four hundred sixty-two of the Political Code, relating to assessments of reclamation districts.

In the absence of the author, Senate Bill No. 953 was passed on file.

Senate Bill No. 542—An Act to amend section four thousand seventy five and section four thousand seventy-six of the Political Code, relating to payment and form of claims against the county.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 542 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 538—An Act to amend section four thousand two hundred eighty-eight of the Political Code by adding a new section thereto permitting boards of supervisors in counties of the first class or counties operating under a charter to fix dates on which salaried employees may be paid.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 538 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 4—An Act to amend section five hundred seventy of the Code of Civil Procedure of the State of California, relating to the disposition of unclaimed funds in the hands of a receiver.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 4 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 717—An Act to amend section three hundred ninety-six of the Code of Civil Procedure of California, relating to change of place of trial to the proper county.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 717 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Owens, Purkitt, Rush, Shearer, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1120—An Act to amend sections seven, eight, eight *a*, eight *b*, eight *d*, and nine of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907; approved March 19, 1909; approved April 25, 1911; approved June 11, 1913.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Crowley moved to refer to Senator Wolfe as a Special Committee of One to amend Senate Bill No. 1120 as follows:

AMENDMENT NUMBER ONE.

By striking out of section 9, lines 10, 11 and 12, page 8, the words "corrosive sublimate tablets or antiseptic tablets containing corrosive sublimate in quantities of less than one pound."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 1120, with instructions to amend, respectfully reports the same back, amended as per instructions.

WOLFE, Committee.

Report read, and on motion of Senator Crowley adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 1037—An Act to amend section six hundred twenty-three of the Political Code of the State of California, relating to the bonds of insurance companies.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1037 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 979—An Act to amend section seven hundred eighty-nine of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March

13, 1883, relative to the duties of city attorney in cities of the fifth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 979 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 956—An Act to amend section eight hundred sixty-two of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

On motion of Senator Brown, Senate Bill No. 956 was passed on file.

Senate Bill No. 1150—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by providing for the taking over and administering by counties of certain functions, powers and property previously administered by municipalities that have disincorporated.

On motion of Senator Jones, Senate Bill No. 1150 was passed on file.

Senate Bill No. 681—An Act to amend an Act entitled "An Act to divide the State of California into six fish and game districts, approved March 21, 1911."

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 681 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 723—An Act amending an Act entitled "An Act establishing a legislative counsel bureau and making an appropriation therefor," approved May 26, 1913, by amending section two thereof.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Chandler moved to refer to Senator Flint as a Special Committee of One to amend Senate Bill No. 723, as follows:

Amend the title by striking out the period following the word thereof at the end of line 3 of said title, insert a comma in lieu thereof and add the following: "relating to the duties of the chief of the legislative counsel bureau."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 723, with instructions to amend, respectfully reports the same back amended as per instructions.

FLINT, Committee.

Report read, and on motion of Senator Chandler adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 726—An Act to add a new section to the Penal Code to be numbered four hundred seventy-two *a*, relating to signing to any initiative, referendum, or recall petition a fictitious name or the name of another.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Chandler moved to refer to Senator Flint as a Special Committee of One to amend Senate Bill No. 726, as follows:

AMENDMENT NUMBER ONE.

Amend the title by striking out the words "four hundred seventy-two *a*," and insert in lieu thereof the words "fifty *a*."

AMENDMENT NUMBER TWO.

Amend the title by inserting after the word "recall" in line 4, of said title the following: ", or nominating".

AMENDMENT NUMBER THREE.

On page 1, line 5, of printed bill, after the word "petition" insert the following: ", or to any nominating petition,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 726, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Committee.

Report read, and on motion of Senator Flint adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 727—An Act to add a new section to the Penal Code of the State of California to be known as section sixty-four *b*, relating to prohibiting misrepresentation or fraud in relation to certain initiative, referendum or recall petitions, and prescribing a penalty therefor.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Chandler moved to refer to Senator Flint as a Special Committee of One to amend Senate Bill No. 727, as follows:

AMENDMENT NUMBER ONE.

On page 2, line 25 of printed bill, strike out the period following the word "act" at the end of line 25, insert a comma in lieu thereof and add the following: "or to sign his name to any such petition knowing himself at the time of such signing not to be qualified to sign the same."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 727, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Committee.

Report read, and on motion of Senator Flint adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 833—An Act to amend section six hundred twenty-six *g* of the Penal Code of the State of California, relating to the protection of game.

Read third time previously.

On motion of Senator Butler, Senate Bill No. 833 was ordered re-committed to Committee on Fish and Game.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Cogswell, the hour of recess was extended until twelve o'clock and forty minutes p.m.

Senate Bill No. 655—An Act to provide for branding on the back of all crabs brought into the State of California, name of the place where they were caught, and providing a penalty for the violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 655 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Campbell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—25.

NOES—Senators Ballard, Brown, Butler, Carr, Cogswell, Owens, and Strobridge—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator Shearer to introduce a bill entitled "An Act to regulate the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service";

Also: The request of Senator Slater to introduce a bill entitled "An Act prohibiting animal tamers and other persons from entering cages, pits, pens or other places of confinement or restraint wherein any animal or animals, other than domestic, are performing or are being exhibited, for the purpose of directing, assisting or participating in such performances or exhibitions, and providing a penalty therefor";

Also: The request of Senator Beban to introduce a bill entitled "An Act to amend section two hundred eighty *b* of the Code of Civil Procedure, relating to licenses to practice law";

Also: The request of Senator Luce to introduce a bill entitled "An Act to amend sections 4, 5 and 6 of an Act entitled 'An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof,' approved May 1, 1911";

Has had the same under consideration and respectfully report the same back and recommend that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section two of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gates, Hans, Jones, Kehoe, King, Luce, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with above report:

By Senator Shearer: Senate Bill No. 1227—An Act to regulate the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Slater: Senate Bill No. 1228—An Act prohibiting animal tamers and other persons from entering cages, pits, pens or other places of confinement or restraint wherein any animal or animals, other than domestic, are performing or are being exhibited, for the purpose of directing, assisting or participating in such performances or exhibitions, and providing a penalty therefor.

Bill read first time, and referred to Committee on Judiciary.

By Senator Beban: Senate Bill No. 1229—An Act to amend section two hundred eighty *b* of the Code of Civil Procedure, relating to licenses to practice law.

Bill read first time, and referred to Committee on Judiciary.

By Senator Luce: Senate Bill No. 1230—An Act to amend sections four, five, and six of an Act, entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

Bill read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES (RESUMED).

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Committee on County Government, to whom was referred Assembly Bill No. 624—An Act to amend section four thousand two hundred sixty-six of the Political Code, relating to the compensation of county and township officers of counties of the twenty-eighth class, and to the number, appointment and salaries of their assistants and deputies—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BREED, Chairman.

Assembly Bill No. 624 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Committee on Banking, to whom was referred Senate Bill No. 670—An Act to amend section two hundred ninety *a* of the Civil Code of the State of California relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary or trustee or to engage in the business of banking;

Also: Senate Bill No. 671—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered one thousand two hundred and seventy-three relating to escheated property;

Also: Senate Bill No. 672—An Act to amend section one thousand two hundred seventy-eight of the Code of Civil Procedure of the State of California relating to hearing application for change of name, and remonstrance, and requiring production of the certificate of the Superintendent of Banks, by banking corporations, that name desired does not resemble so closely as to be likely to cause confusion, the name of any other bank previously formed under the laws of this State.

Has had the same under consideration, and respectfully report the same back and recommend that it do pass.

HANS, Chairman.

Senate Bills Nos. 670, 671 and 672 ordered on file for second reading.

Also:

SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Committee on Banking, to whom was referred Senate Bill No. 38—An Act to amend an Act known as "The Building and Loan Commission Act"—chapter 354, laws of 1911—approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be known as and numbered section 9*a*, relating to the powers and duties of the Building and Loan Commissioner; fixing the grade and penalty for non-compliance with his orders; providing for the assistance of a peace officer to enforce his demands;

Also: Senate Bill No. 84—An Act to amend the Civil Code of the State of California by adding thereto a new section to be known and numbered six hundred forty-two *a*, relating to building and loan associations;

Has had the same under consideration, and respectfully report the same back and recommend that it do pass.

HANS, Chairman.

Senate Bills Nos. 38 and 84 ordered on file for second reading.

Also:

SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Committee on Banking, to whom was referred Senate Bill No. 97—An Act to amend sections two, three and six of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an Act approved December 18, 1911, relating to the powers and duties of the Building and Loan Commissioner—has had the same under consideration, and respectfully report the same back and recommend that it do pass and be re-referred to the Finance Committee.

HANS, Chairman.

Senate Bill No. 97 ordered re-referred to Committee on Finance.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 22, 1915.

MR. PRESIDENT: Your Committee on Elections, to whom was referred Senate Bill No. 1089—An Act to amend the Political Code of the State of California by adding a new section thereto to be designated section one thousand one hundred ninety-four relating to the preservation and subsequent destruction by the Secretary of State of initiative, referendum and recall petitions—has had the same under consideration and respectfully report the same back and recommend that it do pass.

BENSON, Chairman.

Senate Bill No. 1089 ordered on file for second reading.

RECESS.

At twelve o'clock and forty minutes p.m., the President pro tem. declared the Senate at recess until two o'clock p.m.

RE-CONVENED.

At two o'clock p.m., the Senate re-convened.

Hon. Newton W. Thompson, President pro tem of the Senate, in the chair.

Minute Clerk Clifton E. Brooks at the desk.

THIRD READING FILE—ASSEMBLY BILLS.

Assembly Bill No. 310—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21 and 26 of said Act.

On motion of Senator Strobridge, Assembly Bill No. 310 was passed on file.

SECOND READING FILE—ASSEMBLY BILLS.

Assembly Bill No. 64—An Act providing that any person, firm, association or corporation or agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor and providing that said accused employee shall have the opportunity to be confronted with the person making such report, and providing for the punishment for the violation thereof.

On motion of Senator Campbell, Assembly Bill No. 64 was passed on file.

CONSIDERATION OF SENATE BILLS—(OUT OF ORDER).

Senator Breed asked for and was granted unanimous consent to take up Senate Bills Nos. 1057 and 1058, out of the regular order, for the purpose of amendment.

Senate Bill No. 1057—An Act to amend section four of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Breed moved to refer to Senator Hans as a Special Committee of One to amend Senate Bill No. 1057, as follows:

AMENDMENT NUMBER ONE.

By adding to line 15, page 1 of the printed bill, after the period: "In no event shall any city, town or municipal corporation incur an indebtedness for public improvements of any character which shall in the aggregate exceed twenty-five per cent of the assessed value of all the real and personal property of such city, town or municipal corporation."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 1057, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANS, Committee.

Report read, and on motion of Senator Breed adopted

Bill ordered to print and re-engrossment.

Senate Bill No. 1057—An Act to amend section five of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to construct waterworks,' also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,' " approved March 19, 1889, as amended.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Breed moved to refer to Senator Hans as a Special Committee of One to amend Senate Bill No. 1058, as follows:

AMENDMENT NUMBER ONE.

By adding to line 15, page 2 of the printed bill, after the period: "In no event shall any city, town or municipal corporation incur an indebtedness for public improvements of any character which shall in the aggregate exceed twenty-five per cent of the assessed value of all the real and personal property of such city, town or municipal corporation."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 1058, with instructions to amend, respectfully reports the same back, amended as per instructions.

HANS, Committee.

Report read, and on motion of Senator Breed adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF SENATE BILLS—(OUT OF ORDER).

Senator Tyrrell asked for and was granted unanimous consent to take up, out of the regular order, the third reading of Senate bills.

Senate Bill No. 584—An Act to amend section two thousand four hundred sixty-six of the Political Code and to add thereto a new section to be numbered two thousand four hundred sixty-six *a*, relating to rates of pilotage at San Francisco.

On motion of Senator Chandler, Senate Bill No. 584 was passed on file.

Senate Bill No. 143—An Act to amend section four thousand one hundred twelve of the Political Code of the State of California, relating to county treasurer's reports.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 143 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Gerdes, Kehoe, King, Shearer, Strobridge, Stuckenbruck, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved

Bill ordered transmitted to the Assembly.

Senate Bill No 658—An Act regulating the sale and shipment of citrus fruits damaged by frost, and prescribing penalties for the violation of the provisions thereof.

On motion of Senator King, Senate Bill No 658 was passed on file.

Senate Bill No. 498—An Act to add two new sections to the Political Code of the State of California, to be numbered two thousand six hundred ninety-seven and two thousand six hundred ninety-eight, relating to the abandonment of highways.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 498 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Jones, Kehoe, King, Luce, Mott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 164—An Act to amend section four thousand two hundred ninety-five of the Political Code, relating to official services and fees

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 164 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Jones, Kehoe, King, Luce, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR STROBRIDGE IN THE CHAIR.

At two o'clock and twenty minutes p.m., Senator Strobridge of the Thirteenth District, in the chair.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Wolfe, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Isaac O. Levy, of Los Angeles.

Senate Bill No. 715—An Act to amend section four hundred eighty-five of the Civil Code of the State of California, relating to damages in certain cases.

On motion of Senator Stuckenbruck, Senate Bill No. 715 was passed on file.

Senate Bill No. 199—An Act to amend section one thousand eight hundred eighty-one of the Code of Civil Procedure of the State of California, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 199 was passed on file.

Senate Bill No. 319—An Act validating the formation and organization and determining the boundaries of Alameda County Water District in the county of Alameda, State of California.

On motion of Senator Strobridge, Senate Bill No. 319 was passed on file.

Senate Bill No. 1005—An Act to carry into effect the provisions of section one *a* of article thirteen of the constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered three thousand six hundred thirteen.

On motion of Senator Jones, Senate Bill No. 1005 was passed on file.

Senate Bill No. 588—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating liquors to persons addicted to the inordinate use of intoxicating liquors," approved March 19, 1889.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 588 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Gerdes, Jones, Kehoe, King, Luce, Mott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 558—An Act to amend section two thousand nine hundred seventy-eight of the Political Code, relating to the constitution of the State Board of Health and the terms of the members of said board.

On motion of Senator Brown, Senate Bill No. 558 was passed on file.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

SECOND READING FILE.

Senate Bill No. 970—An Act to add a new section to the Political Code to be numbered 4263*a*, relating to and fixing the compensation of grand and trial jurors in the superior courts in counties of the thirty-fourth class and providing for the payment thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 969—An Act to add a new section to the Code of Civil Procedure to be numbered one hundred three *a*, relating to the duties of clerks of certain justices of the peace.

Bill read second time, ordered engrossed and on file for third reading.

USE OF SENATE CHAMBER GRANTED.

Senator Mott asked for and was granted unanimous consent for the use of the Senate Chamber for a public hearing by the Committee on Oil Industries on Tuesday evening, March 23, 1915, at eight o'clock.

ADJOURNMENT.

At two o'clock and thirty-five minutes p.m., on motion of Senator Thompson, the Acting President declared the Senate adjourned.

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Wednesday, March 24, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry L. Stark.

LEAVE OF ABSENCE.

Senator Irwin was, on motion of Senator Crowley, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 23, 1915, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Strobridge, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. W. H. L. Hynes, district attorney of Alameda County.

RESOLUTION.

The following resolution was offered by Senator Breed:

Resolved, That the following named persons be and they are hereby appointed to the respective positions hereinafter set forth, as provided by law, with compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts, and the Treasurer is directed to pay the same:

M. H. Beach, Committee Clerk	$4 00 per day
W. H. Bentley, Committee Clerk	4 00 per day

Senator Breed moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote.

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

PETITIONS.

Senator Duncan presented the following petition, which was read and ordered printed in the Journal:

RESOLUTION BY MARYSVILLE LABOR COUNCIL ON SUTTER BASIN PROJECT.

WHEREAS, The city of Marysville derives much of its trade from that portion of Sutter County lying west and south of Yuba City, which section is highly improved and thickly inhabited, and is now threatened with inundation and destruction if the by-pass through Sutter County is constructed along the lines now proposed; and

WHEREAS, The said county of Sutter and the landowners of said portion of Sutter County so menaced are now engaged in litigation with Reclamation District 1500, commonly known as the Armour-Gerber project, to prevent this destruction of county and private property, and certain bills, to wit: Senate Bill No. 631 and Assembly Bill No. 759; Senate Bill No. 633 and Assembly Bill No. 831; Senate Bill No. 660 and Assembly Bill No. 760; Senate Bill No. 661 and Assembly Bill No. 764; Senate Bill No. 662 and Assembly Bill No. 765; Senate Bill No. 722 and Assembly Bill No. 793; Senate Bill No. 910 and Assembly Bill No. 1151; Senate Constitutional Amendment No. 34 and Assembly Constitutional Amendment No. 30, have been introduced into the Legislature of the State of California, which, if enacted into laws, are intended to aid said Armour-Gerber project in the accomplishment of this wrong; and

WHEREAS, The prosperity of Yuba County and the city of Marysville is menaced if said section of Sutter County is ruined, thereby seriously affecting the prosperity of the allied laborers of said city of Marysville; and

WHEREAS, The heart of all labor unions is ever ready to respond to the cry of the oppressed and to assist in preventing an injustice; therefore, be it

Resolved by the Marysville Labor Council, That we endorse the position of Sutter County and its landowners in said litigation, and we hereby ask all friends of labor in the Legislature and the Governor of this State to support Sutter County and to defeat said proposed measures.

AL LAURENCE, President.

[Seal]

R. N. MURPHY, Recording Secretary;
Marysville Central Labor Council.

Adopted in regular session March 19, 1915.

CONCURRENT RESOLUTION OFFERED.

The following concurrent resolution was offered:

By Senator Birdsall: Senate Concurrent Resolution No. 17—Relative to free assays to be made by the College of Mines of the University of California.

Resolution referred to Committee on Mines and Mining.

CONSIDERATION OF DAILY FILE—THIRD READING.

Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

On motion of Senator Finn, Senate Bill No. 10 was passed on file.

Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21 and 26 of said Act.

On motion of Senator Strobridge, Senate Bill No. 105 was passed on file.

Senate Bill No. 735—An Act to amend sections one, four, five and six of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by an Act approved March 20, 1905, and as amended by an Act approved March 4, 1907, and as amended by an Act approved April 21, 1911.

On motion of Senator Strobridge, Senate Bill No. 735 was passed on file.

Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

On motion of Senator Finn, Senate Bill No. 55 was passed on file.

Senate Bill No. 955—An Act to amend an Act entitled "An Act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903, by amending section one thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 955 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Scott, Slater, [illegible], Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 982—An Act to amend an Act entitled "An Act providing for the time of payment of wages," approved May 1, 1911, by amending section three thereof, providing penalties for the violation of said Act.

Read third time.

On motion of Senator Lyon, Senate Bill No. 982 was passed on file.

Senate Bill No. 987—An Act to amend an Act entitled "An Act prohibiting the issuances as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911, by prohibiting the issuance of any scrip, coupons, cards, or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money.

On motion of Senator Lyon, Senate Bill No. 987 was passed on file.

Senate Bill No. 266—An Act to provide for memorial halls and meeting places for army and navy veterans of the Civil war, the Spanish-American war, and the Philippine insurrection.

On motion of Senator Scott, Senate Bill No. 266 was passed on file.

Senate Bill No. 406—An Act to select, designate and adopt a state song to be known as "California's State Song."

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 406 was refused passage by the following vote:

AYES—Senators Beban, Benson, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Luce, Lyon, Purkitt, Rush, Slater, Stuckenbruck, Tyrrell, and Wolfe—16.

NOES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Duncan, Flint, Jones, Kehoe, King, Maddux, Mott, Owens, Scott, Strobridge, and Thompson—21.

NOTICE OF MOTION TO RECONSIDER.

Senator Scott gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 406 was refused passage.

Senate Bill No. 438—An Act to prohibit any employer from discriminating against any of his employees on account of engaging in politics or running for public office, and providing a penalty for the violation thereof.

Read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Carr as a Special Committee of One, to amend Senate Bill No. 438 as follows:

AMENDMENT NUMBER ONE.

Strike out all of the title after the words "An Act" and insert in lieu thereof the following: "prohibiting employers of labor from interfering with the political activities of their employees and providing penalties for a violation hereof."

AMENDMENT NUMBER TWO.

On page 1, strike out lines 1 to 5, inclusive (being all of section 1), and insert in lieu thereof the following:

"SECTION 1. It shall be unlawful for any employer of labor to make, adopt or enforce any rule, regulation or policy forbidding or preventing his employees, or any of them, from engaging or participating in politics or from becoming candidates or a candidate for public office, or controlling or directing, or tending to control or direct the political activities or affiliations of such employees or any of them; or to coerce or influence or attempt to coerce or influence such employees or any of them through or by means of threat of discharge or loss of employment to adopt or follow or refrain from adopting or following any particular course or line of political action or political activity. The expression 'employer of labor' as herein used shall be deemed to mean and include any person, firm or corporation regularly having in his or its employ twenty or more employees."

AMENDMENT NUMBER THREE.

On page 1, strike out lines 6 to 13, inclusive, and the word "described", in line 14, and insert in lieu thereof the following:

"SEC. 2. Any employer violating the provisions of this act shall upon conviction thereof, if an individual, be punishable by imprisonment in the county jail for not to exceed one year or by a fine of not to exceed $1,000.00 or by both such fine and imprisonment, and, if a corporation, by a fine of not to exceed $5,000.00."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 438, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, Committee.

Report read, and on motion of Senator Finn adopted.

Bill ordered to print and re-engrossment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the constitution of the state, by amending section sixteen and one-half of article XI thereof, relating to the deposit of moneys belonging to the state or to any county or municipality within the state in any bank or banks; and report that the same has been correctly engrossed.

LUCE, Vice Chairman.

Also:

SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 236—An Act to amend section four thousand two hundred and eighty of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class;

Also: Senate Bill No. 454—An Act to amend section four thousand two hundred sixty-three of the Political Code relating to the salaries of officers and compensation of official reporter in counties of the thirty-fourth class;

Also: Senate Bill No. 832—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred thirty-seven and one-half, relating to the protection of game;

Also: Senate Bill No. 756—An Act to amend section 626a of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 7—An Act to amend section one thousand four hundred fifty-four of the Code of Civil Procedure relating to the collection by surviving heirs of money in banks;

Also: Senate Bill No. 196—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty;

And report that the same have been correctly re-engrossed.

LUCE, Vice Chairman.

Also:

SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 970—An Act to add a new section to the Political Code to be numbered 1263*a*, relating to and fixing the compensation of grand and trial jurors in the superior courts in counties of the thirty-fourth class and providing for the payment thereof;

Also: Senate Bill No. 969—An Act to add a new section to the Code of Civil Procedure to be numbered one hundred three *a*, relating to the duties of clerks of certain justices of the peace;

And report that the same have been correctly engrossed.

LUCE, Vice Chairman.

THIRD READING OF BILLS (RESUMED).

Senate Bill No. 12—An Act to amend section three thousand four hundred fifty-seven and three thousand four hundred sixty-six of the Political Code of the State of California, relating to reclamation and swamp land districts.

In the absence of the author, Senate Bill No. 12 was passed on file.

Senate Bill No. 31—An Act to add a new section to the Political Code of the State of California, to be numbered section three thousand four hundred seventy-six and one-half, relating to reclamation and swamp land districts.

In the absence of the author, Senate Bill No. 31 was passed on file.

Senate Bill No. 151—An Act to amend section three thousand four hundred ninety-one of the Political Code of the State of California, relating to reclamation and swamp land districts.

In the absence of the author, Senate Bill No. 151 was passed on file.

Senate Bill No. 953—An Act to amend section three thousand four hundred sixty-two of the Political Code, relating to assessments of reclamation districts.

In the absence of the author, Senate Bill No. 953 was passed on file.

Senate Bill No. 1150—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by providing for the taking over and administering by counties of certain functions, powers and property previously administered by municipalities that have disincorporated.

On motion of Senator Jones, Senate Bill No. 1150 was passed on file.

Senate Bill No. 832—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred thirty-seven *b*, relating to the protection of game.

On motion of Senator Flint, Senate Bill No. 832 was passed on file.

Senate Bill No. 584—An Act to amend section two thousand four hundred sixty-six of the Political Code and to add thereto a new section to be numbered two thousand four hundred sixty-six *a*, relating to rates of pilotage at San Francisco.

On motion of Senator Flint, Senate Bill No 584 was passed on file.

Senate Bill No. 756—An Act to amend section six hundred twenty-six *w* of the Penal Code of the State of California, relating to the protection of fish and game.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 756 passed by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benedict, Benson, Breed, Brown, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

Senate Bill No. 658—An Act regulating the sale and shipment of citrus fruits damaged by frost, and prescribing penalties for the violation of the provisions thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 658 passed by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 401, heretofore set as a special order for this time, the same was taken up for consideration.

Senate Bill No. 401—An Act to amend sections one, two, eight and eleven of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions praying for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted, forbidding and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions, and providing penalties for such offenses," approved April 4, 1911, relative to territory included within petition; form of petition; form of ballot.

MOTION

Senator Duncan moved that Senate Bill No. 401 be re-committed to the Committee on Public Morals.

Motion carried.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 715—An Act to amend section four hundred eighty-five of the Civil Code of the State of California, relating to damages in certain cases.

On motion of Senator Stuckenbruck, Senate Bill No. 715 was passed on file.

Senate Bill No. 199—An Act to amend section one thousand eight hundred eighty-one of the Code of Civil Procedure of the State of California, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 199 was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and twenty-five minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

SENATE CONSTITUTIONAL AMENDMENT NUMBER NINETEEN.

[illegible]

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session commencing on the fourth day of January, nineteen hundred and fifteen, two-thirds of the members elected to each of the two houses voting in favor thereof, hereby propose to the qualified electors of the State of California that section sixteen and one-half of article XI of the Constitution of said state be amended to read as follows:

SEC. 16½. All moneys belonging to the state or to any county or municipality within this state may be deposited in any national bank or banks within this state, or in any bank or banks organized under the laws of this state, in such manner and under such conditions as may be provided by any law adopted by the people under the initiative or by a two-thirds vote of each house of the Legislature and approved by the governor and subject to the referendum: *provided*, that the laws now governing the deposit of such moneys shall continue in force until such laws shall be amended, changed or repealed as in this section authorized.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 19 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Welch—34.

NOES—Senators Chandler, and Purkitt—2.

Constitutional amendment ordered transmitted to the Assembly.

Senate Bill No. 319—An Act validating the formation and organization and determining the boundaries of Alameda County Water District in the county of Alameda, State of California.

On motion of Senator Strobridge, Senate Bill No. 319 was passed on file.

Senate Bill No. 1005—An Act to carry into effect the provisions of section one *a* of article XIII of the Constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered three thousand six hundred thirteen.

On motion of Senator Jones, Senate Bill No. 1005 was passed on file.

Senate Bill No. 558—An Act to amend section two thousand nine hundred seventy-eight of the Political Code, relating to the constitution of the State Board of Health and the terms of the members of said board.

On motion of Senator Brown, Senate Bill No. 558 was passed on file.

Senate Bill No. 970—An Act to add a new section to the Political Code to be numbered 4263*a*, relating to and fixing the compensation of grand and trial jurors in the superior courts in counties of the thirty-fourth class and providing for the payment thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 970 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 1226—An Act to amend section 2145 of the Political Code, relating to state hospitals for the insane and other incompetent persons—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CROWLEY, Chairman.

Senate Bill No. 1226 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 744—An Act to provide for the protection of breeders and growers of live stock from theft, for registration of brands, butchers and slaughter-houses, and the inspection of live stock and the hides thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

KING, Chairman.

Senate Bill No. 744 ordered on file for second reading.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. 343—An Act to safeguard the youth of the State, in attendance at universities and normal schools, by adding a new section to the Penal Code of California, to be numbered and known as section one hundred seventy-two *b*, making unlawful the soliciting or receiving of orders for, also the sale, service or giving away of, spirituous, vinous, malt or other alcoholic liquors on, or within one mile of the grounds of any university or state normal school, have had the same under consideration and respectfully reports the same back and recommends that it do pass.

LUCE, Chairman.

Senate Bill No. 343 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 586—An Act to amend an Act entitled "An Act to define and regulate the business of banking," known as the Bank Act, approved March 1, 1909, by amending section fifty-three thereof added thereto by an Act entitled "An Act to amend that certain Act of the Legislature of the State of California, entitled 'An Act to define and regulate the business of banking,' approved March 1, 1909, by amending sections eleven, twenty, twenty-three, thirty-three, thirty-five, thirty-nine, forty-three, forty-nine, sixty, sixty-two, eighty, eighty-two, eighty-three, ninety-six, one hundred twenty-three, one hundred thirty-three, one hundred twenty-four and one hundred twenty-one thereof, and by adding new sections twelve *a*, fifty-two, fifty-three, and eighty-four thereto," approved April 21, 1911—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

HANS, Chairman.

Senate Bill No. 586 ordered on file for second reading.

Also:

SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 80—An Act to amend section six hundred forty-seven of the Civil Code relating to building and loan associations, have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

HANS, Chairman.

Senate Bill No. 80 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 1158—An Act to empower the Fish and Game Commission of California to control the business of catching and selling fish, and to buy fish, in order to distribute the same to the people, has had the same under consideration, and respectfully recommend that it do pass and be re-referred to the Finance Committee.

FLINT, Chairman.

Senate Bill No. 1158 ordered re-referred to Committee on Finance.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 346—An Act to amend section fourteen hundred thirty-one of the Political Code, to provide for payment of the traveling expenses of the Regents of the University of California;

Also: Senate Bill No. 423—An Act to amend section one thousand seven hundred thirty of the Political Code, relating to boards of trustees in high school districts;

Also: Senate Bill No. 710—An Act to amend section one thousand seven hundred thirty-one of the Political Code, relating to the election or appointment of members of high school boards:

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

ANDERSON, Chairman.

Senate Bills Nos. 346, 423 and 710 ordered on file for second reading.

Also:

SACRAMENTO, March 23, 1915.

MR. PRESIDENT: Your Committee on Education to which was referred Senate Bill No. 237—An Act to provide for the establishment and maintenance of classes for the training of vocational teachers and providing state aid therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended and be re-referred to the Finance Committee.

ANDERSON, Chairman.

Senate Bill No. 237 ordered re-referred to Committee on Finance.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1120—An Act to amend sections seven, eight, eight *a*, eight *b*, eight *c*, eight *d*, and nine of an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof"; approved March 6, 1907; approved March 19, 1909; approved April 25, 1911; approved June 11, 1913—and reports that the same has been correctly reengrossed.

FLAHERTY, Chairman.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 322—An Act to amend section twenty-one of an Act entitled "An Act to carry into effect the provisions of section fourteen of article XIII of the Constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911 (statutes 1911, page 530) as amended by an Act approved June 12, 1913 (statutes 1913, page 615), relating to revenue and taxation;

Also: Senate Bill No. 815—An Act to add a new section to the Political Code, to be numbered section thirty-eight hundred four *b*, relating to the cancellation of erroneous assessments;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

COGSWELL, Chairman.

Senate Bills No. 322 and 815 ordered on file for second reading.

Also:

SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 810—An Act to add a new section to the Political Code to be numbered one thousand eight hundred thirty-eight relating to the powers and duties of the governing boards of school districts in levying taxes for building purposes—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to Committee on Education.

COGSWELL, Chairman.

Senate Bill No. 810 ordered re-referred to Committee on Education.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 1174—An Act to regulate the sale of food ingredients which are in part composed of butter shipped or imported into the State of California from any point or place outside of the United States, requiring the marking of all bills of fare or menu cards placed on tables or counters in establishments preparing, serving or offering for sale any such food, and fixing penalties for the violation of the same or any of the provisions thereof;

Also: Senate Bill No. 1175—An Act to regulate the sale of butter that has been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering the same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof;

Also: Senate Bill No. 1176—An Act to regulate the placing of cards in all packages or wrappers inclosing manufactured food products before being sold or offered for sale which are composed in part of butter shipped or imported into the State of

California from any point or place outside of the United States and fixing penalties for the violation of the same or of any of the provisions thereof;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BUTLER, Chairman.

Senate Bills Nos. 1174, 1175 and 1176 ordered on file for second reading.

Also:

SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 511—An Act to provide for the registration of all births and deaths, the establishment of registration districts in cities, incorporated towns, townships, under the superintendence of the State Board of Vital Statistics, the issuance and registration of burial and disinterment permits and certificates of births and deaths, the appointment of a state and a local registrar of vital statistics, and prescribing the powers and duties of registrars, physicians, undertakers, sextons and other persons in relation thereto, [illegible] penalties for violation of this Act, creating the office of state and local registrars of vital statistics and providing for the salary and fees of same—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 511 ordered on file for second reading.

Also:

SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 993—An Act to regulate the sale of impure and unwholesome milk;

Also: Senate Bill No. 1211—An Act to regulate the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to authorize cities, groups of cities, counties, and groups of counties, or cities and counties, to establish inspection service;
Has had the same under consideration, and respectfully reports the same back without recommendation.

BUTLER, Chairman.

Senate Bills Nos. 993 and 1211 ordered on file for second reading.

Also:

SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 102—An Act creating and establishing a commission for the investigating and gathering of data and statistics concerning the use of live animals for experimental purposes; providing for the appointment of said commission, to be known as the "Commission for the Preservation of Statistics of Animal Life," and prescribing the powers and duties of said commission and its members;

Also: Senate Bill No. 1207—An Act to amend section 2 of an Act entitled, "An Act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BUTLER, Chairman.

Senate Bills Nos. 102 and 1207 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to section seven and one half of article eleven of the Constitution of the State of California, relating to charters of counties and amendments to such charters and to the surrender thereof—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted and be referred to the Judiciary Committee.

BREED, Chairman.

Senate Constitutional Amendment No. 25 ordered re-referred to Committee on Judiciary.

Also:

SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 648—An Act validating and confirming the organization of lighting districts—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Senate Bill No. 648 ordered on file for second reading.

CONSIDERATION OF SENATE BILLS (OUT OF ORDER).

Senator Scott asked for and was granted unanimous consent to take up, out of the regular order, the third reading of the following Senate bills:

Senate Bill No. 772—An Act to amend sections one thousand nine hundred twenty-five, one thousand nine hundred twenty-seven, one thousand nine hundred twenty-eight, one thousand nine hundred twenty-eight *a*, one thousand nine hundred twenty-eight *b*, one thousand nine hundred twenty-eight *d*, one thousand nine hundred twenty-nine, one thousand nine hundred thirty, one thousand nine hundred thirty-one, one thousand nine hundred thirty-four, one thousand nine hundred fifty-one, one thousand nine hundred fifty-four, one thousand nine hundred fifty-seven, one thousand nine hundred sixty-three, one thousand nine hundred eighty-five, two thousand six, two thousand eighty-one, one thousand nine hundred eight, two thousand seventy-nine, two thousand eighty-six, two thousand one hundred seven, one thousand nine hundred sixty-two, one thousand nine hundred sixty-seven, one thousand nine hundred eighty-one, one thousand nine hundred eighty-four, two thousand eighty, two thousand one hundred eleven, two thousand one hundred twelve of the Political Code of the State of California, and to add one new section to said code to be known as section one thousand nine hundred sixty-three *a*, all relating to the organization, equipment, maintenance and government of the national guard of the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 772 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 336—An Act to amend section four thousand two hundred eighty of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 336 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty,

Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Purkitt, Rush, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 454—An Act to amend sections forty-two hundred sixty-three and forty-two hundred sixty-three *a* of the Political Code relating to the salaries of officers and fees of jurors in counties of the thirty-fourth class.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 454 passed by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1120—An Act to amend sections seven, eight, eight *a*, eight *b*, eight *d*, and nine of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907; approved March 19, 1909; approved April 25, 1911; approved June 11, 1913.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1120 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—33.
NOES—Senator Duncan—1.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined the following:

Senate Bill No. 723—An Act amending an Act entitled "An Act establishing a legislative counsel bureau and making an appropriation therefor," approved May 26, 1913, by amending section 2 thereof, relating to the duties of the chief of the legislative counsel bureau;

Also: Senate Bill No. 726—An Act to add a new section to the Penal Code to be numbered fifty *a* making it a felony to sign to any initiative, referendum, or recall or nominating petition a fictitious name or the name of another and prescribing the penalty therefor;

Also: Senate Bill No. 727—An Act to add a new section to the Penal Code of the State of California to be known as section sixty-four *b*, prohibiting misrepresentation or fraud in initiative, referendum or recall petitions, and prescribing a penalty therefor;

Also: Senate Bill No. 1057—An Act to amend section four of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901;

And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1058—An Act to amend section five of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 19, 1889, as amended—and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

USE OF SENATE CHAMBER GRANTED.

Senator Shearer asked for and was granted unanimous consent for the use of the Senate Chamber for a public hearing by the Committee on Public Health and Quarantine, for consideration of Senate Bill No. 1227, on Tuesday evening, March 30, 1915, at eight o'clock.

RECESS.

At twelve o'clock and thirty minutes p.m., the President pro tem. declared the Senate at recess until two o'clock p.m.

RE-CONVENED.

At two o'clock p.m., the Senate re-convened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

THIRD-READING FILE—ASSEMBLY BILLS.

Assembly Bill No. 310—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21 and 26 of said Act.

On motion of Senator Maddux, Senate Bill No. 310 was passed on file.

SECOND-READING FILE—ASSEMBLY BILLS.

Assembly Bill No. 44—An Act to amend section four hundred twenty-seven of the Code of Civil Procedure of the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 1, page 1, after the figures "427.", strike out the following: "What causes of action may be joined."

Amendment lost.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 177—An Act to amend sections two thousand one hundred fifty-three *a* and two thousand one hundred sixty-one of the Political Code, relating to the government and management of State hospitals for the insane and other incompetent persons.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 624—An Act to amend section four thousand two hundred fifty-seven of the Political Code, relating to the compensation of county and township officers of counties of the twenty-eighth class, and to number, appointment and salaries of their assistants and deputies.

Bill read second time, and ordered on file for third reading.

SECOND READING OF SENATE BILLS—OUT OF ORDER.

On motion of Senator Thompson, the second reading of Senate bills was taken up, out of the regular order.

Senate Bill No. 818—An Act to add a new section to the Penal Code of the State of California, to be known as section six hundred fifty-four *b*, relating to the protection of the purchasers of real estate against fraud and deception.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3, page 1, after the words "six hundred and fifty four *b*", strike out the figures "654*b*" and the parentheses enclosing same.

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 5, page 1, after the word "employee" insert the following: "or agent".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 13, page 1, after the word "and", strike out the words "calculated to mislead, is guilty of" and insert in lieu thereof the following: "which is made or disseminated with the intention of misleading, is guilty of a".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 824—An Act to add a new section to an Act entitled "An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for their care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, statutes of California of 1913, page six hundred eight, to be known as section ten *a*, relating to the translation of contracts and other documents.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4, page 2, after the word "making" strike out the word "as" and insert in lieu thereof the word "an".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 7, page 2, after the words "ten *a*" strike out the figures "10*a*" and the parentheses enclosing same.

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 13, page 2, after the word "translations" insert the following: "to be determined by the commission, and".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 797—An Act to amend section four hundred ten of the Political Code, relating to the distribution of the laws, resolutions and journals of legislature; of reports of supreme court.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 518—An Act to amend section two hundred seventy of the Penal Code of the State of California.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 670—An Act to amend section two hundred ninety *a* of the Civil Code of the State of California, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary or trustee or to engage in the business of banking.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill 671—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered one thousand two hundred and seventy-three, relating to escheated property.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 672—An Act to amend section one thousand two hundred seventy-eight of the Code of Civil Procedure of the State of California, relating to hearing application for change of name, and remonstrance, and requiring production of the certificate of the Superintendent of Banks, by banking corporations, that name desired does not resemble so closely as to be likely to cause confusion, the name of any other bank previously formed under the laws of this state.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 38—An Act to amend an Act known as "The Building and Loan Commission Act"—chapter 354, Laws of 1911, approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be known as and numbered section nine *a*, relating to the powers and duties of the Building and Loan Commissioner; fixing the grade and penalty for non-compliance with his orders; providing for the assistance of a peace officer to enforce his demands.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 84—An Act to amend the Civil Code of the State of California by adding thereto a new section, to be known and numbered six hundred forty-two *a*, relating to building and loan associations.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1089—An Act to amend the Political Code of the State of California by adding a new section thereto to be designated section one thousand one hundred ninety-four, relating to the preservation and subsequent destruction by the Secretary of State of initiative, referendum and recall petitions.

Bill read second time, ordered engrossed and on file for third reading.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

On motion of Senator Thompson the following Senate bills were taken up for consideration out of the regular order:

Senate Bill No. 956—An Act to amend section eight hundred sixty-two of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benedict moved that Senate Bill No. 956 be referred to Senator Luce as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, sub-section 9, line 34, change the period to a comma and add the following thereto: "*provided, however*, that in cities which have constructed or may hereafter construct embankments, sea-walls, or other works to protect such cities from overflow, said board of trustees may levy and collect annually, a property tax which shall not exceed twenty cents on each one hundred dollars, which, when collected, shall be kept in a separate fund and used for the construction and maintenance of embankments, sea-walls, or other works to protect such city from overflow and for no other purpose."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 956, with instructions to amend, respectfully reports the same back, amended as per instructions.

LUCE, Committee.

Report read and, on motion of Senator Benedict, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 7—An Act to amend section one thousand four hundred fifty-four of the Code of Civil Procedure relating to the collection by surviving heirs of money in banks.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 7 passed by the following vote:

AYES—Senators Beban, Benedict, Birdsall, Butler, Campbell, Chandler, Cohn, Crowley, Duncan, Flaherty, Hans, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 196 - An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

On motion of Senator Ballard, Senate Bill No. 196 was passed on file.

Senate Bill No. 1057—An Act to amend section four of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1057 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1058—An Act to amend section five of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 19, 1889, as amended.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1058 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 723—An Act amending an Act entitled "An Act establishing a legislative counsel bureau and making an appropriation therefor," approved May 26, 1913, by amending section two thereof.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 723 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Finn, Flaherty, Flint, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 725—An Act to add a new section to the Political Code to be numbered eleven hundred ninety-seven *a*, relating to titles and summaries for initiative and referendum measures.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 725 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Kehoe, King, Luce, Maddux, Mott, Owens, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 726—An Act to add a new section to the Penal Code to be numbered four hundred seventy-two *a*, relating to signing to any initiative, referendum, or recall petition a fictitious name or the name of another.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 726 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Jones, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill 727—An Act to add a new section to the Penal Code of the State of California to be known as section sixty-four *b*, relating to prohibiting misrepresentation or fraud in relation to certain initiative, referendum or recall petitions, and prescribing a penalty therefor.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 727 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At three o'clock and ten minutes p.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Luce asked for, and was granted, unanimous consent to take up out of the regular order for the purpose of amendment, Assembly Bill No. 64—An Act providing that any person, firm, association or corporation or agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor and providing that said accused employee shall have the opportunity to be confronted with the person making such report, and providing for the punishment for the violation thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, in line 2 of the title of the printed bill, strike out the words "person, firm, association or corporation or" and insert in lieu thereof the following: "public service corporation."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, in lines 8, 9 and 10 of the title of the printed bill, strike out the words "and providing that said accused employee shall have the opportunity to be confronted with the person making such report,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, in lines 1 and 2 of the printed bill, strike out the words "person, firm, association or corporation or" and insert in lieu thereof the following: "public service corporation,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, in line 5 of the printed bill, strike out the word "his" and insert in lieu thereof the following: "its".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, in line 6 of the printed bill, strike out the word "his" and insert in lieu thereof the following: "its".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, in line 7 of the printed bill, strike out the word "his" and insert in lieu thereof the following: "its".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, in line 11 of the printed bill, strike out the word "his" and insert in lieu thereof the following: "its".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, in line 11 of the printed bill, strike out the words "an association or a" and insert in lieu thereof the following: "a public service".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, in lines 2 and 3 of the printed bill, strike out the words "shall have an opportunity to be confronted with the person making such report and,".

Amendment read.

AMENDMENT NUMBER TEN.

On page 2, in line 2 of the printed bill, after the word "ing" insert the following: "said employer shall state specific charges on which said act or discharge is based and at which".

Amendment read.

AMENDMENT PROPOSED FROM FLOOR.

By Senator Luce:

AS SUBSTITUTE FOR AMENDMENTS NUMBERS NINE AND TEN, PROPOSED BY COMMITTEE

On page 2 of the printed bill, strike out lines 1 to 4 inclusive, and insert in lieu thereof the following: "thus accused, when requested by said employee, at which hearing said employer shall state each specific charge on which said act or discharge is based, and at which said employee shall have the right to furnish testimony in his defense, and also to have a representative present."

Substitute read.

Senator Luce moved the adoption of the substitute.

MOTION.

Senator Campbell moved that Assembly Bill No. 64 be re-committed to the Committee on Labor and Capital.

Motion duly seconded by Senator Kehoe.

Motion carried.

Assembly Bill No. 64, as amended, ordered re-committed to the Committee on Labor and Capital, to retain its place on file.

REQUESTS FOR INTRODUCTION OF BILLS.

Senator King requested permission to introduce a Senate bill entitled: "An Act to amend an Act entitled, 'An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes,' approved March 31, 1897, by amending section 19 thereof, relating to elections held in such districts."

Request referred to Committee on Introduction of Bills.

Senator Anderson requested permission to introduce a Senate bill entitled: "An Act creating a lien for labor, work, services or material furnished for eradicating scale insects, codling moth or other pests, and infectious diseases, injurious to fruit, trees, vegetables, plants or vines, or their egg or larvæ, by fumigation or other method, by any person, firm, corporation or association, and providing for the method of creating an enforcement of such lien upon the lands upon which such work, labor, services or materials are furnished."

Request referred to Committee on Introduction of Bills.

ADJOURNMENT.

At three o'clock and fifteen minutes p.m., on motion of Senator Kehoe, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Thursday, March 25, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

LEAVE OF ABSENCE.

Senators Cohn and Birdsall were, on motion of Senator Thompson, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 24, 1915, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. H. Spaulding, of Oakland, Dr. David P. Barrows, of University of California, Berkeley, L. E. Milligan, and Livingston Jenks, of the California School for the Deaf and the Blind, Berkeley.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 303—An Act to recognize and declare valid all proceedings in Anderson-Cottonwood Irrigation District;

Also: Senate Bill No. 309—An Act to recognize and declare valid all proceedings in La Mesa, Lemon Grove and Spring Valley Irrigation Districts;

Also: Senate Bill No. 461—An Act to validate the formation of certain districts formed under the provisions of an Act entitled "An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof," approved June 13, 1913, and to validate the issuance and sale of certain bonds thereof;

Also: Assembly Bill No. 266—An Act to amend an Act entitled "An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or

municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," by amending section four of said Act;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

MADDUX, Chairman.

Senate Bills Nos. 303, 309, and 461, ordered on file for second reading.

Assembly Bill No. 266 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 83—An Act to amend section six hundred forty six of the Civil Code, relating to building and loan associations—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

HANS, Chairman.

Senate Bill No. 83 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 797—An Act to amend section four hundred ten of the Political Code, relating to the distribution of the laws, resolutions and journals of legislature, of reports of Supreme Court;

Also: Senate Bill No. 518—An Act to amend section two hundred seventy of the Penal Code of the State of California;

Also: Senate Bill No. 670—An Act to amend section two hundred ninety *a* of the Civil Code of the State of California relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary, or trustee or to engage in the business of banking;

Also: Senate Bill No. 671—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered one thousand two hundred and seventy-three, relating to escheated property;

Also: Senate Bill No. 672—An Act to amend section one thousand two hundred seventy-eight of the Code of Civil Procedure of the State of California relating to hearing application for change of name, and remonstrance, and requiring production of the certificate of the Superintendent of Banks, by banking corporations, that name desired does not resemble so closely as to be likely to cause confusion, the name of any other bank previously formed under the laws of this State;

Also: Senate Bill No. 38—An Act to amend an Act known as "The Building and Loan Commission Act"—chapter 354, Laws of 1911—approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be known as and numbered section 9*a*, relating to the powers and duties of the Building and Loan Commissioner; fixing the grade and penalty for non-compliance with his orders; providing for the assistance of a peace officer to enforce his demands;

Also: Senate Bill No. 84—An Act to amend the Civil Code of the State of California by adding thereto a new section to be known and numbered six hundred forty-two *a*, relating to building and loan associations;

Also: Senate Bill No. 1089—An Act to amend the Political Code of the State of California by adding a new section thereto to be designated section one thousand one hundred ninety-four, relating to the preservation and subsequent destruction by the Secretary of State of initiative, referendum and recall petitions;

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to whom was referred the request of Senator King to introduce a bill entitled: "An Act to amend an Act entitled 'An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes,' approved March 31, 1897, by amending section 19 thereof, relating to elections held in such districts";

Also the request of Senator Anderson to introduce a bill entitled: "An Act creating a lien for labor, work, services or material furnished for eradicating scale, insects, codling moth or other pests, and infectious diseases, injurious to

fruit, trees, vegetables, plants or vines, or their eggs or larvæ, by fumigation or other method, by any person, firm, corporation or association, and providing for the method of creating and enforcement of such lien upon the lands upon which such work, labor, services or materials are furnished":
Has had the same under consideration and respectfully reports the same back and recommends that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section two of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Kehoe, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with above report:

By Senator King: Senate Bill No. 1231—An Act to amend an Act entitled, "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section 19 thereof, relating to elections held in such districts.

Bill read first time, and referred to Committee on Irrigation.

By Senator Anderson: Senate Bill No. 1232—An Act creating a lien for labor, work, services or material furnished for eradicating scale insects, codling moth or other pests, and infectious diseases, injurious to fruit, trees, vegetables, plants or vines, or their eggs or larvæ, by fumigation or other method, by any person, firm, corporation or association and providing for the method of creating and enforcement of such lien upon the lands upon which such work, labor, services or materials are furnished.

Bill read first time, and referred to Committee on Agriculture.

PETITION—(OUT OF ORDER).

By consent of the Senate, Senator Duncan presented the following petition, out of the regular order, which was read and ordered printed in the Journal:

RESOLUTIONS.

Adopted at mass meeting held in Marysville, March 5, 1915. On this occasion the business houses were closed and over 800 people attended the meeting. Hon. A. C. Bingham presided and H. H. Dunning was secretary.

We, your committee appointed to draft resolutions expressing the sentiment of this meeting in reference to the construction of a by-pass through the Sutter tules, as outlined in the plans of Reclamation District No. 1500, do hereby offer the following:

Resolved, That this meeting endorses the resolutions adopted at a mass meeting of landowners held in Yuba City on February 27, 1915, and also the resolutions adopted by the board of supervisors of Sutter County on February 5, 1915, and by the board of supervisors of Yuba County on February 3, 1915, and desires to place this community on record as follows:

The history of this community will show that its citizens have all through the past cheerfully borne their share of the burden of combating the flood waters of this valley. In the light of this fact they can not be justly accused of being opposed to any fair and reasonable plan of reclamation or flood control.

We are familiar with the plans of United States government engineers for handling the flood waters of the Sacramento Valley, and are in full accord therewith.

We are opposed to the construction of a by-pass in the tule basin as outlined in the plans of District No. 1500, being contrary to the plans of the United States government engineers and detrimental to the landowners in other parts of Sutter and Yuba counties.

We appeal to the sense of justice of all fair minded men, that it is neither right nor just to interfere with natures provisions by taking the flood waters of one river (the Sacramento) and by forcing them across the country, deliver them into another river (the Feather), to the great detrament of all the property owners along the latter river whose investments have been made in the light of natural river conditions.

As the proposed eastern by-pass will raise the high-water mark in the Feather River at or near Nelson Slough several feet higher than the present level, we feel that Yuba County is vitally interested in the forestalling of such a program. Man's mind is incapable of foretelling the acts of God, and although the engineers employed by the State Reclamation Board claim that the high water mark at the Feather River bridge would be only raised one foot by the addition of the flood waters of the Sacramento River to the Feather River, this is, at its best, but a theoretical estimate of what should be the case and can not, as we have too often learned to our sorrow, be accepted as a guarantee; and

WHEREAS, Sutter County and a number of landowners in said county have commenced separate actions against said Reclamation District No. 1500 and others, praying for an injunction against said reclamation district to restrain it from building any levees or dams which will divert said waters from said tule basin on to the highways and lands of said plaintiffs; and

WHEREAS, Said actions are now pending in the Superior Court of Sutter County before Hon. Emmett Seawell, judge of the Superior Court of Sonoma County, and said judge has ruled that the complaint of said landowners state a cause of action, and said actions are now awaiting trial on their merits.

We are opposed to any legislation favoring either side to the controversy, feeling that the courts of the land are the proper places for deciding such matters.

We further endorse the following specific objections to those certain bills as outlined and adopted by the board of supervisors of Sutter County.

Senate Bill No. 631 and Assembly Bill No. 759: This bill seeks to form a district to build the east levee of the by-pass system in Sutter County. It is objectionable because it also lays down the by-pass on the eastern location; it also included land in its boundaries which will have to bear the burden of this by-pass tax, some of which is included in Levee District No. 1 of Sutter County; some in Reclamation District No. 1001 of the east side of the Feather River; and all of Reclamation District No. 70 in Sutter County, and of Reclamation District No. 108 in Colusa County. To none of said districts does it add any value, but on the contrary adds to the danger and expense; and all for the purpose of aiding a handful of speculators to reclaim or attempt to reclaim land that they should pay for reclaiming themselves if they want it reclaimed, and by which reclamation they alone are benefited.

Senate Bill No. 634 and Assembly Bill No. 831: The objectionable features of this bill are: It attempts to again lay down the lines of levee of Reclamation District No. 1500 which are objectionable as before pointed out; also to permit such other levees to be constructed as the reclamation board may see fit; also that the powers of the board of supervisors are taken away and vested in the reclamation board, and in the event that said reclamation board ceases to exist then the board of supervisors of Sacramento County is to assume jurisdiction. There are a large number of resident landowners in Reclamation District No. 1500 who do not desire the board of supervisors of Sutter County to be divested of the supervision of the district, all of which district is within Sutter County

Senate Bill No. 660 and Assembly Bill No. 766: This bill is objectionable as it requires a county or any municipal corporation to give a bond if injunction is sought to restrain the reclamation board, or any levee or reclamation district, from doing damage. It is particularly aimed at the litigation that is now being waged by Sutter County and certain landowners against said Reclamation District No. 1500. But its effect may be disastrous to other counties or municipal corporations who may have a grievance against plans of the reclamation board.

Senate Bill No. 661 and Assembly Bill No. 764: This bill is particularly obnoxious and dangerous, as it clothes the reclamation board or any levee district or reclamation district following plans laid down by the reclamation board, with the power to do untold damage and such acts can not be restrained. While we are familiar with the saying, "The King can do no wrong," we think it is a dangerous power to place in the hands of the reclamation board or a reclamation district, and particularly dangerous at a time when its passage would deprive a county of its only adequate remedy of protection and relief from partial destruction, and irreparable injury, a condition brought about by the formation of District No. 1500 and the approval of its plans by the reclamation board.

Senate Bill No. 662 and Assembly Bill No. 765: This bill is also a dangerous departure in that it makes all actions involving injunctions against the reclamation board or levee or reclamation district triable in the Superior Court of Sacramento County; also the reclamation board must be made parties to all such suits and no costs or damage can be recovered from said reclamation board. They can do all manner of damage and a poor litigant seemingly is entitled to no relief. Although a litigant may have a just grievance, he may live in the upper Sacramento Valley or in the southern part of the State, but he must travel to Sacramento County to fight his cause, and then be told he can recover nothing from the reclamation board or its members. And it is particularly dangerous because Senate Bill No. 661, above noted, provides that the carrying out of any plans laid down by the reclamation board can not be restrained or enjoined. We have, therefore, the awful situation of not being able to restrain a threatened damage, and then if damage results the sufferer can not recover damage or costs therefor.

Senate Bill No. 722 and Assembly Bill No. 793: This bill is an attempt to amend the act creating the reclamation board and the formation of the Sacramento and San Joaquin Drainage District, and has many of the objectionable features pointed out in the preceding bills. It also takes away many of the rights and powers of existing districts, allows compensation to promoters of new projects for works which they may construct, but does not attempt to recompense existing districts for the money heretofore expended by existing districts for similar works which are taken in as part of the scheme.

Senate Bill No. 910 and Assembly Bill No. 1151: This bill seeks to create a new reclamation district north of the Tisdale weir and west of the proposed "eastern located by-pass." It has several vices. Many of the landowners in the proposed district do not desire this district created; and if created it will fix permanently the Sutter by-pass along the rimland or high land to the east and cause a large area of the high land on the east thereof to be inundated and cause the infliction of much damage as demonstrated by the creation of Reclamation District No. 1500. It also has the objectional features of divesting the board of supervisors of Sutter County of any control and causing landowners therein to journey to Sacramento County; and contains all the objectionable features of Senate Bill No. 634 and Assembly Bill No. 831, above noted.

Senate Constitutional Amendment No. 34 and Assembly Constitutional Amendment No. 30: This amendment seeks to form a river control board with unlimited powers. It permits the destruction, taking or damaging by such board of either public or private property upon ten days' notice, and the awarding of such compensation as it sees fit. All its acts are final and shall not be subject to review by any board, person or court; it has power to divert or close up a non-navigable water course. In short, all its powers are supreme. We want no "star chamber" created to replace the jury system in California.

We do not stand in the way of river control or reclamation of swamp lands. But we do insist that the private rights of individuals and the rights of Sutter County should not be invaded in order that swamp land be reclaimed. If the owners of swamp land wish reclamation they should bear the burden, and should not be permitted to damage and endanger the high lands of others in so doing.

All we ask is a square deal. No further legislation along the lines suggested should be permitted until the result of the litigation into which the reclamation board and Reclamation District No. 1500 has forced this county and a large number of its resident taxpayers has been determined.

We respectfully ask in the interest of fair play that such legislation be not enacted, and that the fundamental law of this State be not changed in the interest of a private reclamation scheme under the guise of river control; be it, further,

Resolved, That we, the taxpayers of Marysville and Yuba County, in meeting assembled, do hereby pledge ourselves to spare no effort in our fight to defeat this unjust legislation and that we urge upon our representatives in the Legislature that they use all honorable means to prevent the passage of such bills as are herein discussed; be it, further,

Resolved, That a committee of three be appointed to act with the Sutter County committee in order that as large a delegation as possible may go before the Legislature and Governor to protest against iniquitous legislation.

DUNNING RIDEOUT.
A. W. LEWIS.
H. CHEIM.
W. M. BROWN.
S. EWELL.

H. H. DUNNING, Secretary of Meeting.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Constitutional Amendment No. 1—Proposed amendment to article VI of the Constitution, relative to the method of selecting the Justices of the Supreme Court, Justices of the District Courts of Appeal and Judges of the Superior Courts—has had the same under consideration, and respectfully report the same back and recommend that it be not adopted.

KEHOE, Chairman.

Senate Constitutional Amendment No. 1 ordered on file.

Also:

SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Constitutional Amendment No 2—A resolution to propose to the people of the State of California, by adding to article VI of said constitution a new section to be numbered section six and one-half, relating to the term of office of judges of the Superior Court—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

KEHOE, Chairman.

Also:

MINORITY REPORT ON SENATE CONSTITUTIONAL AMENDMENT NUMBER TWO

The undersigned, members of the Judiciary Committee, recommend that Senate Constitutional Amendment No. 2 be *not* adopted.

CARR
TYRRELL.
LUCE
BENEDICT.
KEHOE
DUNCAN.
IRWIN.

Senate Constitutional Amendment No. 2 ordered on file.

Also:

SACRAMENTO, March 25, 1915

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 274—An Act to amend section four thousand three hundred sixteen of the Political Code of the State of California, relating to officers prohibited from practicing law—has had the same under consideration, and respectfully report the same back and recommend that it do pass.

KEHOE, Chairman.

Senate Bill No. 274 ordered on file for second reading.

Also:

SACRAMENTO, March 25, 1915

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 107—An Act to amend section one thousand seven hundred twenty-six *a* of the Code of Civil Procedure of California, relating to the payment of funeral expenses of deceased persons by public administrator—has had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

KEHOE, Chairman.

Senate Bill No. 107 ordered on file for second reading.

Also:

SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 718—An Act to amend section seven hundred thirty-seven of the Political Code, relating to the salary of superior judges—has had the same under consideration, and respectfully reports the same back and recommends that it do pass and be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 718 ordered re-referred to Committee on Finance.

CONSIDERATION OF DAILY FILE—THIRD READING.

Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

On motion of Senator Flaherty, Senate Bill No. 10 was passed on file.

Senate Bill No. 196—An Act to amend section two hundred of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 196 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21, and 26 of said Act.

On motion of Senator Strobridge, Senate Bill No. 105 was passed on file.

Senate Bill No. 982—An Act to amend an Act entitled "An Act providing for the time of payment of wages," approved May 1, 1911, by amending section three thereof, providing penalties for the violation of said Act.

On motion of Senator Lyon, Senate Bill No. 982 was passed on file to retain its place on the file.

Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

On motion of Senator Finn, Senate Bill No. 55 was passed on file to retain its place on the file.

Senate Bill No. 987—An Act to amend an Act entitled "An Act prohibiting the issuances as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911, by prohibiting the issuance of any scrip, coupons, cards, or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money.

Read third time.

On motion of Senator Lyon, Senate Bill No. 987 was passed on file to retain its place on the file.

Senate Bill No. 266—An Act to provide for memorial halls and meeting places for army and navy veterans of the Civil war, the Spanish-American war, and the Philippine insurrection.

On motion of Senator Scott, Senate Bill No. 266 was passed on file to retain its place on the file.

Senate Bill No. 12—An Act to amend sections three thousand four hundred fifty-seven and three thousand four hundred sixty-six of the Political Code of the State of California, relating to reclamation and swamp land districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 12 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Title read and approved

Bill ordered transmitted to the Assembly

Senate Bill No. 31—An Act to add a new section to the Political Code of the State of California, to be numbered section three thousand four hundred seventy-six and one-half, relating to reclamation and swamp land districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 31 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 151—An Act to amend section three thousand four hundred ninety-one of the Political Code of the State of California, relating to reclamation and swamp land districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 151 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Breed, Brown, Campbell, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 953—An Act to amend section three thousand four hundred sixty-two of the Political Code, relating to assessments of reclamation districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 953 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Campbell, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 832—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred thirty-seven *b*, relating to the protection of game.

On motion of Senator Flint, Senate Bill No. 832 was passed on file to retain its place on the file.

Senate Bill No. 715—An Act to amend section four hundred eighty-five of the Civil Code of the State of California, relating to damages in certain cases.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Stuckenbruck moved to refer to Senator Purkitt as a Special Committee of One to amend Senate Bill No. 715 as follows:

Insert in line 6, page 1 of the printed bill after the word "property" a comma and the following: "except where the same runs through or upon public land".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 715, with instructions to amend, respectfully reports the same back, amended as per instructions.

PURKITT, Committee.

MOTION.

On motion of Senator Stuckenbruck, further consideration of the above report was postponed until the next legislative day.

Senate Bill No. 199—An Act to amend section one thousand eight hundred eighty-one of the Code of Civil Procedure of the State of California, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 199 was passed on file to retain its place on the file.

Senate Bill No. 319—An Act validating the formation and organization and determining the boundaries of Alameda County Water District in the county of Alameda, State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 319 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1005—An Act to carry into effect the provisions of section one *a* of article XIII of the Constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered three thousand six hundred thirteen.

On motion of Senator Jones, Senate Bill No. 1005 was passed on file.

Senate Bill No. 558—An Act to amend section two thousand nine hundred seventy-eight of the Political Code, relating to the constitution of the State Board of Health and the terms of the members of said board.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Brown moved to refer to Senator Benedict, as a Special Committee of One, to amend Senate Bill No. 558 as follows:

On page 1, line 13, of the printed bill, after the period in said line, insert the following: "The member of the board who is a sanitary engineer shall receive a salary of thirty-six hundred dollars per annum, to be paid out of the general fund at the same time and in the same manner as the salaries of State officers are paid."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 558, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENEDICT, Committee.

Report read, and refused adoption.

Senate Bill No. 558 read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Brown moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

The Secretary announced the absentees.

Time, eleven o'clock and forty-five minutes a.m.

The President pro tem. directed the Sergeant-at-Arms to close the doors.

The doors were closed.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and forty-eight minutes a.m., Senators Flint and Scott were brought to the bar of the Senate, and, on motion of Senator Gerdes, they were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and fifty minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Lyon.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 558 refused passage by the following vote:

AYES—Senators Beban, Benedict, Brown, Butler, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, King, Lyon, Rush, Stuckenbruck, and Wolfe—16.

NOES—Senators Anderson, Ballard, Benson, Breed, Campbell, Chandler, Gerdes, Hans, Jones, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—22.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and fifty-five minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

NOTICE OF MOTION TO RECONSIDER.

Senator Brown gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 558 was refused passage.

Senate Bill No. 969—An Act to add a new section to the Code of Civil Procedure to be numbered one hundred three *a*, relating to the duties of clerks of certain justices of the peace.

On motion of Senator Benson, Senate Bill No. 969 was passed on file.

Senate Bill No. 797—An Act to amend section four hundred ten of the Political Code, relating to the distribution of the laws, resolutions and journals of legislature; of reports of supreme court.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 797 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Breed, Butler, Campbell, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—32.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 518—An Act to amend section two hundred seventy of the Penal Code of the State of California.

On motion of Senator Butler, Senate Bill No. 518 was passed on file.

Senate Bill No. 670—An Act to amend section two hundred ninety *a* of the Civil Code of the State of California, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary or trustee or to engage in the business of banking.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 670 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Campbell, Chandler, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 671—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered one thousand two hundred and seventy-three, relating to escheated property.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 671 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 672—An Act to amend section one thousand two hundred seventy-eight of the Code of Civil Procedure of the State of California, relating to hearing application for change of name, and remonstrance, and requiring production of the certificate of the Superintendent of Banks, by banking corporations that name desired does not resemble so closely as to be likely to cause confusion, the name of any other bank previously formed under the laws of this State.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 672 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 38—An Act to amend an Act known as "The Building and Loan Commission Act"—chapter 354, Laws of 1911, approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be known as and numbered section nine *a*, relating to the powers and duties of the Building and Loan Commissioner; fixing the grade and penalty for non-compliance with his orders; providing for the assistance of a peace officer to enforce his demands.

On motion of Senator Benson, Senate Bill No. 38 was passed on file.

Senate Bill No. 84—An Act to amend the Civil Code of the State of California by adding thereto a new section, to be known and numbered six hundred forty-two *a*, relating to building and loan associations.

On motion of Senator Benson, Senate Bill No. 84 was passed on file.

Senate Bill No. 1089—An Act to amend the Political Code of the State of California by adding a new section thereto to be designated section one thousand one hundred ninety-four, relating to the preservation and subsequent destruction by the Secretary of State of initiative, referendum and recall petitions.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1089 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Chandler, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Scott moved to reconsider the vote whereby Senate Bill No. 406—An Act to select, designate and adopt a state song to be known as "California's State Song"—was refused passage.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 406 was refused passage carried by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Chandler, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 406 passed by the following vote:

AYES—Senators Beban, Benson, Breed, Campbell, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Tyrrell, and Wolfe—25.

NOES—Senators Anderson, Ballard, Benedict, Butler, Jones, Kehoe, King, Mott, Strobridge, and Thompson—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILLS.

Senator Shearer asked for and was granted unanimous consent to withdraw Senate Bills Nos. 993 and 1211.

Senate Bills Nos. 993 and 1211 ordered withdrawn and stricken from the file.

REQUESTS FOR INTRODUCTION OF BILLS.

Senator Stuckenbruck requested permission to introduce a Senate bill entitled:

"An Act to amend section thirty-eight hundred five *b* of the Political Code, relating to the correction and cancellation of assessments, sales to the State, certificates of sale, or tax deeds to the State."

Request referred to Committee on Introduction of Bills.

Senator Rush requested permission to introduce a Senate bill entitled:

"An Act to amend section four thousand two hundred fifty-five of the Political Code, relating to salaries and fees of officers in counties of the twenty-sixth class."

Request referred to Committee on Introduction of Bills.

Senator Campbell requested permission to introduce a Senate bill entitled:

"An Act providing an appropriation for painting and exterior repair of the building on the Capitol Grounds occupied by the state printing plant."

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate the following reports of standing committees were received and read out of the regular order:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 471—An Act to provide for the separation of the deaf and the blind departments in the California School for the Deaf and the Blind—and report that the same has been correctly enrolled.

And presented the same to the Governor on this 25th day of March, 1915, at ten o'clock a.m.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 438—An Act prohibiting employers of labor from interfering with the political activities of their employees and providing penalties for a violation hereof—and report that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 921—An Act to amend section three hundred forty-eight of the Code of Civil Procedure, relating to the limitation of actions brought to recover money or other property deposited with any bank, banker, trust company or savings and loan society, by including therein building and loan association—has had the same under consideration, and respectfully report the same back and recommend that it do pass.

HANS, Chairman.

Senate Bill No. 921 ordered on file for second reading

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 1113—An Act to amend sections eighteen hundred ninety-seven, eighteen hundred ninety-eight, nineteen hundred, nineteen hundred one of the Political Code, relating to making a roll of persons subject to military duty and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto—has had the same under consideration, and respectfully reports the same back and recommend that it do pass and be re-referred to the Committee on County Government.

SCOTT, Chairman.

Senate Bill No. 1113 ordered re-referred to Committee on County Government.

Also:

SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 775—An Act making an appropriation for the entertainment of the delegates to the convention of the National Guard Association of the United States, at its meeting in the city of San Francisco, California, during the year 1915;

Also: Senate Bill No. 773—An Act making available and re-appropriating certain moneys for the expenses of the National Guard in case of insurrection, invasion, tumult, riot or imminent danger thereof;

Also: Senate Bill No. 267—An Act to amend an Act entitled "An Act authorizing the Governor of the State of California to issue licenses to bodies of men to organize, drill, and bear arms as military companies or organizations, and providing for their control," approved March 9, 1911, by adding thereto two new sections to be numbered sections two and three, providing for an allowance for armory rent and proper and necessary incidental expenses, and providing for such companies means of target practice;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended and be re-referred to the Committee on Finance.

SCOTT, Chairman.

Senate Bills Nos. 775, 773 and 267 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 883—An Act to appropriate money for the erection of additional buildings for the use of the naval reserves of San Diego, California;

Also: Senate Bill No. 777—An Act making an appropriation for the subsistence, supplies, transportation and other expenses incidental to the encampment of the troops of the National Guard of California, upon the occasion of the Panama-Pacific International Exposition;

Also: Senate Bill No. 771—An Act making an appropriation for the purchase of lands in Sacramento County, State of California, for the use of the National Guard of California, for target and range purposes;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass and be re-referred to the Committee on Finance.

SCOTT, Chairman.

Senate Bills Nos. 883, 777 and 771 ordered re-referred to Committee on Finance.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 277—An Act to amend section one of an Act entitled "An Act to provide for direct legislation by cities and towns, including initiative and referendum," approved January 2, 1912—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BENSON, Chairman.

Senate Bill No. 277 ordered on file for second reading.

Also:

SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 728—An Act to amend section eleven hundred ninety-five of the Political Code, relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments, and to the printing and distribution of such constitutional amendments—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BENSON, Chairman.

Senate Bill No. 728 ordered on file for second reading.

Also:

SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 661—An Act to amend section eleven hundred thirty of the Political Code, relating to limitation upon the powers of supervisors in establishing election precincts—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BENSON, Chairman.

Assembly Bill No. 661 ordered on file for second reading.

Also:

SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 1173—An Act to amend an Act entitled "An Act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, by amending section four thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BENSON, Chairman.

Senate Bill No. 1173 ordered on file for second reading.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered, out of the regular order, by Committee on Contingent Expenses:

Resolved, That the Controller be, and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Senate in favor of Carrie A. Garrison for three days' work as Journal Clerk at $5 per day, for labor performed during the constitutional recess, and the State Treasurer is hereby directed to pay the same.

BEBAN, Chairman.

Senator Beban moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.
NOES—None.

THIRD READING OF BILLS (RESUMED).

Senate Bill No. 1150—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by providing for the taking over and administering by counties of certain functions, powers and property previously administered by municipalities that have disincorporated.

MOTION TO REFER TO A SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer to Senator Benson as a Special Committee of One to amend Senate Bill No. 1150 as follows:

Strike out all of the bill after the word and numeral "Section 1" on line 1 of the printed bill and insert in lieu thereof the following: "An Act entitled 'An Act to provide for the disincorporation of municipal corporations of the sixth class,' approved March 26, 1895, is hereby amended by adding thereto a new section to be numbered section 2*a*, and to read as follows:

Sec. 2*a*. In the event of the disincorporation of any municipality under the provisions of this Act, the board of supervisors of the county in which such municipality was situated may by ordinance assume control and authority over all electric, power, lighting or gas plants or water systems or waterworks, or street lighting or other public utilities owned by such municipality at the time of its disincorporation, and thereafter continue to administer and conduct the same. In case the revenues from any such public utility are not sufficient for the administration, conduct or improvement thereof, then said board of supervisors shall have power to levy a special tax upon all properties within the former corporate limits of said municipality, said special tax to be levied upon the assessed value of such properties as shown by the assessment thereof by the county assessor as of March first of that year, and shall be collected in the same manner and form as other county taxes are collected, and all sums so collected shall be placed in a separate fund with the county treasurer for the administration, conduct and improvement of the public utility for which said tax is levied."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1150, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Committee.

Report read and, on motion of Senator Jones, adopted.

Bill ordered to print and re-engrossment.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

SECOND-READING FILE.

Senate Bill 1226—An Act to amend section twenty-one hundred forty-five of the Political Code, relating to state hospitals for the insane and other incompetent persons.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 744—An Act to provide for the protection of breeders and growers of live stock from theft, for registration of brands, butchers and slaughter-houses, and the inspection of live stock and the hides thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3 of the title of the printed bill, after the word "of" in said line, insert the words "marks and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 8 of the printed bill, after the word "kind" in said line, insert a comma and the following: "except as hereinafter provided,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5 of the printed bill strike out all of lines 27, 28 and 29 and insert in lieu thereof the following: "Sec. 11. Before any brand or earmark shall be recorded the person applying therefor shall pay to the secretary of said board the sum of two dollars, except that where the applicant owns ten head or less, the charge shall be fifty cents. Upon such record having been".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, line 11 of the printed bill, strike out the word "of" following the word "hides' in said line and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 7 of the printed bill, strike out lines 4 and 5, and insert in lieu thereof the following: "sum of one dollar; *provided, however*, that if it shall appear from said statement that such applicant is the owner of ten head or less, the sum to be transmitted to the board shall be fifty cents. Upon the filing of said statement and the payment of said fee, the secretary shall issue to the owner of".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 9 of the printed bill strike out all of lines 22, 23, 24, 25 and 26 and insert in lieu thereof the following: "Sec. 21. It is hereby expressly provided that this Act shall not in any particular apply to registered thoroughbred cattle or thoroughbred cattle which can be identified as being entitled to registration."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 9 of the printed bill, strike out all of line 28, after the word "cattle" and the words "any range" in line 29.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 10, line 33 of the printed bill, after the word "fact" insert the following: "or authorized to so slaughter, sell or expose for sale such animal, or the meat thereof, by such owner,".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 10, line 36 of the printed bill, after the word "aforesaid" insert the following: "such person or persons".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 11 of the printed bill strike out all of lines 9 to 27 inclusive, and insert in lieu thereof the following: "Sec. 26. The live stock inspection board shall grant to each and every applicant therefor, on the payment of the fees herein provided for, a license to slaughter horned and neat cattle for the unexpired portion of the calendar year in which such license is granted. The fees for licenses to carry on such business shall be the following:

1. An initial fee of six dollars shall accompany such application, except that where the license applied for is for a shorter term than a full calendar year, a proportionate part only of said sum of six dollars must accompany said application; *provided*, that no license shall be granted for a shorter term than to December thirty first of the year in which it is issued.

2. Every holder of such license must, at the expiration of each calendar month, in addition to the above initial fee, pay to the said live stock inspection board the sum of five cents per head for every animal slaughtered by him during said month; said payment shall be accompanied by a statement, signed by the licensee, or, if a corporation, then by its officers, showing the days on which animals were slaughtered and the number slaughtered on each day. Said statement shall be filed with the secretary of said board.

3. Upon failure of any person, for a period of twenty days, to make such payment or to file said statement in the manner above provided, the license of such person so failing to make said payment or to file such statement shall be forfeited, and no new license shall be issued to such person until a new application is made by him, accompanied by the initial fee hereinabove provided for."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 12, of the printed bill, strike out all of lines 1 to 7, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 13, lines 13 to 18 of the printed bill, strike out the semicolon following the word "hide" in said line 13, also all of lines 14 to 18, inclusive, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 17, line 15, of the printed bill, strike out the word "live".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 17, line 16, of the printed bill, strike out all of said line and insert in lieu thereof the following: "cattle to permit his range cattle to roam and feed upon".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 17, line 30, of the printed bill, after the word "the" insert the following: "enclosed or".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 17, of the printed bill, strike out all of lines 35 to 37, inclusive, and insert in lieu thereof the following: "or any person for him. The en-".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 18, line 4, of the printed bill, after the word "the" insert the words "enclosed or".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 18, line 7, of the printed bill, after the word "is" insert the words "kept or".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 19 of the printed bill, after line 11, insert a new paragraph as follows: "Sec. 48. All officers and employees whose duties are prescribed in this act and all expenditures of moneys herein provided for are hereby exempted from the provisions of an Act entitled "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor," approved June 16, 1913.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following message from the Assembly was taken up and read out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 715—An Act to provide for and regulate primary elections and providing for the election of party committees, and to repeal the Act providing for and regulating primary elections known as the direct primary law and approved June 16, 1913, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 715 read first time, and referred to Committee on Elections.

LEAVES OF ABSENCE.

At the request of Senator Strobridge, Senators Mott and Strobridge were granted leave of absence for the balance of this legislative day.

RECESS.

At twelve o'clock and thirty minutes p.m., the President pro tem. declared the Senate at recess until two o'clock p.m.

RE-CONVENED.

At two o'clock p.m., the Senate re-convened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Anderson, the privilege of the floor of the Senate chamber for this day was unanimously extended to Dean Thomas Hunt of the University of California, Berkeley.

THIRD READING FILE—ASSEMBLY BILLS.

Assembly Bill No. 310—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21 and 26 of said Act.

By order of the President pro tem., Assembly Bill No. 310 was passed on file.

Assembly Bill No. 44—An Act to amend section four hundred twenty-seven of the Code of Civil Procedure of the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 44 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Breed, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Flaherty, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Owens, Scott, Shearer, Slater, Thompson, and Wolfe—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 177—An Act to amend sections two thousand one hundred fifty-three *a* and two thousand one hundred sixty-one of the Political Code, relating to the government and management of State hospitals for the insane and other incompetent persons.

By order of the President pro tem., Assembly Bill No. 177 was passed on file.

Assembly Bill No. 624—An Act to amend section four thousand two hundred fifty-seven of the Political Code, relating to the compensation of county and township officers of counties of the twenty-eighth class, and to number, appointment and salaries of their assistants and deputies.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 624 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Crowley, Flaherty, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Shearer, Slater, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF SENATE BILLS.

Senate Bill No. 343—An Act to safeguard the youth of the state, in attendance at universities and normal schools, by adding a new section to the Penal Code of California, to be numbered and known as section one hundred seventy-two *b*, making unlawful the soliciting or receiving of orders for, also the sale, service or giving away of, spirituous, vinous, malt or other alcoholic liquors on or within one mile of the grounds of any university or state normal school, with certain exceptions.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 586—An Act to amend an Act entitled "An Act to define and regulate the business of banking," known as the Bank Act, approved March 1, 1909, by amending section fifty-three thereof added thereto by an Act entitled "An Act to amend that certain Act of the legislature of the State of California, entitled 'An Act to define and regulate the business of banking,' approved March 1, 1909, by amending sections eleven, twenty, twenty-three, thirty-three, thirty-five, thirty-nine, forty-three, forty-nine, sixty, sixty-two, eighty, eighty-two, eighty-three, ninety-six, one hundred twenty-three, one hundred thirty-three, one hundred twenty-four and one hundred twenty-one thereof, and by adding new sections twelve *a*, fifty-two, fifty-three, and eighty-four thereto."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title, strike out after the word "amend" all of the title and insert in lieu thereof the following: "section fifty-three of the 'Bank Act' of the State of California, approved March 1, 1909, approved as amended April 21, 1911."

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 4 of the printed bill, strike out the words "at least fifty" and insert in lieu thereof the words "one hundred".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 7 of the printed bill, after the word "stock" add the following: "*provided, however*, that no bank whose capital stock, on January 1, 1915, failed to comply with any of the requirements of this section, shall be compelled to change its capital stock in compliance herewith."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 80.—An Act to amend section six hundred forty-seven of the Civil Code, relating to building and loan associations.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out all of line 3 of the printed bill after the period following the figures 647 and all of lines 4 to 10, inclusive, and insert in lieu thereof the following: "Any building and loan association may invest in or loan upon bonds of the United States, of the State of California, or of any county, municipality or school district of said State, or of any public utility corporation, and may also invest in or loan upon notes or bonds secured by mortgage or deed of trust, payment of which is guaranteed by a policy of mortgage insurance, or mortgage participation certificates, issued by a mortgage insurance company in accordance with the provisions of chapter VIII, of title II of part IV of division I of the Civil Code, the total of which investments at any one time shall not exceed twenty-five per centum of the assets of such association; *provided, however*, that any such loan or investment made by such association must be approved by the official, or officials, vested with the powers of supervision and license."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 346—An Act to amend section one thousand four hundred thirty-one of the Political Code, to provide for payment of the traveling expenses of the regents of the University of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, strike out the period after the word "board" and all of lines 6, 7, 8 and 9, and insert in lieu thereof the following: ", which shall be payable from the State University Fund, upon the order of the board, in the manner provided by law for the payment of other claims and demands against said fund."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 423—An Act to amend section one thousand seven hundred thirty of the Political Code, relating to boards of trustees in high school districts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Page 1, line 2, strike out all matter following the colon which immediately succeeds the word "follows", and substitute the following: "1730. In every union or joint union high school district, the high school board shall be composed of five members who shall be elected from the high school districts at large for the term of three years, except as hereinafter provided. When any union or joint union high school district is formed, the Superintendent of Schools who has jurisdiction over the same shall, within fifteen days thereafter, call an election in said union or joint union high school district for the purpose of electing a high school board. Such election shall be held at the school house of each school district in the high school district, and such Superintendent of Schools shall appoint the same number of officers of election for each school district, and give the same notices of election as are required for the election of school trustees, and the election shall be held in the same manner as are elections of school trustees, except that the returns shall be at once sent to such Superintendent of Schools, and he shall canvass the same and issue certificates of election to the persons elected. One member shall be elected to hold office from the day of receiving his certificate of election until the first day of May next succeeding; two members shall be elected to hold office from the day of receiving their certificates of election until the first day of the second succeeding May, and two members shall be elected to hold office from the day of receiving their certificates of election until the first day of the third succeeding May. Thereafter their successors shall be elected as provided for in section one thousand seven hundred thirty-one of this code. Within twenty days after said election the Superintendent of Schools shall call a meeting of the high school board, by giving at least ten days' notice by registered mail to each member thereof, for the purpose of organizing the high school board. At such meeting the high school board shall organize by electing a president from their own number and a secretary, and may transact any other business relating to the affairs of the school district."

Amendment adopted.

Bill read second time and ordered to print, engrossment and third reading.

Senate Bill No. 710—An Act to amend section one thousand seven hundred thirty-one of the Political Code, relating to the election or appointment of members of high school boards.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, insert between the words "at" and "same" the following: "the".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 4 to line 10 strike out all reading matter between the period immediately following the word "district" on line 4, and the word "each" on line 10.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 10 insert before the word "each" the following: "As".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 17 to line 30 strike out all reading matter following the period immediately following the word "term" in line 17.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1174—An Act to regulate the sale of food ingredients which are in part composed of butter shipped or imported into the State of California from any point or place outside of the United States, requiring the marking of all bills of fare or menu cards placed on tables or counters in establishments preparing, serving or offering for sale any such food, and fixing penalties for the violation of the same or any of the provisions thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1175—An Act to regulate the sale of butter that has been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1176—An Act to regulate the placing of cards in all packages or wrappers inclosing manufactured food products before being sold or offered for sale which are composed in part of butter shipped or imported into the State of California from any point or place outside of the United States and fixing penalties for the violation of the same or of any of the provisions thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 511—An Act to provide for the registration of all births and deaths, the establishment of registration districts in cities, incorporated towns, townships, under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of a state and a local registrar of vital statistics; and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and fixing penalties for violation of this Act; creating the office of state and local registrars of vital statistics and providing for the salary and fees of same.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, in line 14 of the title of the printed bill, strike out the period in said line and insert in lieu thereof a semicolon and the following: "and repealing all Acts and parts of Acts in conflict herewith."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, in lines 12 and 13 of the printed bill, strike out "a medical practitioner of not less than five years practice in his profession, and".

Amendment adopted.

AMENDMENT NUMBER THREE.

On pages 2 and 3 of the printed bill, strike out all of line 37 on page 2 and also lines 1 to 4 inclusive on page 3, and insert in lieu thereof the following: "divided into registration districts as follows: "each county shall constitute a primary registration district; *provided*, the State Board of Health may combine two or more registration districts or divide a registration district when necessary to facilitate registration."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, lines 5 and 6 of the printed bill, strike out all of said lines 5 and 6 and insert in lieu thereof the following: "Sec. 4. On or before December 20, 1915, the State Board of Health".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, in line 1 of the printed bill, strike out the word "rural" and insert in lieu thereof the following: "incorporated city or county."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, in line 24 of the printed bill, strike out the period in said line and insert in lieu thereof a semicolon and the following: "*provided*, that nothing in this Act shall be construed to prevent an undertaker from removing a body from contiguous registration districts in an undertaker's conveyance for the purpose of preparing said body for burial or shipment. A removal permit must be secured within forty-eight hours and before embalming the body. No body where death occurred from any disease held by the State Board of Health to be infectious, contagious or communicable and dangerous to the public health shall be removed without first securing a removal permit in the manner provided in section 19 of this Act."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5 of the printed bill, between lines 35 and 36 of said page insert the following:

"5 *a*. Husband of ______
"5 *b*. Wife of __________."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, in line 12 of the printed bill, insert the word "only" after the word "name".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 6, in lines 14 and 15 of the printed bill, between said lines 14 and 15 insert the following:

"(13*a*.) Length of residence (for inmates of hospitals and other institutions; transients or recent residents) at place of death and in California, together with the place where disease was contracted, if not at the place of death, and former or usual residence."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 6, in lines 25 to 29 of the printed bill, strike out all of said lines 25 to 29 inclusive.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 6, in lines 30 and 31 of the printed bill, strike out the figure "19" in line 30 and insert in lieu thereof the figure "18"; and strike out the figure "20" in line 31 and insert in lieu thereof the figure "19".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 6, in lines 33 and 34 of the printed bill, strike out all of said lines 33 and 34 and insert in lieu thereof the following: "the personal and statistical particulars (items one to thirteen *a*) shall be authenticated by the signature of the informant,".

Amendment adopted.

AMENDMENT NUMBER TWELVE *a*.

On page 6, line 35 of the printed bill, strike out the word "fact" and insert in lieu thereof the word "facts".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 7, in lines 21 and 22 of the printed bill, strike out both of said lines and insert in lieu thereof the following: "suicidal, or homicidal. And for deaths of non-residents in hospitals or institutions, the physician shall supply the informa-".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 7, in line 23 of the printed bill, strike out the word "eighteen" and insert in lieu thereof the following: "thirteen *a*".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN *a*.

On page 7, line 27 of the printed bill, after the comma in said line, insert the following: "or continued absence of the attending physician,".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On pages 7 and 8 of the printed bill strike out all of lines 28 to 37 inclusive of page 7, also lines 1 and 2 on page 8, and insert in lieu thereof the following: "the coroner or other proper official of such death for investigation and certification. And the".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 9, in lines 31 and 32 strike out the comma and the words "or within the time fixed by the local board of health".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 10 in line 10 of the printed bill strike out the word "thirty-six" and insert in lieu thereof the word "seventy-two".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 10 in lines 22 and 23 of the printed bill strike out all of said lines 22 and 23 and insert in lieu thereof the following: "in every case it shall".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On pages 11 and 12 of the printed bill strike out all of lines 27 to 37 inclusive, on page 11 and also all of lines 1 to 31 inclusive, on page 12 and insert in lieu thereof the following:

"(6) Date of birth, including the year, month, and day.
"(7) Full name of father.
"(8) Residence of father.
"(9) Color or race of father.

"(10) Age of father at last birthday, in years

"(11) Birthplace of father, at least state or foreign country, if known.

"(12) Occupation of father. The occupation to be reported if engaged in any remunerative employment, with the statement of (*a*) trade, profession, or particular kind of work, (*b*) general nature of industry, business or establishment in which employed (or employer).

"(13) Maiden name only of mother.

"(14) Residence of mother.

"(15) Color or race of mother.

"(16) Age of mother at last birthday, in years.

"(17) Birthplace of mother; at least state or foreign country, if known

"(18) Occupation of mother. The occupation to be reported if engaged in any remunerative employment, with the statement of (*a*) trade, profession, or particular kind of work; (*b*) general nature of industry, business or establishment in which employed (or employer).

"(19) Number of children born to this mother, including present birth

"(20) Number of children of this mother living.

"(21) The certification of attending physician or midwife as to attendance at birth, including statement of year, month, day (as given in item seven), and hour of birth, and whether the child was born alive, or stillborn. This certification shall be signed by the attending physician or midwife, with date of signature and address, if there is not physician or midwife in attendance, then by the father or mother of the child, householder, owner of the premises, or manager or superintendent of public or private institution where the birth occurred or other competent person, whose duty it shall be to notify the local registrar of such birth, as required by section thirteen of this act.

"(22) Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 14, line 23, of the printed bill, strike out the period and insert in lieu thereof a comma and the following, "except where supplemental information required for statistical purposes is furnished upon forms provided by the State Registrar."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 14, in line 29, of the printed bill, at the end of said line add the words "maiden names of".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 15, lines 15, 16 and 17, of the printed bill, strike out all of said lines 15, 16 and 17 and insert in lieu thereof the following: "transcript and certificate he shall be entitled to a fee of ten cents per folio, and to a fee".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 15, line 19, of the printed bill, after the period in said line, insert the following: "The State Registrar shall keep a full and correct account of all fees received by him under these provisions. Such money so received by the State Registrar shall be deposited with the State Treasurer, who shall credit the amount to the fund provided and to be used for the payment of the traveling and contingent expenses of the State Board of Health."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 16, line 9, of the printed bill, after the word "death" insert the word "occurring".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 16, line 16, of the printed bill, strike out the word "tenth" and insert in lieu thereof the word "fifth".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 16 in lines 19 and 20 of the printed bill strike out both of said lines and insert in lieu thereof the following: "on the fifth day of the following month report that fact to the State Registrar on a blank provided for such purpose. He shall also compile a monthly report of vital statistics for the whole county and upon request and payment of a reasonable fee shall compile a report of vital statistics for any incorporated city therein."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 16 in line 25 of the printed bill after the word "act" in said line insert a comma and the following: "out of which fees he shall pay the sub-registrar the sum of fifteen cents in cases where the certificate is registered with the sub-registrar,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 16 in line 33 of the printed bill strike out the word "annually" and insert in lieu thereof the word "quarterly".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 17, strike out all of line 1 after the word "state" and insert in lieu thereof the words: "or local registrar shall immediately upon request supply to".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 17 in lines 8 to 12 of the printed bill, strike out all of said lines 8 to 12 inclusive, and insert in lieu thereof the following: "of the facts therein stated. If at any time within ten years of the birth, or one year of the death of any person within this State, a certified copy of the official record of said birth or death with the information required to be registered by this Act, be necessary for legal, judicial, or other proper purposes, and, after search by the State Registrar, it should appear that no such certificate of birth or death was made and filed as provided by this Act, then the person asking for such certified copy may file a sworn statement, to be accompanied by the affidavits of two competent witnesses, as to the fact of birth or death, with as many particulars of the standard certificate supplied as possible, and the State Registrar shall file it and issue a certified copy thereof to said applicant without fee and without charge for time of search; and the State Registrar shall immediately require the physician, or midwife, who, being in attendance upon a birth since the date of the taking effect of this Act, failed or neglected to file a certificate thereof or the undertaker, or other person who having charge of the interment or removal of the body of a deceased person since the date of the taking effect of this Act, failed or neglected to file the certificate of death, if he or she be living, to obtain and file at once with the local registrar such certificate in as complete form as the lapse of time will permit, together with a fee of five dollars, which shall be transmitted to the State Registrar and accounted for as a fee for certified copies. With said certificate shall be filed the sworn statements and affidavits hereinabove mentioned. The delinquent physician, midwife, undertaker, or other person may also, in the discretion of the State Registrar be prosecuted as required by this Act, and shall be prosecuted without bar from the statute of limitations, if he or she shall neglect or fail to file promptly the certificate by this section as a substitute for the certificate not filed as required by this Act, and to pay the filing fee provided for in this section. And the State Registrar shall copy a true and cor-".

Amendment adopted.

AMENDMENT NUMBER THIRTY *a*.

On page 17, line 14, of the printed bill, strike out the words "and turn the same over to the State Treasurer" and insert in lieu thereof the following: "and such money so received by the State Registrar shall be deposited with the State Treasurer, who shall credit the amount to the fund provided and to be used for the payment of the traveling and contingent expenses of the State Board of Health, and the money so collected by the local registrar shall be paid by him into the county or city treasury, as the case may be;".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE

On page 17 in line 21 of the printed bill strike out the words, "or certified copies"

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO

On page 17 in line 22 of the printed bill strike out the period and insert in lieu thereof the following: ", for use solely as statistical data."

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE

On page 17 in line 29 of the printed bill after the comma after the word "found" insert the following: "except as provided in section 5 of this Act."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR

On page 19 in line 6 of the printed bill after said line 6 add the following:

"SEC. 24. The provisions of this Act shall apply to births and deaths after January 1, 1916.

SEC. 25. All Acts and parts of Acts in conflict with this Act are hereby repealed."

Amendment adopted.

AMENDMENTS FROM FLOOR

During second reading of the bill, the following amendments were offered by Senator Butler:

Moved to amend by striking out Amendment No. 1 of section 2, page 2, line 24 the dashes before the word "dollars" and inserting in lieu thereof the following "two thousand five hundred".

Amendment adopted.

AMENDMENT NUMBER TWO

Moved to amend by striking out of section 2, page 2, line 25, the period after the word "office" and inserting in lieu thereof a comma and the words "which shall be paid in the same manner and at the same time as the salaries of state officers."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 102—An Act creating and establishing a commission for the investigating and gathering of data and statistics concerning the use of live animals for experimental purposes; providing for the appointment of said commission to be known as the "commission for the preservation of statistics of animal life," and prescribing the powers and duties of said commission and its members.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1207—An Act to amend section two of an Act entitled "An Act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 648—An Act validating and confirming the organization of lighting districts.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 322—An Act to amend section twenty-one of an Act entitled "An Act to carry into effect the provisions of section 14 of article XIII of the Constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks, and insurance companies for the benefit of the state, all relating to revenue and taxation," approved April 1, 1911 (Statutes 1911, page 530) as amended by an Act approved June 12, 1913 (Statutes 1913, page 615), relating to revenue and taxation.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 815—An Act to add a new section to the Political Code, to be numbered section thirty-eight hundred four *b*, relating to the cancellation of erroneous assessments.

Bill read second time, ordered engrossed and on file for third reading.

RECALL OF BILL FROM COMMITTEE.

Senator Lyon moved that Assembly Bill No. 64 be recalled from the Committee on Labor and Capital for the purpose of consideration of pending amendments.

Motion carried.

Assembly Bill No. 64—An Act providing that any person, firm, association or corporation or agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor and providing that said accused employee shall have the opportunity to be confronted with the person making such report, and providing for the punishment for the violation thereof

AMENDMENT PROPOSED FROM FLOOR.

By Senator Luce:

AS SUBSTITUTE FOR AMENDMENTS NUMBERS NINE AND TEN, PROPOSED BY COMMITTEE.

On page 2 of the printed bill, strike out lines 1 to 4 inclusive, and insert in lieu thereof the following: "thus accused, when requested by said employee, at which hearing said employer shall state each specific charge on which said act or discharge is based, and at which said employee shall have the right to furnish testimony in his defense, and also to have a representative present."

WITHDRAWAL OF AMENDMENT.

Senator Luce asked for and was granted unanimous consent to withdraw his proposed substitute amendment for Committee Amendments Nos. 9 and 10 to Assembly Bill No. 64.

PENDING AMENDMENTS PROPOSED BY COMMITTEE.

The Senate then took up the consideration of the pending amendments proposed by the committee.

AMENDMENT NUMBER NINE

On page 2, in lines 2 and 3 of the printed bill, strike out the words "shall have an opportunity to be confronted with the person making such report and".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, in line 2 of the printed bill, after the word "ing" insert the following: "said employer shall state specific charges on which said act or discharge is based and at which".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 818—An Act to add a new section to the Penal Code of the State of California, to be known as section six hundred and forty-four b, relating to the protection of the purchasers of real estate against fraud and deception.

Also: Senate Bill No. 824—An Act to add a new section to an Act entitled "An Act relating to immigrants and immigration, creating a Commission of Immigration and Housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for their care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, Statutes of California of 1913, page 608, to be known as section ten a, relating to the translation of contracts and other documents.

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 956—An Act to amend section eight hundred and sixty-two of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto—and report that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 962—An Act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor—has had the same under consideration, and respectfully report the same back and recommend that it do pass.

COGSWELL, Chairman.

Senate Bill No. 962 ordered on file for second reading.

Also:

SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 321—An Act to amend section three thousand seven hundred seventy-three of the Political Code, relating to revenue and taxation—has had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass as amended.

COGSWELL, Chairman.

Senate Bill No. 321 ordered on file for second reading.

ADJOURNMENT.

At two o'clock and fifty minutes p.m., on motion of Senator Kehoe, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Friday, March 26, 1915.

The Senate met at ten o'clock a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

LEAVES OF ABSENCE.

Senator Hans was, on motion of Senator Tyrrell, granted leave of absence for this day.

Senator Birdsall was, on motion of Senator Kehoe, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 25, 1915, the further reading was dispensed with, on motion of Senator Rush.

PETITIONS.

Senator Duncan presented the following petition, which was read and ordered printed in the Journal:

RESOLUTIONS ADOPTED BY THE GRAND JURY OF THE COUNTY OF SUTTER IN REGARD TO THE SUTTER BASIN CONTROVERSY.

To the Governor and the Legislature of the State of California:

WHEREAS, The county of Sutter and certain private landowners therein are now engaged in most important litigation with Reclamation District No. 1500 in which enormous property rights and private property of great value are involved, and upon the result of which the security of one of the richest fruit belts of the State depends; and

WHEREAS, This litigation is the result of the attempt of outside capitalists to reclaim a natural overflow and tule basin to the damage and at the expense of those who will not be benefited but largely damaged thereby; and

WHEREAS, Reclamation District No. 1500, commonly known as the Armour-Gerber interests, is seeking to do this in violation of the fundamental law of the State of California and to accomplish their design are seeking legislative action at the present session of the legislature in order to overthrow this law and change the same to suit their purpose; now, therefore, be it

Resolved, That we, the grand jury of the county of Sutter, in regular meeting assembled, this 24th of March, 1915, do hereby declare:

First—That neither we nor the people of the county of Sutter are opposed to a general plan of flood control, and that we believe in the reclamation of the swamp and overflow lands of this State.

Second—That we believe that any plan of flood control or reclamation should have due regard to the rights of others and the protection and security of established communities; that reclamation at the expense and danger of lands now secure from flood or drainage waters is detrimental and not beneficial to the State as a whole.

Third—That reclamation of overflow lands should be carried on along lines in the least possible discord and opposition to the established law of this State and which cause the least possible damage to lands which are at present highly improved and cultivated.

Fourth—That the law of the State of California should not be changed, when the proposed changes therein will favor and will directly assist a few large land speculators at the expense and to the damage of the resident citizens and taxpayers of a whole county.

Fifth—That the following measures affect the litigation above referred to and are unfair to the county of Sutter:

Senate Bill No. 631 and Assembly Bill No. 759
Senate Bill No. 634 and Assembly Bill No. 831
Senate Bill No. 660 and Assembly Bill No. 763
Senate Bill No. 661 and Assembly Bill No. 764
Senate Bill No. 662 and Assembly Bill No. 765
Senate Bill No. 722 and Assembly Bill No. 793.
Senate Bill No. 910 and Assembly Bill No. 1151.
Senate Constitutional Amendment No. 34 and Assembly Constitutional Amendment No. 30.

Sixth—That we have relied upon the law of the State of California for our protection and that it is unfair to do away with that protection at the time when we are most in need thereof.

We, therefore, petition you, the Governor and the Legislature of the State of California, that you do not pass the above mentioned measures or any measure that will injuriously affect the rights of the county of Sutter or which may apply to litigation in which this county is now involved, and that you do not alter the reclamation law of this State when such alteration would aid a few men to inflict a great damage and injury upon the people of a whole county, and we hereby instruct Louis Tarke, the foreman of this grand jury, to send certified copies of this resolution to the Governor and the Legislature of the State of California and to certify to the correctness of said copies.

STATE OF CALIFORNIA, } ss.
County of Sutter }

Louis Tarke, being first duly sworn, deposes and says: I hereby certify that the above and foregoing is a full, true and correct copy of the resolution adopted by the grand jury of the county of Sutter on the 24th day of March, 1915.

In witness whereof, I have hereunto set my hand as foreman of said grand jury this 24th day of March, 1915.

LOUIS TARKE,
Foreman of the Grand Jury of the County of Sutter, State of California

Subscribed and sworn to before me this 24th day of March, 1915.

[SEAL]

ARTHUR COATS,
Notary Public, Sutter County, California.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 216—An Act to amend section four thousand two hundred sixty-five of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class;

Also: Assembly Bill No. 489—An Act to amend section fourteen of an Act entitled "An Act creating a board of pilot commissioners for the harbor of San Diego, defining their duties and fixing their compensation," approved March 2, 1911;

Also: Assembly Bill No. 769—An Act to authorize the Surveyor General of the State of California to consent to the provisions of the Act of Congress approved July 17, 1914, entitled "An Act to provide for agricultural entry of lands withdrawn, classified, or reported as containing phosphate, nitrate, potash, oil, gas or asphaltic minerals";

Also: Assembly Bill No. 816—An Act providing for a two platoon system in the fire departments of cities having paid fire departments.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 216 read first time, and referred to Committee on County Government.

Assembly Bill No. 489 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 769 read first time, and referred to Committee on Mines and Mining.

Assembly Bill No. 816 read first time, and referred to Committee on Municipal Corporations.

Also:

SACRAMENTO, March 25, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 16—Providing for the appointment of a committee to devise an improved method of handling bills after introduction.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Resolution referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 222—An Act to amend section eight hundred forty-eight of the Code of Civil Procedure of the State of California, relating to service of summons in the justice's court—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KEHOE, Chairman.

Minority report do not pass.

Senate Bill No. 222 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 147—An Act to amend an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erection of building.' (approved March 28, 1876) approved March 22, 1909," by adding a new section to be known as section four—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 147 ordered re-referred to the Committee on Finance.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 59—An Act to amend section two thousand two hundred eighty-nine of the Civil Code of the State of California, relating to the appointment of trustees;

Also: Senate Bill No. 60—An Act to amend section two thousand two hundred sixty-eight of the Civil Code of the State of California, relating to the power of trustees;

Also: Senate Bill No. 221—An Act to amend section one hundred seventy-one of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases;

Also: Senate Bill No. 220—An Act to provide against the publishing or circulating of an advertisement, in any form, containing any assertion, representation or statement of fact which is untrue, deceptive or misleading;

Has had the same under consideration, and respectfully reports the same back and recommends that they do not pass.

KEHOE, Chairman.

Senate Bills Nos. 59, 60, 221 and 220 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 51—An Act to regulate the opening, widening and closing of roads and paths and the disinterment of bodies in cemeteries which have been transferred to cities or cities and counties and which are held by them in trust for the purpose of maintaining said cemeteries forever as public parks;

Also: Senate Bill No. 52—An Act to authorize a cemetery corporation or association to transfer its land and certain funds to the city, or city and county within which such cemetery land is located whenever further burials in such land shall be prohibited; and to authorize said city or city and county to accept and execute a trust in relation to such property for the purpose of maintaining said land forever as a public park, to provide for the carrying into effect of the purposes in this Act;

Also: Senate Bill No. 54—An Act to repeal an Act entitled "An Act providing for the removal of human remains from cemeteries in any city, or city and county in this State, and repealing all Acts in conflict therewith," approved April 24, 1911;

Also: Senate Bill No. 106—An Act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an Act entitled "An Act to survey and dispose of certain marsh and tide lands belonging to the State of California," approved March 30, 1868, or any of the Acts supplementary thereto and amendatory thereof, and regulating the procedure therein;

Also: Senate Bill No. 223—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered three hundred thirty-seven *a*, relating to the time when an action upon an open book account accrues;

Also: Senate Bill No. 224—An Act to amend section three hundred thirty-seven of the Code of Civil Procedure of the State of California, relating to time within which certain actions must be commenced;

Also: Senate Bill No. 225—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered nine hundred five *a*, relating to the enforcement or carrying into execution of judgments rendered by a Justice's Court after the lapse of five years from the date of entry;

Also: Senate Bill No. 597—An Act to amend sections one hundred ninety, one hundred ninety-two, one hundred ninety-three, one hundred ninety-four and one hundred ninety-five of the Code of Civil Procedure, relating to jurors;

Also: Senate Bill No. 599—An Act to amend section one thousand forty-six of the Penal Code, relating to the formation of the trial jury in criminal actions.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 51, 52, 54, 106, 223, 224, 225, 597 and 599 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 1226—An Act to amend section twenty-one hundred forty-five of the Political Code, relating to state hospitals for the insane and other incompetent persons;

Also: Senate Bill No. 343—An Act to safeguard the youth of the State, in attendance at universities and normal schools, by adding a new section to the Penal Code of California, to be numbered and known as section one hundred seventy-two *b*, making unlawful the soliciting or receiving of orders for, also the sale, service or giving away of, spirituous, vinous, malt or other alcoholic liquors on or within one mile of the grounds of any university or state normal school, with certain exceptions;

Also: Senate Bill No. 1174—An Act to regulate the sale of food ingredients which are in part composed of butter shipped or imported into the State of California from any point or place outside of the United States, requiring the marking of all bills of fare or menu cards placed on tables or counters in establishments preparing, serving or offering for sale any such food, and fixing penalties for the violation of the same or any of the provisions thereof;

Also: Senate Bill No. 1175—An Act to regulate the sale of butter that has been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof;

Also: Senate Bill No. 1176—An Act to regulate the placing of cards in all packages or wrappers inclosing manufactured food products before being sold or offered for sale which are composed in part of butter shipped or imported into the State of California from any point or place outside of the United States and fixing penalties for the violation of the same or of any of the provisions thereof;

Also: Senate Bill No. 102—An Act creating and establishing a commission for the investigating and gathering of data and statistics concerning the use of live animals for experimental purposes; providing for the appointment of said commission to be known as the "Commission for the Preservation of Statistics of Animal Life," and prescribing the powers and duties of said commission and its members;

Also: Senate Bill No. 1207—An Act to amend section 2 of an Act entitled "An Act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878;

Also: Senate Bill No. 648—An Act validating and confirming the organization of lighting districts;

Also: Senate Bill No. 322—An Act to amend section twenty-one of an Act entitled "An Act to carry into effect the provisions of section fourteen of article thirteen of the Constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911 (Statutes 1911, page 530), as amended by an Act approved June 12, 1913 (Statutes 1913, page 615), relating to revenue and taxation:

Also: Senate Bill No. 815—An Act to add a new section to the Political Code, to be numbered section thirty-eight hundred and four *b*, relating to the cancellation of erroneous assessments:

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Concurrent Resolution No. 15—Relative to the observance of "California Ripe Olive Day"—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KING, Chairman.

Assembly Concurrent Resolution No. 15 ordered on file.

CONSIDERATION OF RESOLUTION (OUT OF ORDER).

Senator Duncan asked for and was granted unanimous consent to take up for consideration out of the regular order Assembly Concurrent Resolution No. 15.

ASSEMBLY CONCURRENT RESOLUTION NUMBER FIFTEEN.

Relative to the observance of "California Ripe Olive Day."

WHEREAS, The olive, since time immemorial, has been the emblem of peace and good will; and

WHEREAS, The olive is one of the most important products of the State of California; and

WHEREAS, The California ripe olive is a most healthful, nutritious and delectable food; and

WHEREAS, It is especially desirable and propitious that this historic and delicious fruit be given suitable recognition at this time; and

WHEREAS, The observance of a special day as "California Ripe Olive Day" throughout this commonwealth would be an eminently fitting form for such recognition; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the thirty-first day of March, 1915, be set apart and observed as "California Ripe Olive Day."

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 15 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 742—An Act to amend section six hundred twenty-six *n* of the Penal Code of the State of California, relating to the protection of fish and game—has had the same under consideration, and respectfully recommends that it do pass.

FLINT, Chairman.

Senate Bill No. 742 ordered on file for second reading.

Also:

SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 741—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred [illegible] h relating to the protection of fish;

Also: Senate Bill No. 743—An Act to amend section six hundred [illegible] of the Penal Code of the State of California, relating to the protection of game;

Also: Senate Bill No. 852—An Act to amend section six hundred thirty *a* of the Penal Code of the State of California, relating to the regulation of the business of wholesale dealers in fish and game and providing for a record of the transactions therein;

Also: Senate Bill No. 755—An Act to amend section 635 of the Penal Code of the State of California, relating to the pollution of the streams and public waters;

Also: Senate Bill No. 975—An Act to amend section six hundred [illegible] of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 688—An Act to amend section six hundred [illegible] of the Penal Code of the State of California relating to the protection of fish;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

FLINT, Chairman.

Senate Bills Nos. 741, 743, 852, 755, 975 and 688 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 983—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the bureau of labor statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by amending sections four, seven, twelve and fourteen, has had the same under consideration, and respectfully reports the same back and recommends that the same do pass as amended.

LYON, Chairman.

Senate Bill No. 983 ordered on file for second reading.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Stuckenbruck to introduce a bill entitled: "An Act to amend section thirty-eight hundred five *b* of the Political Code, relating to the collection and cancellation of assessments, sales to the State, certificates of sale, or tax deeds to the State";

Also: The request of Senator Campbell to introduce a bill entitled: "An Act providing an appropriation for painting and making repairs of the buildings on the Capitol Grounds occupied by the state printing plant";

Also: The request of Senator Rush to introduce a bill entitled: "An Act to amend section four thousand five hundred [illegible] of the Political Code relating to salaries and fees of officers in counties of the twenty-sixth class";

Has had the same under consideration and respectfully reports the same back and recommends that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section two of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Brown, Campbell, Carr, Chandler, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with above report:

By Senator Stuckenbruck: Senate Bill No. 1233—An Act to amend section thirty-eight hundred five *b* of the Political Code, relating to the correction and cancellation of assessments, sales to the State, certificates of sale, or tax deeds to the State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Campbell: Senate Bill No. 1234—An Act providing an appropriation for painting and exterior repair of the building on the Capitol Grounds occupied by the state printing plant.

Bill read first time, and referred to Committee on Finance.

By Senator Rush: Senate Bill No. 1235—An Act to amend section four thousand two hundred fifty-five of the Political Code, relating to salaries and fees of officers in counties of the twenty-sixth class.

Bill read first time, and referred to Committee on County Government.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 606—An Act to amend section eight hundred and seventy-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the president and presidents pro tem. of boards of trustees of cities of the sixth class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 606 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 793—An Act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements;

Also: Senate Bill No. 942—An Act to amend an Act entitled "An Act to provide for local improvement upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities, such Act to be known as "The Local Improvement Act of 1901," approved February 26, 1901, by adding a new section thereto to be known as section twenty-one *a*, providing for the alteration of plans, profiles, cross-sections and specifications and providing for a pro rata distribution of funds raised by assessment in case the improvement is abandoned;

Also: Senate Bill No. 1170—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof"; which became a law under the constitutional provision without the Governor's approval, February 25, 1901, as subsequently amended, by amending section two and section three thereof relating to the proceedings for the calling of an election therefor and by adding a new section thereto to be numbered section twelve and three-fourths, relating to the consolidation of elections;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

TYRRELL, Chairman.

Senate Bills Nos. 793, 942 and 1170 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1025—An Act amending an Act entitled "An Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, by amending sections 1, 5, 6, 7 and 11 thereof.

Also: Senate Bill No. 1026—An Act to amend an Act entitled "An Act to provide for the consolidation of municipal corporations," approved June 11, 1913, by amending sections 5, 7, 10, 11 and 14, and by adding a new section thereto to be numbered section 13½, relating to certain non-contiguous municipal corporations.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

TYRRELL, Chairman.

Senate Bills Nos. 1025 and 1026 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 517—An Act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and electric power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 517 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1172—An Act authorizing any county and cities within such county to join in the acquisition, construction or maintenance of bridges or viaducts;

Also: Senate Bill No. 1208—An Act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an Act entitled, "An Act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby," approved April 21, 1909, and referred to as the "Street Improvement Act of 1909";

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

TYRRELL, Chairman.

Senate Bills Nos. 1172 and 1208 ordered on file for second reading.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Brown moved to reconsider the vote whereby Senate Bill No. 558—An Act to amend section two thousand nine hundred seventy-eight of the Political Code, relating to the constitution of the State Board of Health and the terms of the members of said board—was refused passage.

MOTION.

On motion of Senator Brown, the consideration of the above motion to reconsider was postponed until the next legislative day.

USE OF SENATE CHAMBER GRANTED.

Senator King asked for and was granted unanimous consent for the use of the Senate Chamber for a public hearing of the Committee on Agriculture for the consideration of conservation measures on Friday evening, March 26, 1915, at eight o'clock.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 1038—An Act to appropriate money for the construction of surface drains and to in other ways care for storm water at the California School for Girls, located near Ventura—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, and be re-referred to the Committee on Finance.

FINN, Chairman.

Senate Bill No. 1038 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 479—An Act to amend section three of an Act entitled "An Act to establish a state training school for girls; to provide for the maintenance and management of the same; and to make an appropriation therefor," approved June 14, 1913;

Also: Senate Bill No. 944—An Act authorizing the board of trustees of Whittier State School to maintain a department for the care and training of male defectives at the Whittier State School and to provide for the commitment of defectives thereto:

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

FINN, Chairman.

Senate Bills Nos. 479 and 944 ordered on file for second reading.

Also:

SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories to which was referred Senate Bill No. 1059—An Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of and government of paroled prisoners, and repealing an Act to amend an Act entitled 'An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners,' approved March 23, 1893," approved June 16, 1913, by adding thereto section 1½ relating to the granting of paroles and the forfeiture of credits for the violation thereof or of a law of the state or any rule or regulation of the prison, or the board of prison directors or of the board of parole commissioners;

Also: Senate Bill No. 783—An Act to amend section six hundred eighty-one of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

FINN, Chairman.

Senate Bills Nos. 1059 and 783 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

Senator Irwin requested permission to introduce a Senate bill entitled:

"An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of education."

Request referred to Committee on Introduction of Bills.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

CONSIDERATION OF DAILY FILE—THIRD READING.

Senate Bill No. 735—An Act to amend sections 1, 4, 5 and 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by an Act approved March 20, 1905, and as amended by an Act approved March 4, 1907, and as amended by an Act approved April 21, 1911.

On motion of Senator Strobridge, Senate Bill No. 735 was passed on file.

Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

On motion of Senator Finn, Senate Bill No. 55 was passed on file.

Senate Bill No. 266—An Act to provide for memorial halls and meeting places for Army and Navy Veterans of the Civil war, the Spanish American war, and the Philippine insurrection.

Read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Anderson moved to refer to Senator Kehoe as a Special Committee of One to amend Senate Bill No. 266 as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 2 and 3 of the title, strike out the words "and Navy" and also the words "the Spanish American War and the Philippine Insurrection".

AMENDMENT NUMBER TWO.

On page 1, lines 1 and 2, strike out the words "the different counties" and insert in lieu thereof the following: "any county or city and county".

AMENDMENT NUMBER THREE.

On page 1, lines 4, 5 and 6, after the word "Republic" strike out the comma and the words "camps or posts of veterans of the war with Spain, the Philippine insurrection or other foreign wars, or associations of naval veterans".

AMENDMENT NUMBER FOUR.

On page 1, lines 7 and 8, after the word "post" strike out the comma and the words "camp, or other veteran organization".

AMENDMENT NUMBER FIVE.

On page 1, line 15, strike out the words "cities or counties", and insert in lieu thereof the following: "any county or city and county or city".

AMENDMENT NUMBER SIX.

On page 2, lines 2 and 3, after the word "post" strike out the comma and the words "camp or other organization".

AMENDMENT NUMBER SEVEN.

On page 2, lines 3, 4 and 5, after the word "Republic" on line 3, strike out the words "veterans of the war with Spain, of the Philippine insurrection, or of foreign wars, or of naval veterans,".

AMENDMENT NUMBER EIGHT.

On page 3, line 8, strike out the words "cities or counties" and insert in lieu thereof the following: "any county or city and county or city".

AMENDMENT NUMBER NINE.

On page 2, line 10, strike out the words "camps or other organizations".

AMENDMENT NUMBER TEN.

On page 2, lines 11, 12 and 13, strike out the words "the veterans of the war with Spain, the Philippine insurrection, or of other foreign wars, or of the naval veterans".

AMENDMENT NUMBER ELEVEN.

On page 2, line 13, strike out the words "said counties" and insert in lieu thereof the following: "such county or city and county".

AMENDMENT NUMBER TWELVE.

On page 2, line 14, strike out the words "said incorporated" and insert in lieu thereof the following: "such".

Motion lost.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the Bill, Senator Anderson moved to refer to Senator Kehoe as a Special Committee of One to amend Senate Bill No. 266 as follows:

Page 1, line 14, strike out the period and insert a semicolon and the following: "*provided*, that no such board of supervisors or city council shall be required to furnish more than one such meeting place for the use of all such organizations."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 266, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Anderson, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No 956—An Act to amend section eight hundred sixty-two of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 956 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No 832—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred thirty-seven *b*, relating to the protection of game.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Flint moved that Senate Bill No. 832 be referred to Senator Chandler as a Special Committee of One to amend as follows:

On page 1, line 15, of the printed bill, strike out the word "buck" and insert in lieu thereof the word "duck".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 832, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHANDLER, Committee.

Report read and, on motion of Senator Flint, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 584—An Act to amend section two thousand four hundred sixty-six of the Political Code and to add thereto a new section to be numbered two thousand four hundred sixty-six *a*, relating to rates of pilotage at San Francisco.

On motion of Senator Flint, Senate Bill No. 584 was passed on file.

Senate Bill No. 715—An Act to amend section four hundred eighty-five of the Civil Code of the State of California, relating to damages in certain cases.

On motion of Senator Stuckenbruck, Senate Bill No. 715 was re-committed to the Committee on Judiciary.

Senate Bill No. 199—An Act to amend section one thousand eight hundred eighty-one of the Code of Civil Procedure of the State of California, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 199 was passed on file.

Senate Bill No. 969—An Act to add a new section to the Code of Civil Procedure to be numbered one hundred three *a*, relating to the duties of clerks of certain justices of the peace.

On motion of Senator Benson, Senate Bill No. 969 was passed on file.

Senate Bill No. 818—An Act to add a new section to the Penal Code of the State of California, to be known as section six hundred fifty-four *b*, relating to the protection of the purchasers of real estate against fraud and deception.

On motion of Senator Gerdes, Senate Bill No. 818 was passed on file.

Senate Bill No. 824—An Act to add a new section to an Act entitled "An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for their care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, statutes of California of 1913, page six hundred eight, to be known as section ten *a*, relating to the translation of contracts and other documents.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 824 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following teachers and students of the Oakland high school:

TEACHERS: C. E. Keyes, J. R. Sutton, Mrs. J. R. Sutton, Miss Anna G. Fraser, R. T. Granger, Miss Emma Schneider, Miss Ruby M. Orton, P. E. Crabtree, Mrs. P. E. Crabtree.

STUDENTS: Paul Bloomheart, Ralph MacIntyre, Walter Burns, Raymond Abernethy, Sam Glikbarg, Edmund de Freitas, Fred Starr, Goldie Friedman, Robert Foltz, Ralph Nicholson, Harrison Ryker, Fridtjof Erickson, John Allen, Edwin Leonard, Wendell Phillips, Elwyn Chambers, Frank Belgrano, Fletcher Pentz, Archie Mock, Grant Billington, Richard Hayden, Mildred Thompson, Hughena Gordon, Cecilia Relter, Don Badgley, Frank Bradbury, Horace Breed, Virginia Blead, Leslie Weislander, Fenwick Smith, William Wicking, Jesse Lee, Harold Mason, Edward Rider, Leonard Rosenberg, Rudolph Folkers, Leon Chamberlain, Willis Lynn, Horace Beverly, Michael Torrano, Pauline Page, Minerva Turner, Marion French, Helene Walter, Anita Brand, Marion Petray, Margaret Smith, Dorris Allen, Frances Drury, Ruby York, Marguerite Squire, Marguerite Leach, Pearl Penke, Ellen McGregor, Virginia Johnson, Lillian Harris, Fern Cuthbert, Adele Rillet, Mary Rider, Ann Potts, Marguerite Man, Carrie Trenchard, Aileen Reynolds, Inez Pritchett, Maude Nickerson, Edythe Colman, Maybelle Hobart, Ellen Geikie, Beatrice Swan, Margaret Pope, Mildred Mattieson, Anne V. Daly, Dorothy Haskins, Lorene Mellon, Ruth Sweeney, Helen Blume, Helen Manuel, Augusta Peck, Ralph Wooley, William Irwin, Harold Watson, Edward Harbert, Flora Duborsky, Fernando Fuentes, Wm. Hughes, Hascall Waterhouse, Ernest Heyns, Harold Fraser, Gardner Olmstead, Robert Atkinson, Joseph Bobba, Wm. Muller, Findley Cavagnard, Harold Flaherty, Geo. Manheim, Raymond Wood, Ester Weinstock, Helen Branstetter, Harry Schary, Clifton Gordon, Edward Drew, Josephine Graham, Olmstead Atwater, John Colesetti, Mildred Welch, Mary Potts, Helen Smith, Antionette Valerga, Hedda Abrahamson, Grace Dryer, Edith Williams, Ruth Jewell, Evys Monch, Fleta Brennan, Margaret Martin, Olive Cryer, Irene Yeatman, Marguerite Ellis, Gladys Gerrish, Lucille King, Helen Christensen, Gertrude Edwards, Lillian Burton, Dorothy Watson, Alice Clelland.

SENATOR BREED IN THE CHAIR.

At eleven o'clock and fifteen minutes a.m., Senator Breed, of the Fifteenth District, in the chair.

THIRD READING OF BILLS—RESUMED.

Senate Bill No. 38—An Act to amend an Act known as "The Building and Loan Commission Act," chapter 351, laws of 1911, approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be known as and numbered section nine *a*, relating to the powers and duties of the Building and Loan Commissioner, fixing the grade and penalty for non-compliance with his orders, providing for the assistance of a peace officer to enforce his demands.

Read third time.

On motion of Senator Jones, Senate Bill No. 38 was passed on file.

Senate Bill No. 84—An Act to amend the Civil Code of the State of California by adding thereto a new section to be known and numbered six hundred forty-two *a*, relating to building and loan associations.

On motion of Senator Jones, Senate Bill No. 84 was passed on file.

Senate Constitutional Amendment No. 1—Proposed amendment to article VI of the Constitution, relative to the method of selecting the Justices of the Supreme Court, Justices of the District Courts of Appeal and Judges of the Superior Courts.

On motion of Senator Chandler, Senate Constitutional Amendment No. 1 was passed on file.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, by adding to article VI of said Constitution a new section to be numbered section six and one half relating to the term of office of judges of the Superior Court.

On motion of Senator Finn, Senate Constitutional Amendment No. 2 was passed on file.

Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

On motion of Senator Flaherty, Senate Bill No. 10 was passed on file.

Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21, and 26 of said Act.

On motion of Senator Tyrrell, Senate Bill No. 105 was passed on file.

Senate Bill No. 1005—An Act to carry into effect the provisions of section 1*a* of article XIII of the constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered three thousand six hundred thirteen.

On motion of Senator Jones, Senate Bill No. 1005 was passed on file.

Senate Bill No. 1226—An Act to amend section twenty-one hundred forty-five of the Political Code, relating to state hospitals for the insane and other incompetent persons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1226 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER.

Senator Butler moved that Senate Bill No. 343 be made a special order for Tuesday, March 30, 1915, at eleven o'clock a.m.

Senate Bill No. 322—An Act to amend section twenty-one of an Act entitled "An Act to carry into effect the provisions of section 14 of article XIII of the Constitution of the State of California as said constitution was amended November 8, 1910, providing for the separation of state from local taxation, and providing for the taxation of public service and other corporations, banks, and insurance companies for the benefit of the State, all relating to revenue and taxation," approved

April 1, 1911 (Statutes 1911, page 530) as amended by an Act approved June 12, 1913 (Statutes 1913, page 615), relating to revenue and taxation.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 322 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flint, Hans, Irwin, Jones, King, Lyon, Maddux, Owens, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—Senator Kehoe—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 815—An Act to add a new section to the Political Code, to be numbered section thirty-eight hundred four *b*, relating to the cancellation of erroneous assessments.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 815 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1174—An Act to regulate the sale of food ingredients which are in part composed of butter shipped or imported into the State of California from any point or place outside of the United States, requiring the marking of all bills of fare or menu cards placed on tables or counters in establishments preparing, serving or offering for sale any such food, and fixing penalties for the violation of the same or any of the provisions thereof.

Read third time.

On motion of Senator Kehoe, Senate Bill No. 1174 was passed on file and further consideration postponed until Monday, March 29, 1915.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and forty-five minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Strobridge, the hour of recess was extended until twelve o'clock and forty-five minutes p.m.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1175—An Act to regulate the sale of butter that has been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof."

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1175 was refused passage by the following vote:

AYES—Senators Anderson, Beban, Brown, Butler, Crowley, Finn, Flint, Gerdes, King, Luce, Lyon, Scott, Slater, Strobridge, Thompson, and Wolfe—16.

NOES—Senators Ballard, Benson, Breed, Campbell, Carr, Chandler, Cohn, Duncan, Irwin, Jones, Kehoe, Mott, Purkitt, Shearer, Stuckenbruck, and Tyrrell—16.

NOTICE OF MOTION TO RECONSIDER.

Senator Kehoe gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 1175 was refused passage.

HOUR OF RECESS EXTENDED.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Kehoe, the hour of recess was extended until one o'clock p.m.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 865—An Act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, of an Act entitled "An Act to provide for the organization, control, and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Military Affairs.

STROBRIDGE, Chairman.

Senate Bill No. 865 ordered re-referred to Committee on Military Affairs.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 195—An Act authorizing municipal corporations to permit other municipal corporations and counties to construct and maintain sewers, etc., and pole lines for the transmission of electricity and electric energy, in, through, over, along, and across its streets and public places and to construct and maintain sewers, etc., and repealing an Act entitled "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, etc.," approved March 22, 1909—has had the same under consideration, and respectfully reports same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 195 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 176—An Act to amend an Act entitled "An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof;" approved June 13, 1913, by amending the title thereof, by amending sections 1, 2, 3, 5, 6, 8, 9, 10, 11, 12, 13, and 14 thereof, and by adding a new section thereto, to be known as section 17, relating to change of name of said district, and to bond issues thereof has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 176 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1007—An Act to provide for re-assessments by municipal corporations on property benefited by street work done under authority of the governing bodies and for the payment of contractors and others performing labor or supplying materials for the work done out of funds so raised or bonds issued by municipal corporations—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 1007 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations to which was referred Senate Bill No. 612—An Act to amend section two of an Act entitled, "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 612 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations to which was referred Senate Bill No. 27 An Act to amend an Act entitled, "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding a new section to said Act to be known as section 6*a*, relating to doing of public work by municipalities—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 27 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on County Government to which was referred Senate Bill No. 930 An Act to amend section 1216 of the Political Code, relating to the duties of registrar of voters—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BREED, Chairman.

Senate Bill No. 930 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on County Government to which was referred Senate Bill No. 209—An Act to amend section 9 of an Act entitled, "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911;

Also: Senate Bill No. 1152—An Act authorizing the transfer of certain powers, duties and functions of certain cities and officers thereof to the officers of counties in which such city is located;

Also: Senate Bill No. 635—An Act to amend section 3 of an Act entitled, "An Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a Board of Fire Commissioners," approved March 4, 1881, as amended March 6, 1899, and April 21, 1909;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BREED, Chairman.

Senate Bills Nos. 209, 1152 and 635 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 1150—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by providing for the taking over and administering by counties of certain functions, powers and property previously administered by municipalities that have disincorporated—and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 25, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine to which was referred Senate Bill No. 442—An Act to amend an Act entitled "An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 442 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 339—An Act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

Minority report: Do not pass.

BUTLER, Chairman.

Senate Bill No. 339 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 109—An Act to insure the better education of practitioners of dental surgery and to regulate the practice of denistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same, and known as an Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, approved March 12, 1885, approved March 23, 1901"—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

Minority report: Do pass.

BUTLER, Chairman.

Senate Bill No. 109 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 409—An Act to regulate bakeries; to provide for inspection, regulation and control thereof by the Commissioner of the Bureau of Labor Statistics; and prohibiting the operation of bakeries without sanitary certificates as herein provided—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 409 ordered on file for second reading.

LEAVE OF ABSENCE.

Senator Tyrrell asked for and was granted leave of absence for Saturday, March 27, 1915.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following messages from the Assembly were taken up and read out of the regular order.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 83—An Act to amend section 99 of the Code of Civil Procedure, relating to justices' courts and justices in townships having a population between 250,000 and 400,000.

Also: Assembly Bill No. 167—An Act to add a new section to the Code of Civil Procedure to be numbered nine hundred eighty-one, providing for the payment by parties appealing from judgments in justices' courts of filing fees and calendar fees in the Superior Court;

Also: Assembly Bill No. 524—An Act to require employers of labor to furnish, without charge, pure drinking water to their employees during working hours;

Also: Assembly Bill No. 607—An Act to amend section sixteen hundred and forty-three of the Code of Civil Procedure, prescribing the order in which debts must be paid, and fixing the rate of interest to be paid on demands against estates of decedents.

Also: Assembly Bill No. 702—An Act to amend section two hundred sixty-four of the Penal Code, relating to the punishment for the crime of rape.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 83, 167, 607 and 702 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 524 read first time, and referred to Committee on Public Utilities.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 6, memorializing Congress to take immediate steps to acquire the coal industry.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Resolution referred to Committee on Federal Relations.

RECESS.

At twelve o'clock and fifty minutes p.m., on motion of Senator Kehoe, the President pro tem. declared the Senate at recess until two o'clock and thirty minutes p.m.

RE-CONVENED.

At two o'clock and thirty minutes p.m., the Senate re-convened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

LEAVES OF ABSENCE.

Senators Rush and Maddux were, on motion of Senator Campbell, granted leaves of absence until Monday, March 29, 1915.

THIRD-READING FILE—ASSEMBLY BILLS.

Assembly Bill No. 310—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21 and 26 of said Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 310 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Brown, Butler, Campbell, Chandler, Cogswell, Crowley, Duncan, Flint, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Thompson, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly

Assembly Bill No. 177—An Act to amend sections two thousand one hundred fifty-three *a* and two thousand one hundred sixty one of the Political Code, relating to the government and management of state hospitals for the insane and other incompetent persons.

On motion of Senator Crowley, Assembly Bill No. 177 was re-committed to Committee on Hospitals and Asylums.

SECOND-READING FILE—ASSEMBLY BILLS

Assembly Bill No. 266—An Act to amend an Act entitled "An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies, and trust companies, trust funds, state school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," by amending section four of said Act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 661—An Act to amend section eleven hundred thirty of the Political Code, relating to limitation upon the powers of supervisors in establishing election precincts.

Bill read second time, and ordered on file for third reading

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Thompson, the following messages from the Assembly were taken up and read, out of the regular order.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 269—An Act to amend section eighty-six of the Code of Civil Procedure of the State of California relating to clerks of justices' courts and repealing all Acts inconsistent herewith;

Also: Assembly Bill No. 330—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be designated and known as section 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases;

Also: Assembly Bill No. 555—An Act to amend section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class;

Also: Assembly Bill No. 626—An Act to amend the Political Code by adding thereto a new section to be known as and numbered section seven hundred sixty-two, relating to the libraries, furniture, and library funds of the District Courts of Appeal and incidental expenses of such courts;

Also: Assembly Bill No. 643—An Act validating the formation and organization, and determining the boundaries of the Pleasanton Township County Water District in the county of Alameda, State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 269 and 330 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 555 read first time, and referred to Committee on County Government.

Assembly Bill No. 626 read first time, and referred to Committee on Finance.

Assembly Bill No. 643 read first time, and referred to Committee on Irrigation.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 745—An Act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on State roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on state roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this Act;

Also: Assembly Bill No. 748—An Act to amend the Penal Code by adding a new section thereto to be numbered section 588c, concerning the injury, defacement or removal of monuments or stakes placed, erected or used by the State Department of Engineering, its officers or employees on or along any state road or highway or in connection with state road or highway work, and prescribing penalty for the violation of such section;

Also: Assembly Bill No. 908—An Act amending section 3466½ of the Political Code of the State of California relating to invalid assessments in reclamation districts, and providing for the re-assessments of said lands.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 745 and 748 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 908 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1192—An Act to amend section five hundred eighty-eight of the Penal Code relating to malicious injuries to any State or other public highway or bridge or any private way laid out by authority of law, or bridge upon any such highway or private way;

Also: Assembly Bill No. 589—An Act to amend section seven of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act was amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1192 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 589 read first time, and referred to Committee on Public Health and Quarantine.

SECOND READING OF SENATE BILLS—OUT OF ORDER.

On motion of Senator Thompson, the second reading of Senate bills were taken up out of the regular order.

Senate Bill No. 303—An Act to recognize and declare valid all proceedings in Anderson-Cottonwood irrigation district.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 309—An Act to recognize and declare valid all proceedings in La Mesa, Lemon Grove and Spring Valley irrigation district.

Bill read second time, ordered engrossed and on file to third reading.

Senate Bill 461—An Act to validate the formation of certain districts formed under the provisions of an Act entitled "An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof," approved June 13, 1913, and to validate the issuance and sale of certain bonds thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 83—An Act to amend section six hundred forty-six of the Civil Code, relating to building and loan associations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 19, strike out the words "state treasurer" and insert in lieu thereof the words "official vested by law with state supervision and license".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out of line 19, page 1, of the printed bill the word "money" and insert in lieu thereof the words "lawful money of the United States".

Amendment adopted.

AMENDMENT NUMBER THREE.

Strike out all of line 21, page 1, and all of line 22, down to and including the word "state" and insert in lieu thereof the following: "or of any county, municipality or school district of said state, or of any public utility corporation, or of any irrigation district in said state, the bonds issued by which district are legal investments for savings banks or any notes or bonds secured by mortgage or deed of trust payment of which is guaranteed by a policy of mortgage insurance, or mortgage participation certificates, issued by a mortgage insurance company in accordance with the provisions of chapter VIII, title II, part IV of division I of the Civil Code".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 5, strike out the words "state treasurer" and insert in lieu thereof the words "said official".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, strike out all of lines 8, 9 and 10.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 274—An Act to amend section four thousand three hundred sixteen of the Political Code of the State of California, relating to officers prohibited from practicing law.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 107—An Act to amend section one thousand seven hundred twenty-six *a* of the Code of Civil Procedure of California, relating to the payment of funeral expenses of deceased persons by public administrator.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 5, page 2, after the word "hundred" strike out the word "fifty".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 16, page 2, after the word "exceed" strike out the words "one hundred" and insert in lieu thereof the words "seventy-five".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 921—An Act to amend section three hundred forty-eight of the Code of Civil Procedure, relating to the limitation of actions brought to recover money or other property deposited with any bank, banker, trust company or savings and loan society, by including therein building and loan associations.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 277—An Act to amend section one of an Act entitled "An Act to provide for direct legislation by cities and towns, including initiative and referendum," approved January 2, 1912.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill strike out all of line 1.

Amendment adopted.

AMENDMENT NUMBER TWO.

Insert after line 37, page 5, the following: "and the failure of the legislative body to pass the same over".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 728—An Act to amend section eleven hundred ninety-five of the Political Code, relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments and to the printing and distribution of such constitutional amendments.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1173—An Act to amend an Act entitled "An Act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, by amending section four thereof.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 962—An Act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor.

On motion of Senator Thompson, Senate Bill No. 962 was re-referred to the Committee on Finance.

Senate Bill No. 321—An Act to amend section three thousand seven hundred seventy-three of the Political Code, relating to revenue and taxation.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 16, after the period following the word actions, insert the following: "All moneys recovered under the provisions of this section shall be paid into the state treasury to the credit of the general fund and shall not be considered as a credit on the amount necessary to be paid in redemption of the property from the sale to the state.

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 1176—An Act to regulate the placing of cards in all packages or wrappers inclosing manufactured food products before being sold or offered for sale which are composed in part of butter shipped or imported into the State of California from any point or place outside of the United States and fixing penalties for the violation of the same or of any of the provisions thereof.

On motion of Senator Kehoe, Senate Bill No. 1176 was passed on file.

Senate Bill No. 102—An Act creating and establishing a commission for the investigating and gathering of data and statistics concerning the use of live animals for experimental purposes; providing for the appointment of said commission to be known as the "commission for the preservation of statistics of animal life," and prescribing the powers and duties of said commission and its members.

On motion of Senator Brown, Senate Bill No. 102 was passed on file.

Senate Bill No. 1207—An Act to amend section two of an Act entitled "An Act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878.

On motion of Senator Ballard, Senate Bill No. 1207 was passed on file.

Senate Bill No. 648—An Act validating and confirming the organization of lighting districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 648 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 982—An Act to amend an Act entitled "An Act providing for the time of payment of wages," approved May 1, 1911, by amending section three thereof, providing penalties for the violation of said Act.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill Senator Lyon moved to refer to Senator Benedict as a Special Committee of One to amend Senate Bill No. 982 as follows:

On page 1 of the printed bill, strike out all of line 11, after the word "paid", and all of lines 12 and 13, and insert in lieu thereof the following: "or until an action therefor shall be commenced; *provided*, that in no case shall such wages continue for more than thirty days; *and provided, further*, that no".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Special Committee of One to which was referred Senate Bill No. 982, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENEDICT, Committee.

Report read and, on motion of Senator Lyon, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 987—An Act to amend an Act entitled "An Act prohibiting the issuances as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911, by prohibiting the issuance of any scrip, coupons, cards, or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill Senator Lyon moved to refer to Senator Benedict as a Special Committee of One to amend Senate Bill No. 987 as follows:

On page 2, line 7, of the printed bill, strike out the period in said line and insert in lieu thereof a semicolon and the following: "*provided, however*, that the provisions of this Act shall not apply to counties, cities and counties, municipal corporations, quasi-municipal corporations or school districts organized and existing under the laws of this state."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 987, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENEDICT, Committee.

Report read and, on motion of Senator Lyon, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 518—An Act to amend section two hundred seventy of the Penal Code of the State of California.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill Senator Butler moved to refer to Senator Brown as a Special Committee of One to amend Senate Bill No. 518 as follows:

On page 1, line 3, of the printed bill, after the word "illegitimate" insert the word "minor".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Special Committee of One to which was referred Senate Bill No. 518, with instructions to amend, respectfully reports the same back, amended as per instructions.

BROWN, Committee.

Report read and, on motion of Senator Butler, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 438—An Act to prohibit any employer from discriminating against any of his employees on account of engaging in politics or running for public office, and providing a penalty for the violation thereof.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 438 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Jones, Kehoe, Luce, Lyon, Scott, Slater, Strobridge, Thompson, and Wolfe—21.

NOES—Senators Ballard, King, Mott, Owens, Purkitt, Shearer, and Stuckenbruck—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION.

Senator Thompson moved that when adjournment is taken this day it be until ten o'clock a.m., Saturday, March 27, 1915.

Motion carried.

LEAVES OF ABSENCE.

Senator Breed asked for and was granted leave of absence until Monday, March 29, 1915.

Senator Wolfe asked for and was granted leave of absence until Monday, March 29, 1915.

Senator Purkitt asked for and was granted leave of absence until Monday, March 29, 1915.

Senator Irwin asked for and was granted leave of absence until Monday, March 29, 1915.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate the following report of standing committee was received and read, out of the regular order:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Irwin to introduce a bill entitled "An Act to amend sections seventeen hundred seventy-one, seventeen hundred seventy-two and seventeen hundred seventy-five of the Political Code, relating to the powers and duties of the county board of education"—has had the same under consideration and respectfully report the same back and recommend that such request be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones Kehoe, King, Luce, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with above report:

By Senator Irwin: Senate Bill No. 1236—An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of education.

Bill read first time, and referred to Committee on Education.

COMMUNICATION.

The following communication was presented by Senator Cohn, and ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, March 25, 1915.

Hon. P. C. Cohn, Sacramento, California.

DEAR SIR: The Woman's Council (an organization for the improvement of the city and county of Sacramento) extends to you, and your wife, and through you to the members of the Senate and their wives, an invitation to attend a free illustrated lecture to be delivered by Edwin B. DeGroot at the Tuesday Club House (Twenty-seventh and L streets) Tuesday, March 30th, at 8 p.m. Mr. DeGroot is styled "The Father of the Playground Movement" in Chicago, which city has set the pace for the entire world in playground and recreation development. Under Mr. DeGroot's direction six millions of dollars was spent in this development. In the last year Mr. DeGroot has been called to the service of the Children's Bureau of the United States Department of Labor. Last summer he was a lecturer at the University of California, and this year will again lecture in that institution in the physical education and the social economics departments.

Inasmuch as there is before the Legislature a recreation bill (Senate Bill No. 30) prepared by the recreation commission, the Woman's Council deems it most fortunate to be able to present Mr. DeGroot to the public at this time and we desire that as many of you as are able will attend.

THE WOMAN'S COUNCIL
MRS. CHAS. H. ADAMS, President.

MRS. B. F. PARSONS, Secretary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate the following report of standing committee was received and read, out of the regular order:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 789—An Act to amend section 4275 of the Political Code of the State of California, relative to the salary of officers in counties of the forty-sixth class has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BREED, Chairman.

Senate Bill No. 789 ordered on file for second reading.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 720—An Act to amend section four thousand two hundred thirty-three of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class, has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BREED, Chairman.

Senate Bill No. 720 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Thompson, the following messages from the Assembly were taken up and read out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 338—An Act to recognize and declare valid all proceedings in Anderson-Cottonwood Irrigation District:

Also: Assembly Bill No. 444—An Act to add a new section to the Political Code of the State of California to be numbered section seventeen hundred fifty-two, relating to conventions of high school principals:

Also: Assembly Bill No. 657—An Act to amend section sixteen hundred fifteen of the Political Code relating to schools.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 338 read first time, and referred to Committee on Irrigation.

Assembly Bills No. 444 and 657 read first time, and referred to Committee on Education.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 42—An Act to provide that the Department of Engineering of the State of California may acquire for and in the name of the people of the State of California, by purchase, donation, dedication or by proceedings in eminent domain, additional rights of way, land and trees on and along the course of any state highway:

Also: Senate Bill No. 280—An Act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections three thousand six hundred eighty-two and three thousand seven hundred thirty-two of the Political Code, and to confirm, validate and legalize all sales, certificates of sale, tax-deeds, or other tax conveyances issued under and based upon any such assessments and taxes.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 42 and 280 ordered to enrollment.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 43—An Act to amend section one thousand two hundred thirty-eight of the Code of Civil Procedure relating to the public uses on behalf of which the right of eminent domain may be exercised and respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

MOTION.

Senator Thompson moved that the Assembly Amendment to Senate Bill No. 43 be placed on the file of unfinished business.

Motion carried.

ADJOURNMENT.

At four o'clock p.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Saturday, March 27, 1915.

The Senate met at ten o'clock a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

The roll was called by the Assistant Secretary, J. W. Kavanagh, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—31.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

LEAVES OF ABSENCE.

Senator Gerdes was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Flaherty was, on motion of Senator Beban, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 26, 1915, the further reading was dispensed with, on motion of Senator Lyon.

PETITION.

Senator Duncan presented the following petition, which was read and ordered printed in the Journal:

RESOLUTIONS ON SUTTER BASIN PROJECT.

Adopted at mass meeting of citizens of Sutter County, Yuba City, February 27, 1915.

We your committee appointed to draft resolutions expressing the sentiments of the people of Sutter County in reference to the so-called Armour project, beg leave to report the following resolutions:

Resolved, That we are not opposed to, but favor the reclamation of swamp land, the control of flood waters and the restoration of the navigability of our rivers; that we believe these purposes can best be conserved by one general plan and under the supervision and management of State and government authorities working together. That we heartily endorse the plan of river improvement, flood control and reclamation as set forth in the report of Captain Thomas H. Jackson, Chief of Engineers of the United States Army and Secretary of the California Debris Commission which was on the 27th day of June, 1911, transmitted to the House of Representatives of the United States through the Secretary of War and known as House Document 81, Sixty-second Congress, and also as the Report of the California Debris Commission.

Resolved, That we deplore the fact that the Legislature of this State has not adopted that report as the plan best suited to effect the ends sought, but that instead thereof the Legislature on December 24, 1911 adopted the following in lieu thereof, to wit: "The report of the California Debris Commission transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on the 27th day of June, 1911, with such modifications and amendments as may hereafter be adopted by the reclamation board mentioned in section 2 of this Act, (State Board of Reclamation), is hereby approved as a plan for controlling the flood waters of the Sacramento River (amended in 1913, so as to include San Joaquin River), (Stat. 1913, page 252) and its tributaries for the improvement and preservation of navigation and the reclamation of the lands that are susceptible to overflow from said river and its tributaries." (extra session, Statutes 1911, page 117), thereby placing the whole scheme of reclamation, etc., in the hands of said State Reclamation Board with powers plenary.

Resolved, That whereas and because the citizens of this county protested vigorously against any change in the plan proposed by the said California Debris Commission in reference to the manner of reclaiming Sutter Basin, but that notwithstanding said protests the said State Reclamation Board (having been given the power to do so by the enactment above set forth), by a vote of two to one, yielded to the persuasions of the Armour interests and changed the said plan of reclaiming said Sutter Basin by shifting the laid out by-pass from the center of said basin, to the high lands on the east thereof, although they were informed by the government engineer in charge for the government works, that from an engineering standpoint the central by-pass was just as good as the eastern by-pass so far as river improvement and flood control are concerned (no government engineer has ever advised the change to our knowledge); and whereas and because we entered our protest against the passage of the Act creating Reclamation District No. 1500 in which the Armour land lies, because of the objectionable features concerning reclamation contained in said Act; and whereas and because we protested the commencement or doing of any work by the said Armour people under this manifestly unfair and unjust method and warned them before they commenced any of said work that we would resort to the courts for relief by injunction, whenever they should begin the erection of their north levee in said district, the effect of building of which would be the inundation of our lands and the destruction of our property, that we owe no apology and make no excuse for the incessant warfare that we have waged and which we pledge ourselves to continue to wage against the method being pursued by the Armour interests to reclaim their land from water, by diverting the said water from the channel where nature placed it, on to our lands that were never submerged, and which are valuable, thickly settled and highly improved.

Resolved, That there is nothing in the law or the acts of the State Board of Reclamation to prevent the said Armour-Gerber people from now building a by-pass through the center of their holdings where the California Debris Commission laid it out, and thus complete the reclamation of their lands by the original and only practical method for the reclamation of their said lands.

That there is no work which they have thus far performed which is unnecessary for the proper reclamation of their said land under the method designated by and contained in the said report of the California Debris Commission, and that we believe that in good faith and in good conscience they should pursue said methods.

That we believe that if the honorable Legislature of the State of California should fail to enact the legislation proposed, and hereafter referred to, that the Sutter Basin will be reclaimed along the lines suggested and designated by the said report of the California Debris Commission, without the loss of one dollar thus far necessarily expended in the prosecution of the works of reclamation.

That the only object of asking for the proposed legislation is to enable the Armour people to pursue their work of reclamation by use of the eastern by-pass, by which plan they would be enabled to reclaim their said lands at a less expenditure to themselves but in a way that would either inundate from 30,000 to 50,000 acres of our lands or place a burden of taxation upon us which we are unable to pay.

It will cost approximately $2,000,000 to build the east levee of the Eastern By-pass, besides the cost of getting the right of way upon which to build it which would be enormous.

The building of the by-pass levees would shut off all sloughs, creeks and surface drainage which now naturally flow through Sutter County from the north into said tule basin, requiring the taking up of all of said streams and waters, which are enormous in quantity in this county, by a system of canals to conduct said waters southerly to the Feather River or near there, many miles from the present mouths of said streams, and the installation and operation of huge pumps at said place to pump said waters over the said levee and into the by-pass.

The building of said by-pass levees along the lines proposed would place all the land lying between the said levee and Feather River in a pocket that would be covered with water a depth sufficient to destroy and kill the orchards, vineyards, grain and alfalfa growing on said lands, whenever a break might occur in the levee along the said Feather River.

It is well known that the levee along the banks of the Feather River breaks frequently on account of high water caused by the choking of said river by debris. That the levees along said Feather River in Sutter County are as high as it is safe for life and property to build them; that to build them high enough to contain all the water that sometimes comes down said river would not only endanger life and property, but the expense of so building them would bankrupt the owners of the land affected, because they would not only have to be raised and strengthened throughout Sutter County, but levees would have to be built through Butte County to Oroville, to prevent the escape of water from the river to our north, which water after it leaves the river flows down through Sutter County and into the said tule or Sutter basin.

That should said by-pass levees be constructed at the places proposed the water plane of the said tule or Sutter basin would be raised over ten feet higher than ever reached by the water in said basin. That it would require levees from 25 to 30 feet high to contain said waters and this stream flowing down by our said lands where no stream has heretofore flowed would seep through the levee to the injury of the land lying near thereto, and would constitute such menace and jeopardy to all our said lands lying within several miles of said by-pass as to greatly depreciate them in value, for should said east levee of the by-pass break by reason of neglect or the work of industrious gophers with which that region is infested, all of said lands would be flooded and the orchards, vineyards, alfalfa and grain growing thereon would be killed and destroyed and homes erected thereon would be rendered uninhabitable.

That the great general plan of reclamation, river improvement and flood control as contemplated by the state reclamation board and the government of the United States is not dependent upon or affected by the success or the failure of the Armour project to reclaim a portion of the Sutter Tule Basin. The reclamation of this particular body of land by this eastern by-pass method is alone involved. And whether Armour fails in his said efforts to reclaim at the least expense and costs to him, or whether we must submit to an inevitable doom, makes no difference whatever in the general plans of reclamation and river control undertaken and contemplated in Yolo County, Sacramento County, Colusa County and elsewhere in this State.

That we fail to appreciate the reason or the consistency of the state board of reclamation in furthering a plan of reclamation in Yolo and Colusa counties of cutting through the Knights Landing ridge and thus providing a method of escape for the waters flowing through breaks occurring along the west bank of the Sacramento River which water this natural barrier holds back in a natural pocket causing large bodies of land lying to the north of said Knights Landing ridge to be submerged for long periods of time, while they permit the Armour people to erect an artificial barrier and ridge, in the shape of levees along the margin of the tule basin in Sutter County thus forming a man made pocket to catch and hold the waters escaping from breaks in the levee built along the west bank of Feather River in Sutter County, to the inevitable destruction of our said lands lying within the pocket thus formed.

Resolved, That we resent the efforts of the Armour-Gerber interests and other interested and non-interested people to place the people of Sutter County in a false light before the people of this State in reference to our attitude towards reclamation, flood control and river improvement. And we deplore the fact that in their statements in the public press and elsewhere they express themselves so eloquently and rhetorically upon the advantages to accrue from reclamation in general, and say so little about the method they are pursuing and the effect such method will have upon the balance of Sutter County. It would be more becoming in them if not so effective in moulding public sentiment, for them to take the same position in their press reports that the attorneys for Reclamation District No. 1500 take in court, to wit: "We know our acts will injure you, but remember we are dealing with flood water, a public and natural enemy, and we have a legal right to turn it from our lands on to yours, and if you don't want to drown, build yourselves levees and do the necessary work to keep it off, your damage and your expense is no concern of ours."

Let them tell the truth, be frank, and say: "What care we for your troubles and expense. We must look out for Armour of Chicago and other wealthy gentlemen of Sacramento who have money invested in this project and who are expecting large profits from this enterprise. We must see to it that they accomplish this work at the least possible expense and the greatest possible advantage to these public spirited and enterprising gentlemen. And if in the doing of this great work we cause disaster to a few disgruntled owners of from 30,000 to 50,000 acres of land, they should submit with humility, being farmers, rather than take the chances of frightening eastern capital from the State."

That it is not true as stated in the publicity literature sent out by the Armour-Gerber people that any land in Sutter County has been reclaimed at the expense of, or the detriment of other lands. That Levee District No. 1 is not a reclamation or drainage district, but was organized to build a levee along the west bank of Feather River to hold the water in the channel in said river after it became filled by debris and that no levees were built or were necessary to protect the lands in said district from overflow from tule basin until the waters of the Sacramento River were conducted into said basin at the Tisdale weir thus increasing the flood plane in said basin and causing some of the land in said levee district lying adjacent to the tule basin to become submerged. It was then that a levee was built along the tule basin to protect said lands from the water thus forced upon them.

WHEREAS, There has been introduced in the Senate and Assembly of the State of California, Senate Bill No. 631, Assembly Bill No. 759; Senate Bill No. 634, Assembly Bill No. 831; Senate Bill No. 661, Assembly Bill No. 764; Senate Bill No. 662, Assembly Bill No. 765; Senate Bill No. 660, Assembly Bill No. 766; Senate Bill No. 722, Assembly Bill No. 793; Senate Constitutional Amendment No. 34, Assembly Constitutional Amendment No. 30; Senate Bill No. 910 and Assembly Bill No. 1151, the passage of all or any of which would be detrimental to the interests of the people of Sutter County; therefore, be it

Resolved, That we, the people of Sutter County, in mass meeting assembled, actuated solely by the desire to defend and preserve our homes and our property from the destruction threatened by the method pursued by the [illegible] people in trying to reclaim a large body of state swamp and overflowed land, do earnestly request and importune the Legislature of the State of California that they do not pass any of said bills or any other bill or measure tending to destroy our homes or to put an unendurable tax upon us in order that [illegible] land owners may reclaim their lands by unjust and iniquitous methods.

Resolved, That a copy of these resolutions be delivered to the Legislature through our Senator and Assemblyman respectively, by a committee of 100 citizens to be appointed by the chairman of this meeting, and that our representatives in the Legislature be urged to use all honorable means and all the ability with which they are possessed to accomplish the defeat of all of said bills and all legislation having for its aim the accomplishment of the [illegible] project in Sutter County by the unjust means and methods pursued by them.

The above is a true, full and correct copy of the resolutions adopted at mass meeting of citizens of Sutter County, Yuba City, February 27, 1915.

SAMUEL GRAY, Chairman.
C. D. O. [illegible], Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March [illegible], 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 711—An Act to provide for the protection of breeders and growers of live stock from theft, for registration of marks and brands, [illegible] houses, and the inspection of live stock and the hides thereof;

Also: Senate Bill No. [illegible]—An Act to [illegible] of the "Bank Act" of the State of California, approved March 1, 1909, amended as amended April 21, 1911;

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of the Civil Code, relating to [illegible];

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, to provide for [illegible] of the [illegible] Regents of the University of California;

Also: Senate Bill No. [illegible]—An Act to amend section one thousand seven hundred thirty of the Political Code, relating to boards of trustees in high school districts;

Also: Senate Bill No. 710—An Act to amend section one thousand seven hundred thirty-one of the Political Code, relating to the election or appointment of members of high school boards;

And reports that the same have been correctly engrossed.

LUCE, Vice Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 24, 1915.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 11—An Act to amend section two thousand five hundred and fifty-two of the Political Code of the State of California, relating to the salaries and compensation of the officers of the Board of State Harbor Commissioners of San Francisco, and the employees of the State of California employed by and under said Board of State Harbor Commissioners of San Francisco, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BROWN, Chairman.

Senate Bill No. 11 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. [illegible]—An Act to amend an Act entitled, "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending sections two, three, four, five, six, seven and one-half and eight thereof, by adding a new section thereto to be known and numbered as section six and one-half, and repealing section seven thereof, all relating to the powers and duties of the State Veterinarian, Assistant State Veterinarian and Deputy State Veterinarians, and fixing salaries, and prescribing penalties for violation of this Act;

Also: Senate Bill No. 960—An Act to amend sections five and twenty-nine of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911;

Has had the same under consideration, and respectfully recommends that they do pass as amended.

KING, Chairman.

Senate Bills Nos. 535 and 960 ordered on file for second reading.

Also:

SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Bill No. 603—An Act to prevent the importation into the State of California of horses, mules, dairy cattle and breeding bulls which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this Act, and repealing an Act approved June 4, 1913, entitled "An Act to prevent the importation into the State of Califorina of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an Act entitled, "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an Act entitled, "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911—has had the same under consideration, and respectfully recommends that it do pass.

KING, Chairman.

Assembly Bill No. 603 ordered on file for second reading.

Also:

SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 525—An Act making an appropriation for the investigation of agricultural problems and conditions in Siskiyou County, contingent upon the appropriation by the United States of America of the like, or greater sum for the same purpose—has had the same under consideration, and respectfully recommends that it do pass and be re-referred to Committee on Finance.

KING, Chairman.

Senate Bill No. 525 ordered re-referred to Committee on Finance.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine to which was referred Senate Bill No. 988—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 988 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 157—An Act to establish the California State Commission for the Blind, providing for the maintenance of a register of the blind and a Bureau of Information and Industrial Aid, and providing for home teachers along industrial lines, also to co-operate with the State Board of Health for the prevention of blindness; and appropriating moneys to carry out the provisions of this Act.

Also: Senate Bill No. 760—An Act to establish a state training high school, to prescribe the functions thereof, to provide for its organization and management, to authorize the high school district where the same is located to appropriate moneys for the partial payment of its expenses and to provide for its housing, and to make a state appropriation therefor;

Has had the same under consideration and respectfully reports the same back and recommends that they do pass and be re-referred to the Committee on Finance.

ANDERSON, Chairman.

Senate Bills Nos. 157 and 760 ordered re-referred to Committee on Finance.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Kehoe moved to reconsider the vote whereby Senate Bill No. 1175—An Act to regulate the sale of butter that has been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof—was refused passage.

MOTION.

On motion of Senator Kehoe, the consideration of the above motion to reconsider was postponed until Monday, March 29, 1915.

CONSIDERATION OF MOTION TO RECONSIDER—POSTPONED.

On motion of Senator Brown consideration of his motion to reconsider the vote, whereby Senate Bill No. 558 was refused passage, was postponed until Monday, March 29, 1915.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 735—An Act to amend sections one, four, five and six of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by an Act approved March 20, 1905, and as amended by an Act approved March 4, 1907, and as amended by an Act approved April 21, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 735 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

On motion of Senator Finn, Senate Bill No. 55 was passed on file.

Senate Bill 584—An Act to amend section two thousand four hundred sixty-six of the Political Code and to add thereto a new section to be numbered two thousand four hundred sixty-six *a*, relating to rates of pilotage at San Francisco.

On motion of Senator Flint Senate Bill No. 584 was passed on file.

Senate Bill No. 199—An Act to amend section one thousand eight hundred eighty-one of the Code of Civil Procedure of the State of California, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 199 was passed on file.

Senate Bill No. 969—An Act to add a new section to the Code of Civil Procedure to be numbered one hundred three *a*, relating to the duties of clerks of certain justices of the peace.

On motion of Senator Benson, Senate Bill No. 969 was passed on file.

Senate Bill No. 818—An Act to add a new section to the Penal Code of the State of California, to be known as section six hundred fifty-four *b*, relating to the protection of the purchasers of real estate against fraud and deception.

In the absence of the author, Senate Bill No. 818 was passed on file.

Senate Bill No. 38—An Act to amend an Act known as "The Building and Loan Commission Act," chapter 354, laws of 1911, approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be known as and numbered section nine *a*, relating to the powers and duties of the Building and Loan Commissioner; fixing the grade and penalty for non-compliance with his orders; providing for the assistance of a peace officer to enforce his demands.

On motion of Senator Benson, Senate Bill No. 38 was passed on file.

Senate Bill No. 84—An Act to amend the Civil Code of the State of California by adding thereto a new section, to be known and numbered six hundred forty-two *a*, relating to building and loan associations.

On motion of Senator Benson, Senate Bill No. 84 was passed on file.

Senate Constitutional Amendment No. 1—Proposed amendment to article VI of the Constitution, relative to the method of selecting the Justices of the Supreme Court, Justices of the District Courts of Appeal and Judges of the Superior Courts.

AMENDMENTS FROM FLOOR.

During reading of Senate Constitutional Amendment No. 1, the following amendments were offered by the author:

AMENDMENT NUMBER ONE.

On page 1, lines 6 and 7, of the title of the printed constitutional amendment, strike out both of said lines 6 and 7 and insert in lieu thereof the following: "the Justices of the Supreme Court and of the District Courts of Appeal."

Amendment adopted.

AMENDMENT NUMBER TWO.

On pages 1, 2 and 3 of the printed constitutional amendment, strike out all of lines 8 to 20 inclusive on page 1, also all of lines 1 to 25 inclusive on page 2, and lines 1 to 5 inclusive on page 3, and insert in lieu thereof the following:

"Section 26. The Justices of the Supreme Court and of the District Courts of Appeal elected or appointed at or prior to the election at which this amendment is adopted shall hold office for the respective terms for which they were chosen. After the adoption of this amendment all Justices of the said courts shall be appointed by the Governor and confirmed by the Senate. The terms of office of the Justices of the said courts shall be as now provided. If a vacancy occur in the office of Justice of any of the said courts, the Governor shall appoint a person to fill such vacancy. At every session of the Legislature the Governor shall submit to the Senate for its approval or rejection all appointments made under the authority of this section since the adjournment of the preceding session of the Legislature. If any appointment thus submitted be not confirmed, the Governor shall immediately nominate, and by and with the advice and consent of the Senate shall appoint, a persen to fill the vacancy. In addition to the methods of removal by the Legislature provided by sections 17 and 18 of article IV and by section 10 of this article, the provisions of article XXIII relative to the recall of elective public officers shall be applicable to Justices appointed pursuant to the provisions of this section so far as the same relate to removal from office; and, until otherwise provided by law, the vote cast for the office of Governor at the last preceding election in the State, or in the district, as the case may be, for which the Justice was appointed or elected, shall be used as the basis for determining the number of signatures necessary for a recall petition. In case of such removal the Governor shall appoint the successor to the person removed as in other cases of vacancy. All provisions of this article in conflict with this section are superseded hereby."

Amendment adopted.

Constitutional amendment ordered to print, and engrossment

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, by adding to article VI of said constitution a new section to be numbered section six and one-half, relating to the term of office of judges of the Superior Court.

On motion of Senator Finn, Senate Constitutional Amendment No. 2 was passed on file.

Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

In the absence of the author, Senate Bill No. 10 was passed on file.

Senate Bill No. 105—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," by amending sections 3, 19, 21 and 26 of said Act.

On motion of Senator Strobridge, Senate Bill No. 105 was passed to the file of unfinished business.

Senate Bill No. 1005—An Act to carry into effect the provisions of section one *a* of article XIII of the Constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered three thousand six hundred thirteen.

On motion of Senator Jones, Senate Bill No. 1005 was passed on file.

Senate Bill 744—An Act to provide for the protection of breeders and growers of live stock from theft, for registration of brands, butchers and slaughter houses, and the inspection of live stock and the hides thereof.

On motion of Senator Benson, Senate Bill No. 744 was passed on file.

SENATOR STROBRIDGE IN THE CHAIR.

At ten o'clock and twenty-five minutes a.m., Senator Strobridge of the Thirteenth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 586—An Act to amend an Act entitled "An Act to define and regulate the business of banking," known as the Bank Act, approved March 1, 1909, by amending section fifty-three thereof added thereto by an Act entitled "An Act to amend that certain Act of the legislature of the State of California, entitled 'An Act to define and regulate the business of banking,' approved March 1, 1909, by amending sections eleven, twenty, twenty-three, thirty-three, thirty-five, thirty-nine, forty-three, forty-nine, sixty, sixty-two, eighty, eighty-two, eighty-three, ninety-six, one hundred twenty-three, one hundred thirty-three, one hundred twenty-four and one hundred twenty-one thereof, and by adding new sections twelve *a*, fifty-two, fifty-three, and eighty-four thereto."

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 586 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 80—An Act to amend section six hundred forty-seven of the Civil Code, relating to building and loan associations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 80 passed by the folowing vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 511—An Act to provide for the registration of all births and deaths, the establisment of registration districts in cities, incorporated towns, townships, under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of a state and a local registrar of vital statistics; and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and fixing penalties for violation of this Act; creating the office of state and local registrars of vital statistics and providing for the salary and fees of same; and repealing all Acts and parts of Acts in conflict herewith;

Also: Senate Bill No. 303—An Act to recognize and declare valid all proceedings in Anderson-Cottonwood Irrigation District;

Also: Senate Bill No. 309—An Act to recognize and declare valid all proceedings in La Mesa, Lemon Grove and Spring Valley Irrigation District;

Also: Senate Bill No. 461—An Act to validate the formation of certain districts formed under the provisions of an Act entitled "An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof," approved June 13, 1913, and to validate the issuance and sale of certain bonds thereof;

Also: Senate Bill No. 274—An Act to amend section four thousand three hundred sixteen of the Political Code of the State of California, relating to officers prohibited from practicing law;

Also: Senate Bill No. 921—An Act to amend section three hundred forty-eight of the Code of Civil Procedure, relating to the limitation of actions brought to recover money or other property deposited with any bank, banker, trust company or savings and loan society, by including therein building and loan association;

Also: Senate Bill No. 728—An Act to amend section eleven hundred ninety-five of the Political Code, relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments, and to the printing and distribution of such constitutional amendments;

Also: Senate Bill No. 1173—An Act to amend an Act entitled "An Act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, by amending section four thereof;

And report that the same have been correctly engrossed.

LUCE, Vice Chairman.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 346—An Act to amend section one thousand four hundred thirty-one of the Political Code, to provide for payment of the traveling expenses of the regents of the University of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 346 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flint, Irwin, Jones, Kehoe, Luce, Lyon, Mott, Scott, Shearer, Slater, Strobridge, and Thompson—24.

NOES—Senator Chandler—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 423—An Act to amend section one thousand seven hundred thirty of the Political Code, relating to boards of trustees in high school districts.

On motion of Senator Anderson, Senate Bill No. 423 was passed on file.

Senate Bill No. 710—An Act to amend section one thousand seven hundred thirty-one of the Political Code, relating to the election or appointment of members of high school boards.

On motion of Senator Anderson, Senate Bill No. 710 was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At ten o'clock and forty minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 1174—An Act to regulate the sale of food ingredients which are in part composed of butter shipped or imported into the State of California from any point or place outside of the United States, requiring the marking of all bills of fare or menu cards placed on tables or counters in establishments preparing, serving or offering for sale any such food, and fixing penalties for the violation of the same or any of the provisions thereof.

On motion of Senator Kehoe, Senate Bill No. 1174 was passed on file.

Senate Bill No. 1176—An Act to regulate the placing of cards in all packages or wrappers inclosing manufactured food products before being sold or offered for sale which are composed in part of butter shipped or imported into the State of California from any point or place outside of the United States and fixing penalties for the violation of the same or of any of the provisions thereof.

On motion of Senator Kehoe, Senate Bill No. 1176 was passed on file.

Senate Bill No. 511—An Act to provide for the registration of all births and deaths, the establishment of registration districts in cities, incorporated towns, townships, under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of a state and a local registrar of vital statistics; and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and fixing penalties for violation of this Act; creating the office of state and local registrars of vital statistics and providing for the salary and fees of same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 511 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Kehoe, King, Luce, Lyon, Mott, Owens, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 102—An Act creating and establishing a commission for the investigating and gathering of data and statistics concerning the use of live animals for experimental purposes; providing for the appointment of said commission to be known as the "commission for the preservation of statistics of animal life," and prescribing the powers and duties of said commission and its members.

On motion of Senator Brown, Senate Bill No. 102 was passed on file.

Senate Bill No. 1207—An Act to amend section two of an Act entitled "An Act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878.

On motion of Senator Ballard, Senate Bill No. 1207 was passed on file.

Senate Bill No. 303—An Act to recognize and declare valid all proceedings in Anderson-Cottonwood Irrigation District.

On motion of Senator Shearer, Senate Bill No. 303 was passed on file.

Senate Bill No. 309—An Act to recognize and declare valid all proceedings in La Mesa, Lemon Grove and Spring Valley Irrigation District.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 309 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Kehoe, King, Luce, Lyon, Mott, Owens, Slater, Strobridge, Stuckenbruck, and Thompson—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 461—An Act to validate the formation of certain districts formed under the provisions of an Act entitled "An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof," approved June 13, 1913, and to validate the issuance and sale of certain bonds thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 461 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Irwin, Kehoe, King, Luce, Lyon, Mott, Owens, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 274—An Act to amend section four thousand three hundred sixteen of the Political Code of the State of California, relating to officers prohibited from practicing law.

On motion of Senator Jones, Senate Bill No. 274 was passed on file.

Senate Bill No. 921—An Act to amend section three hundred forty-eight of the Code of Civil Procedure, relating to the limitation of actions brought to recover money or other property deposited with any bank, banker, trust company or savings and loan society, by including therein building and loan associations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 921 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Irwin, Kehoe, King, Luce, Lyon, Owens, Scott, Shearer, Strobridge, Stuckenbruck, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 728—An Act to amend section eleven hundred ninety-five of the Political Code, relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments and to the printing and distribution of such constitutional amendments.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill Senator Chandler moved to refer to Senator Flint as a Special Committee of One to amend Senate Bill No. 728 as follows:

On page 2 of the printed bill, strike out all of lines 26 to 30 inclusive, and insert in lieu thereof the following: "at the same time, in the same manner and in the same envelope provided for in section one thousand two hundred ten of this Code, and no other publication of said amendment or proposition shall be necessary or authorized."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 728, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Committee.

Report read and, on motion of Senator Chandler, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 1173—An Act to amend an Act entitled "An Act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, by amending section four thereof.

On motion of Senator Butler, Senate Bill No. 1173 was passed on file.

SECOND-READING FILE.

Senate Bill No. 222—An Act to amend section eight hundred forty-eight of the Code of Civil Procedure of the State of California, relating to service of summons in the justice's court.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, after the word "found" and before the colon, insert the following: "in the state".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 59—An Act to amend section two thousand two hundred eighty-nine of the Civil Code of the State of California, relating to the appointment of trustees.

AMENDMENTS FROM FLOOR.

During second reading of the bill the following amendments were offered by Senator Finn:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after figures "2289," insert the following: "Except when the declaration of trust otherwise provides,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, strike out the word "When" and insert in lieu thereof the word "when".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 60—An Act to amend section two thousand two hundred sixty-eight of the Civil Code of the State of California, relating to the power of trustees.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill 221—An Act to amend section one hundred seventy-one of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 220—An Act to provide against the publishing or circulating of an advertisement, in any form, containing any assertion, representation or statement of fact which is untrue, deceptive or misleading.

On motion of Senator Scott, Senate Bill No. 220 was passed on file.

Senate Bill No. 51—An Act to regulate the opening, widening and closing of roads and paths and the disinterment of bodies in cemeteries which have been transferred to cities or cities and counties and which are held by them in trust for the purpose of maintaining said cemeteries forever as public parks.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 52—An Act to authorize a cemetery corporation or association to transfer its land and certain funds to the city, or city and county within which such cemetery land is located whenever further burials in such land shall be prohibited; and to authorize said city or city and county to accept and execute a trust in relation to such property for the purpose of maintaining said land forever as a public park, to provide for the carrying into effect of the purposes in this Act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 54—An Act to repeal an Act entitled "An Act providing for the removal of human remains from cemeteries in any city, or city and county in this State, and repealing all Acts in conflict therewith," approved April 24, 1911.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 106—An Act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an Act entitled "An Act to survey and dispose of certain marsh and tide lands belonging to the State of California," approved March 30, 1868, or any of the Acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 223—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered three hundred thirty-seven *a*, relating to the time when an action upon an open book account accrues.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 224—An Act to amend section three hundred thirty-seven of the Code of Civil Procedure of the State of California, relating to time within which certain actions must be commenced.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 225—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered nine hundred five *a*, relating to the enforcement or carrying into execution of judgments rendered by a justice's court after the lapse of five years from the date of entry.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 597—An Act to amend sections one hundred ninety, one hundred ninety-two, one hundred ninety-three, one hundred ninety-four and one hundred ninety-five of the Code of Civil Procedure, relating to jurors.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 599—An Act to amend section one thousand forty-six of the Penal Code, relating to the formation of the trial jury in criminal actions.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 742—An Act to amend section six hundred twenty-six *n* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 741—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred twenty-eight *h*, relating to the protection of fish.

In the absence of the author, Senate Bill No. 741 was passed on file.

Senate Bill No. 743—An Act to amend section six hundred twenty-six *j* of the Penal Code of the State of California, relating to the protection of game.

In the absence of the author, Senate Bill No. 743 was passed on file.

Senate Bill No. 852—An Act to amend section six hundred thirty *a* of the Penal Code of the State of California, relating to the regulation of the business of wholesale dealers in fish and game and providing for a record of the transactions therein.

In the absence of the author, Senate Bill No. 852 was passed on file.

Senate Bill No. 688—An Act to amend section six hundred twenty-eight *b* of the Penal Code of the State of California, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5 of the printed bill, strike out the word "November" and insert in lieu thereof the word "December".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, strike out the words "any year" and insert in lieu thereof the words "the year following".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 983—An Act to amend an Act entitled "An Act regulating private employment agencies providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the

Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by amending sections four, seven, twelve and fourteen.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, in line 13 of the title of the printed bill, insert before the period in said line the following: "thereof".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, in line 16 of the printed bill, insert before the period in said line the following ", or such portion of said fee as in the judgment of the commissioner of labor may be adequate".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 666—An Act to amend section eight hundred seventy-five of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the president and presidents pro tem. of boards of trustees.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title, strike out the word "section" and insert in lieu thereof the word "sections".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 2 of the title, after the word "seventy-five" insert the following: "and eight hundred and sixty-eight".

Amendment adopted.

AMENDMENT NUMBER THREE.

After line 10, insert the following: "Section 2. Section 868 of said Act is hereby amended to read as follows:

Sec. 868. The board of trustees shall have the power to declare what constitutes a nuisance, and to provide for the summary abatement of any nuisance at the expense of the persons creating, causing, committing or maintaining such nuisance, and shall have the power by ordinance to make the expense of abatement of nuisances a lien against the property on which a nuisance is maintained, as well as to make such expense a personal obligation against the owner of such property. Said board of trustees shall also have power by ordinance to require and provide for the removal of grass, weeds or other obstructions from the sidewalks, parkings or streets and to make the cost thereof a lien or charge upon the abutting property and to make provision for the enforcement of such lien by the sale of property or otherwise; and said board likewise shall have power by ordinance to require or provide for the removal from property, lands or lots of all weeds, rubbish or other material which may endanger or injure neighboring property or the health or welfare of residents of the vicinity, and to make the cost thereof a lien and charge upon such property, lands or lots and to make provision for the enforcement of such lien by the sale of such property, lands or lots or otherwise."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 793—An Act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill 1170—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under the constitutional provision without the Governor's approval, February 25, 1901, as subsequently amended, by amending section two and section three thereof, relating to the proceedings for the calling of an election therefor and by adding a new section thereto to be numbered section twelve and three-fourths, relating to the consolidation of elections.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1025—An Act amending an Act entitled "An Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, by amending sections one, five, six, seven and eleven thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1026—An Act to amend an Act entitled "An Act to provide for the consolidation of municipal corporations," approved June 11, 1913, by amending sections five, seven, ten, eleven and fourteen, and by adding a new section thereto to be numbered section thirteen and one-half, relating to certain non-contiguous municipal corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1172—An Act authorizing any county and cities within such county to join in the acquisition, construction or maintenance of bridges or viaducts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1208—An Act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an Act entitled "An Act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby," approved April 21, 1909, and referred to as the "Street Improvement Act of 1909."

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 479—An Act to amend section three of an Act entitled "An Act to establish a state training school for girls; to provide for the maintenance and management of the same; and to make an appropriation therefor," approved June 14, 1913.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 944—An Act authorizing the board of trustees of Whittier State School to maintain a department for the care and training of male defectives at the Whittier State School and to provide for the commitment of defectives thereto.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1059—An Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of and government of paroled prisoners, and repealing an Act to amend an Act entitled 'An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners,' approved March 23 1893," approved June 16, 1913, by adding thereto section one and one half, relating to the granting of paroles and the forfeiture of credits for the violation thereof or of a law of the State or any rule or regulation of the prison, or the Board of Prison Directors or of the Board of Parole Commissioners.

In the absence of the author, Senate Bill No. 1059 was passed on file.

Senate Bill No. 176—An Act to amend an Act entitled "An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof," approved June 13, 1913, by amending the title thereof, by amending sections one, two, three, five, six, eight, nine, ten, eleven, twelve, thirteen and fourteen thereof, and by adding a new section thereto, to be known as section seventeen, relating to change of name of said districts, and to bond issues thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 7 of the title, page 1 of the printed bill, insert after the comma following "1913" the following: "by providing for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes in such district; and for the issuance of county waterworks district bonds, and the payment thereof."

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 8 of the title, page 1 of the printed bill, strike out the word "thereof" and insert in lieu thereof the following: "of said Act,".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 12 of the title, page 1 of the printed bill, insert after the word "said" the following: "county irrigation."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1007—An Act to provide for the re-assessments by municipal corporations on property benefited by street work done under authority of the governing bodies thereof; providing for the method of making and collecting such assessments and for the payment of contractors and others performing labor or supplying materials for the work done out of funds so raised or bonds issued by municipal corporations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4 of the printed bill, strike out the following: "of any law of the State of California or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, strike out after the word "such" the words "law or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 9 of the printed bill, insert after the word "assessment" the words "and pursuant to notice given to the owners of property along the proposed work."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 16 of the printed bill, strike out the period after the word "years" and insert the following, "from the date of the original assessment; *provided, however*, that the proceedings of such re-assessment are commenced within six months from the time this Act takes effect."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 25 of the printed bill, after the word "any" strike out "law or".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 34 of the printed bill, strike out the words "statute or".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 2 of the printed bill, strike out the words "law of this State or any law or".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 12 of the printed bill, strike out the words "statute of this State or".

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 612—An Act to amend section two of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Insert after the comma following the word "protection" in line 7, page 2 of the printed bill, the following: "or the distribution of a municipal water supply,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 27—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding a new section to said Act, to be known as section six *a*, relating to doing of public work by municipalities.

On motion of Senator Strobridge, Senate Bill No. 27 was passed on file.

Senate Bill No. 930—An Act to amend section one thousand two hundred sixteen of the Political Code (relating to the duties of Registrar of Voters).

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 1 of the printed bill, insert after the comma the following: "other than the board of supervisors acting as such ex officio,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 209—An Act to amend section nine of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1152—An Act authorizing the transfer of certain powers, duties and functions of certain cities and officers thereof to the officers of counties in which any such city is located.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill 635—An Act to amend section three of an Act entitled "An Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended March 6, 1899, and April 21, 1909.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 442—An Act to amend an Act entitled "An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, statutes of California of 1913, page 1429.

In the absence of the author, Senate Bill No. 442 was passed on file.

Senate Bill No. 109—An Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as: "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same, and known as an Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, approved March 12, 1885, approved March 23, 1901."

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 409—An Act to regulate bakeries; to provide for inspection, regulation and control thereof by the Commissioner of the Bureau of Labor Statistics; and prohibiting the operation of bakeries without sanitary certificates as herein provided.

In the absence of the author, Senate Bill No. 409 was passed on file.

Senate Bill No. 789—An Act to amend section forty-two hundred seventy-five of the Political Code of the State of California, relative to the salary of officers in counties of the forty-sixth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out of the printed bill, page 1, all of lines 8, 9, 10, 11 and 12 and insert in lieu thereof the following: "1—The county clerk, twenty-five hundred dollars per annum; provided that in counties of this class there shall be and there is hereby allowed to the county clerk one deputy who shall receive a salary of one thousand dollars per annum, and one deputy who shall receive a salary of eight hundred dollars per annum; the deputies herein provided for shall be appointed by the county clerk, and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same funds as the salary of the county clerk is paid. All fees collected by the clerk as are now or may hereafter be required by law shall by him be paid into the county treasury.

Amendment adopted.

AMENDMENT NUMBER TWO.

Page 2, line 8, strike out the words, "two thousand" and insert in lieu thereof "twenty-four hundred".

Amendment adopted.

AMENDMENT NUMBER THREE.

Page 3, line 6, after the word "month" strike out "in addition to" and all of lines 7, 8, 9 and 10.

Amendment adopted.

AMENDMENT NUMBER FOUR.

Page 3, line 26, strike out after the figure "15" all the remainder of said line and all of lines 27, 28, 29 and 30 and insert in lieu thereof, "Supervisors the sum of one hundred and twenty-five dollars per month each; mileage at the rate of ten cents per mile for each mile actually travelled by them in the discharge of their duties either as road commissioner or supervisor, not exceeding in the aggregate two hundred and fifty dollars per annum. Supervisors shall also receive their necessary expenses when the performance of duty as supervisor or road commissioner takes them out of the county. The salary, mileage and expenses provided for herein shall be payable between the time the act takes effect and the 31st day of December, 1915, and thereafter monthly."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 720—An Act to amend section four thousand two hundred thirty-three of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out all of the bill after the word "to wit:" on line 6, page 1, of the printed bill, and insert in lieu thereof the following:

1. The county clerk, thirty-six hundred (3600) dollars per annum; provided, that in counties of this class there shall be and there hereby is allowed to the county clerk one deputy county clerk who shall act as [illegible] who shall receive a salary of eighteen hundred (1800) dollars per annum; also one deputy county clerk to act as clerk to the board of supervisors, who shall receive a salary of eighteen hundred (1800) dollars per annum; also one deputy county clerk who shall be the registrar of voters and who shall receive a salary of fifteen hundred (1500) dollars per annum; also one deputy county clerk who shall serve as general office clerk who shall receive a salary of fifteen hundred (1500) dollars per annum; also three deputy county clerks who shall serve as clerks of the several departments of the superior court who shall receive a salary of thirteen hundred and eighty (1380) dollars per annum each; also one deputy county clerk who shall serve as desk clerk, who shall receive a salary of thirteen hundred and eighty (1380) dollars per annum; *provided, however,* that the county clerk shall not be allowed the additional deputy provided by section 4290 of the Political Code of the State of California; also one deputy county clerk who shall be [illegible] department," who shall receive a salary of twelve hundred (1200) dollars per annum; the deputies herein provided for shall be appointed by the clerk of said county and their salaries shall be paid by said county in equal monthly installments, at the same time and in the same manner and out of the same funds as the salary of the county clerk; *provided, further,* that in such years as the [illegible] of a great register of voters is required by law to be made the said clerk may appoint two deputies who shall serve for a term of twelve months, who shall each receive a salary of eighty-five (85) dollars per month, to be paid as are other deputies herein provided for; four deputies who shall serve for a term of eight months who shall each receive a salary of eighty-five (85) dollars per month, to be paid as are other deputies herein provided for; and two deputies who shall serve for a term of two months who shall each receive a salary of eighty-five (85) dollars per month, to be paid as are other deputies herein provided for; also one additional deputy in each voting precinct in the county, outside of the corporate limits of municipalities containing twenty-five thousand (25,000) or more inhabitants, for the purpose of registering electors in such precincts, who shall be paid ten (10) cents for each elector legally registered by them; *provided,* that said county clerk may be allowed the actual and necessary expenses incurred by him in the performance of his official duties, and shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived.

2. The sheriff, four thousand (4000) dollars per annum; provided, that there shall be and there hereby is allowed to the sheriff one undersheriff whose salary is hereby fixed at the sum of eighteen hundred (1800) dollars per annum; also two deputies who shall each receive a salary of fifteen hundred (1500) dollars per annum; also six deputies who shall each receive a salary of thirteen hundred and eighty (1380) dollars per annum; also one deputy who shall act as matron of the county jail who shall receive a salary of twelve hundred (1200) dollars per annum. The undersheriff and deputies herein provided for shall be appointed by the sheriff and paid at the same time and in the same manner and out of the same funds as is the salary of the sheriff; *provided,* that said sheriff shall be allowed the actual and necessary expenses incurred in the performance of his official duties. He shall pay into the county treasury all fees and mileage collected by him for the service of papers or process issued by any court of this State.

3. The county recorder, thirty-six hundred (3600) dollars per annum, and said recorder may appoint one deputy recorder who shall receive a salary of eighteen hundred (1800) dollars per annum, three deputy recorders who shall each receive a salary of twelve hundred (1200) dollars per annum; also six deputy recorders who shall each receive a salary of nine hundred (900) dollars per annum. The deputies herein provided for shall be paid at the same time and in the same manner and out of the same funds as the county recorder; *provided,* that such recorder may be allowed the actual and necessary expenses incurred by him in the performance of his official duties and shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived.

4. The county auditor, thirty-six hundred (3600) dollars per annum and said auditor may appoint one deputy auditor who shall receive a salary of eighteen hun-

dred (1800) dollars per annum; *provided*, that for the purpose of performing the work imposed upon him by law in connection with the annual assessment and collection of property taxes, the auditor may be allowed five additional deputies for a period of one month who shall each receive a salary of one hundred (100) dollars per month and four additional deputies for a period of two months who shall each receive a salary of one hundred (100) dollars per month. The deputies herein provided for shall be paid at the same time and in the same manner as is the county auditor; *provided*, that such auditor shall pay into the county treasury all fees received by him in his official capacity.

5. The county treasurer, thirty-six hundred (3600) dollars per annum, and said treasurer may appoint one deputy treasurer, who shall receive a salary of eighteen hundred (1,800) dollars per annum. All fees and commissions collected by him in his official capacity shall be paid into the county treasury; *provided*, that the county treasurer shall be entitled to retain for his own use the fees which are now or which may hereafter be allowed by the state law for the collection and payment to the state treasurer of inheritance taxes. Whenever the fees received on account of any one estate paying inheritance taxes shall exceed the sum of two hundred (200) dollars such excess shall be by the county treasurer paid into the county treasury as in the case of fees received by him from other sources. The deputy herein provided for shall be paid at the same time and in the same manner and out of the same funds as is the county treasurer.

6. The tax collector, thirty-six hundred (3600) dollars per annum, and said tax collecter may appoint one deputy tax collector who shall receive a salary of eighteen hundred (1,800) dollars per annum; one additional deputy tax collector who shall receive a salary of fifteen hundred (1,500) dollars per annum; also seven additional deputy tax collectors to serve as such only for a period of two and one-half months in each year, and who shall receive a salary of one hundred (100) dollars each per month; also three additional deputy tax collectors who shall serve as such only during two months of each year and who shall receive a salary of one hundred dollars each per month; also nine copyists who shall serve only during one and one-half months of each year, and shall each receive a salary of seventy-five (75) dollars per month. The deputies and copyists herein provided for shall be paid at the same time and in the same manner and out of the same funds as is the salary of the tax collector; *provided*, that said tax collector shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties, including the making and compiling of the necessary indices to the assessment roll, and shall pay into the county treasury all fees received by him in his official capacity from whatever source they may be derived.

7. The license collector, fifteen per cent of the whole amount of license collected by him; *provided*, that the entire compensation of said license collector shall not exceed the sum of fifteen hundred (1,500) dollars per annum.

8. The county assessor, thirty-six hundred (3600) dollars per annum; and said assessor may appoint one chief deputy assessor who shall receive a salary of eighteen hundred (1,800) dollars per annum; two office deputy assessors who shall each receive a salary of fifteen hundred (1,500) dollars per annum, also twenty deputy assessors who shall serve as such during the months of March, April, May and June of each year, who shall each receive a salary of one hundred (100) dollars per month, also five additional deputy assessors who shall serve as such only during the months of March, April, May, June and July of each year who shall each receive a salary of one hundred dollars per month, and also seven copyists to serve as such only during four months of each year who shall receive a salary of one hundred (100) dollars each per month; *provided*, that the above salaries and compensations shall be in full for all services rendered by him as such assessor and that no commission for the collection of state or infirmary poll taxes or personal property taxes shall be retained by him but that all such commissions shall be paid into the county treasury. The deputies and copyists herein provided for shall be paid at the same time and in the same manner and out of the same fund as is the county assessor; *provided*, that the assessor shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties.

9. The district attorney, thirty-six hundred (3600) dollars per annum; he may appoint a chief deputy at a salary of twenty-four hundred (2,400) dollars per annum; one assistant district attorney at a salary of eighteen hundred (1,800) dollars per annum; one assistant district attorney at a salary of fifteen hundred (1,500) dollars per annum; and a deputy district attorney at a salary of fifteen hundred (1,500) dollars per annum; one detective who shall serve at a salary of fifteen hundred (1,500) dollars per annum; *provided, however*, that no further or additional amounts shall be allowed for detective services without the previous consent and authorization of the board of supervisers, and a clerk at a salary of twelve hundred (1,200) dollars per annum, all of whom shall be paid in the same manner as said district attorney; *provided*, that said district attorney shall be allowed the actual and necessary expenses incurred by him in the performance of his official duties. All fees and commissions collected by him shall be paid into the county treasury.

10. The coroner and public administrator such fees as are now or may hereafter be allowed by law.

11. The county superintendent of schools, three thousand (3,000) dollars per annum, and the said superintendent of schools may appoint a deputy superintendent of schools who shall receive a salary of twelve hundred (1,200) dollars per annum and the said superintendent of schools shall also be paid his actual traveling expenses when visiting the schools of the county. The deputy herein provided for shall be paid at the same time and in the same manner and out of the same fund as is the superintendent of schools.

12. The county surveyor, the sum of three thousand (3,000) dollars per annum. Said surveyor may appoint the chief deputy surveyor who shall receive a salary of sixteen hundred (1,600) dollars per annum, also one deputy who shall receive a salary of twelve hundred (1,200) dollars per annum; and one deputy who shall be a draftsman to prepare maps for the county recorder at a salary of twelve hundred (1,200) dollars per annum; and one deputy at nine hundred (900) dollars per annum. Such compensation and salaries as above set forth shall be in full for all services as such county surveyor, and all fees and compensation received or collected by him for surveying other than for the county, shall be paid into the county treasury; *provided*, that said county surveyor shall be allowed all necessary transportation and expenses incurred by himself or deputies for work performed in the field, and in the official discharge of his duties, such salaries to be paid at the same time and in the same manner as the salaries of other county officers are paid.

13. The fish and game warden, twelve hundred (1200) dollars per annum and the actual and necessary expenses incurred by him in the performance of his official duties, not to exceed fifty (50) dollars for any one month.

14. The board of supervisors may at any time grant such additional assistance, or pay for such additional employees or service as it deems necessary to perform any service required by or in connection with any of the foregoing county offices in counties of this class.

15. In counties of this class, justices of the peace shall be compensated as follows, and all salaries shall be payable monthly in the same manner as the salaries of county officers are paid, viz:

(1) In townships having a population of twenty thousand or more, justices of the peace shall each receive a salary of two hundred and fifty (250) dollars per month as full compensation for all services rendered by them, except as hereinafter provided; *provided, however*, that in all such townships having a population of twenty thousand or more, there shall be two township justices of the peace in and for any such township, and said justices shall each be allowed a clerk to be appointed by the justices of the peace at a salary of one hundred (100) dollars per month, each, payable monthly in the same manner as salaries of county officers are paid, and shall be furnished with offices and necessary supplies by the board of supervisors.

(2) In townships having a population of five thousand and less than twenty thousand, justices of the peace shall each receive a salary of one hundred and thirty-seven dollars and fifty cents ($137.50) per mouth for all services rendered by them, except as hereinafter provided.

(3) In townships having a population of forty-four hundred and less than five thousand, justices of the peace shall each receive a salary of one hundred and thirty-five (135) dollars per month as full compensation for all services rendered by them, except as hereinafter provided.

(4) In townships having a population of twenty-five hundred and less than forty-four hundred, justices of the peace shall each receive a salary of seventy-five (75) dollars per month as full compensation for all services rendered by them except as hereinafter provided.

(5) In townships having a population of one thousand and less than twenty-five hundred, justices of the peace shall each receive a salary of fifty (50) dollars per month as full compensation for all services rendered by them, except as hereinafter provided.

(6) In townships having a population of less than one thousand, justices of the peace shall receive a salary each of thirty (30) dollars per month as full compensation for all services rendered by them, except as hereinafter provided.

Justices of the peace in all townships in counties of the fourth class shall be permitted to receive and retain for their own use, fees for celebrating marriages and returning certificates thereof, but all other fees shall be collected by them and by them paid into the county treasury at least once a month.

16. In counties of this class constables shall be compensated as follows, and all salaries herein provided shall be paid in the same manner as the salaries of county officers are paid, viz:

(1) In townships having a population of twenty thousand or more, constables shall each receive a salary of one hundred (100) dollars per month for all services rendered by them in criminal cases. As compensation for all services rendered in civil cases and all other matters wherein they may charge fees for their services, a constable may collect and retain for his own use as his compensation such fees as are now, or may hereafter be allowed by law.

(2) In townships having a population of five thousand and less than twenty thousand, constables shall each receive the sum of seventy-seven dollars and fifty cents ($77.50) per month as a salary for all services rendered by them in criminal cases. As compensation for all services rendered by them in civil cases and in all other

matters wherein they may charge fees for their services, a constable may collect and retain for his own use as his compensation such fees as are now or may hereafter be allowed by law.

(3) In townships having a population of forty-four hundred and less than five thousand, constables shall each receive the sum of seventy-seven dollars and fifty cents ($77.50) per month as a salary for all services rendered by them in criminal cases, civil cases and in the performance of all other duties imposed upon them by law. All fees chargeable and collectable in both criminal cases, civil cases, and in all other cases wherein fees are chargeable by constables, they shall collect in advance and pay monthly into the county treasury.

(4) In townships having a population of twenty five hundred and less than forty-four hundred, constables shall each receive the sum of sixty (60) dollars per month as a salary for all services rendered by them in both civil and criminal cases. All fees collected by them in civil and criminal cases shall be paid monthly by them into the county treasury. For all services performed by them, they may charge and retain for their own use such fees as are chargeable at law.

(5) In townships having a population of one thousand and less than twenty-five hundred, constables shall each receive the sum of forty (40) dollars per month as salary for all services rendered in both civil and criminal cases. All fees collected by them in civil and criminal cases shall be paid monthly by them into the county treasury. For all other services performed by them they may charge and collect for their own use such fees as are allowed by law.

(6) In townships having a population of less than one thousand, constables shall each receive the sum of thirty (30) dollars per month as a salary for all services rendered by them in civil and criminal cases. All fees collected by them in both criminal and civil cases shall be paid monthly into the county treasury. For all other services performed by them they may charge and collect for their own use such fees as are allowed by law. Constables shall be allowed all necessary expenses incurred in conveying prisoners.

The population herein referred to in classifying the townships for the purpose of regulating the compensation of justices of the peace and constables shall be the population found and determined by the federal census taken in the year 1910; *provided however*, that a township census may be taken for the purpose of establishing the official census of such township in the manner hereinafter specified and when so taken, such census shall be known as and shall become the official census of such township in which it is taken and the population therein determined shall be and become the official population of such township. Whenever there shall be presented to the board of supervisors of the county a petition signed by the qualified electors of any township or townships in number equal to a majority of votes cast at the preceding general election, praying that said township or townships may be allowed to take the census of said township or townships for the purpose of ascertaining the population therein contained, the board of supervisors shall order such census to be taken by one or more suitable persons appointed therefor by the board of supervisors and such census shall be taken by such persons so appointed, of all of the inhabitants of such township or townships. The full name of each person shall be plainly written, the names alphabetically arranged and regularly numbered in one complete series and when completed, shall be verified by the proper official authorized to administer oaths and be filed with the county clerk and thereupon, the same shall be known and shall be the official census of said township or townships.

17. Each supervisor, two thousand four hundred (2,400) dollars per annum and mileage of ten cents per mile for each mile actually traveled in going to and from their residence to the county seat or in the performance of the duties required of them by law or by virtue of their office; *provided*, that in attending sessions of the board only four mileages shall be allowed for each month and that the total mileage allowed shall not exceed five hundred dollars in any one calendar year; *provided*, that nothing in this subdivision shall be deemed to affect the compensation or mileage of any incumbent supervisor, but said incumbent shall be paid such compensation and allowed such mileage as is now provided and allowed by law.

18. The fees of grand jurors and trial jurors in the superior courts of said counties of the fourth class, in civil and criminal cases shall be three dollars, in lawful money of the United States, for each day's attendance, and mileage to be computed at the rate of fifteen cents per mile for each mile necessarily traveled in attending court, in going only. In criminal cases such fees and mileage of said trial jurors in the superior court shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor upon the written order of the judge of the court in which said juror was in attendance, and the treasurer of said county shall pay said warrants. The board of supervisors of said county is hereby directed to make suitable appropriation for the payment of the fees herein provided for.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 755—An Act to amend section six hundred thirty-five of the Penal Code of the State of California, relating to the pollution of the streams and public waters.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Page 1, line 3, of the title of the printed bill, insert after the word "stream" the following: "and the use of explosives in the streams".

Amendment adopted.

AMENDMENT NUMBER TWO.

Page 1, line 4, of the title of the printed bill, strike out the period and insert in lieu thereof the following: "and to repeal section 374½ of the Penal Code."

Amendment adopted.

AMENDMENT NUMBER THREE.

Page 2, line 4, of the printed bill, before the word "substance" insert the word "other."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, lines 9 and 10, of the printed bill, strike out all of line 9 after the word "fifty", the second word in the line, and strike out the letters "lars" in line 10 and insert in lieu thereof the following: "days, nor more than one hundred and fifty days".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, and after line 13 of the printed bill, add a paragraph as follows: "SEC. 2. Section 374½ of the Penal Code of the State of California is hereby repealed."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 975—An Act to amend section six hundred twenty-eight *a* of the Penal Code of the State of California, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Page 1, lines 9 and 10, of the printed bill, strike out all of line 9 and that part of line 10 preceding the word "twenty-fifth".

Amendment adopted.

AMENDMENT NUMBER TWO.

Page 1, lines 12 and 13, of the printed bill, strike out all of line 12 and that part of line 13 preceding the word "twenty-fifth".

Amendment adopted.

AMENDMENT NUMBER THREE.

Page 1, of the printed bill, following the word "who" in line 15, insert the following: ", between the twenty-fifth day of September and the fourteenth day of November, inclusive,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On the second page, line 2, of the printed bill, strike out the words: "or shad".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 942—An Act to amend an Act entitled "An Act to provide for local improvement upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities, such Act to be known as "The Local Improvement Act of 1901," approved February 26, 1901, by adding a new section thereto to be known as section twenty-one *a*, providing for the alteration of plans, profiles, cross sections and specifications, and providing for a pro rata distirbution of funds raised by assessment in case the improvement is abandoned.

AMENDMENTS FROM FLOOR.

During second reading of the bill, the following amendments were offered by Senator Cogswell:

AMENDMENT NUMBER ONE.

Amend title by striking out lines 5 to 11, inclusive, and insert in lieu thereof the following:

"-palaties, such Act to be known as 'The Local Improvement Act of 1901,'" which became a law under constitutional provision without the Governor's approval February 26, 1901, by adding two new sections thereto to be numbered and known as sections 21*a* and 21*b*, providing for the alteration of plans, profiles, cross-sections and specifications or for the abandonment of all proceedings, and providing for a pro rata distribution of funds in case the improvement is abandoned."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 5 and 6, strike out the following: "1901" approved February 26, 1901 by adding a new section thereto to be", and insert in lieu thereof the following: "1901" which became a law under constitutional provision without the Governor's approval February 26, 1901, to be numbered and known as section 21*a* and to read as follows:".

Amendment adopted.

AMENDMENT NUMBER THREE.

On pages 2 and 3, strike out the word "request" on line 13 of page 2, also all the rest of page 2 and all of lines 1 to 18 inclusive on page 3 and the words "said work" on line 19 of page 3 and insert in lieu thereof the following: "and setting forth ony one or more of the above causes for such abandonment of such improvement".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 33, after the word "completion" insert the following: "and acceptance by the legislative body".

Amendment adopted

AMENDMENT NUMBER FIVE.

On page 4, line 1, after the word "done" insert the following: "and accepted by such legislative body".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, following line 16, insert the following:

"SEC. 2. A new section is hereby added to said Act to be numbered and known as section 21*b* and to read as follows:

Sec. 21*b*. When there is a failure to receive any bid for the doing of work contemplated under this Act or by reason of abandonment of the work by the contractor or by the reason of a change in the condition of the land over or along which the improvement contemplated by, or in process of construction under the provisions hereof caused by the action of the elements or for any other reason, it becomes impossible or impracticable to construct or complete the improvement under the original plans and specifications, then upon a petition signed by the owners of not less than sixty per cent of the area within the district assessed or proposed to be assessed, to pay the cost of such proposed improvement presented to the legislative body requesting such action by the said body, the legislative body of the said city may, by resolution duly adopted, alter such plans, or profiles, or cross-sections, or specifications, or may adopt new plans, or profiles, or cross-sections, or specifications so as to meet such changed condition or so as to make the completion of the said improvement practicable or possible, in which event the legislative body shall require the city engineer to make an estimate of the expense of said improvement under the said altered or new plans, etc., as the case may be, and if the estimated expense of the work done under such altered or new plans and specifications shall not exceed the amount raised or to be raised under the first assessment as provided herein, then the work shall proceed under the altered or new plans, etc., and shall be paid out of the funds raised or to be raised under the first assessment, but if the estimated expense shall exceed the amount raised or to be raised by the first assessment, a second or additional assessment may be made in the same manner, as nearly as may be, except that no protest shall be entertained upon subject-matter already decided in the first hearing. In case said plans, etc., are altered or changed during the process of construction and the contractor consents thereto and agrees to do the work under the altered or changed plans, etc., at the estimated assessed price, if such there be, then a supplemental contract shall be entered into therefor. But in the event of the refusal of said contractor to continue said work and complete the same under said altered or changed plans and specifications at the said excess price, his refusal so to do shall be deemed an abandonment of the contract and said legislative body shall proceed to advertise for bids for the completion of said work as provided herein for advertising for bids in the first instance."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 195—An Act authorizing municipal corporations to permit other municipal corporations and counties to construct and maintain sewers, water mains and other conduits, and pole lines for the transmission of electricity and electric energy in, through, over, along and across its streets and public places, and to construct and maintain sewers, water mains and other conduits and pole lines for the transmission of electricity and electric energy for their joint benefit and at their joint expense, through, over, along and across such streets and public places, and to make and enter into contracts for such purposes, prescribing a method for compelling such use of such streets and public places, and repealing an Act of the legislature of the State of California, entitled, "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out everything in the title after the comma following the word "places" in line 13, page 1, of the printed bill.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 35, of the printed bill, strike out the two capital "I's", and insert in lieu thereof, the word "eleven".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 8, lines 7 and 8, of the printed bill, strike out the following: "railroad commission act, approved February 9, 1911" and insert in lieu thereof, "public utilities act approved December 23, 1911, and amendments or continuations thereof".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 9, lines 1 and 2, of the printed bill, strike out the words "railroad commission act" and insert in lieu thereof, "public utilities act and amendments or continuations thereof".

Amendment adopted.

AMENDMENT NUMBER FIVE.

Strike out everything in line 8, on page 9 of the printed bill after "Sec. 9" and insert in lieu thereof, "This Act shall not repeal an Act".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 9, line 15, of the printed bill strike out everything in the Act after the first "and" in line 15, on page 9 of the printed bill and insert in lieu thereof, ", acts amendatory thereto".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Committee on Judiciary to which was referred Senate Constitutional Amendment No. 12—Relative to the election and salary of a Superintendent of Public Instruction and repealing section 10 of article XXII of said constitution, relating to the term of officers first elected under the constitution and also to the election and term of office of the successors of such officers and also to the election of judicial officers and the Superintendent of Public Instruction has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Education.

KEHOE, Chairman.

Senate Constitutional Amendment No. 12 ordered re-referred to Committee on Education.

Also:

SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Committee on Judiciary to which was referred Senate Bill No. 510—An Act to amend sections two, twelve, thirteen, fifteen, sixteen, seventeen, nineteen, twenty, twenty-two, twenty-four, twenty-five, twenty-six, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-six, thirty-seven, forty-six, forty-seven, fifty-seven, seventy-one, seventy-two, seventy-five, seventy-six, seventy-seven and eighty-one of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'State compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913, and to add thereto a new section to be numbered 75a—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KEHOE, Chairman.

Senate Bill No. 510 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Committee on Education to which was referred Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 2 of article IX of the Constitution of the said State, relating to the election and salary of a superintendent of public instruction and also by repealing section ten of article XXII of said Constitution, relating to the term of officers first elected under the Constitution and also to the election and term of office of the successors of such officers and also to the election of judicial officers and the Superintendent of Public Instruction—has had the same under consideration, and respectfully reports the same back and recommends that it be not adopted.

ANDERSON, Chairman.

Senate Constitutional Amendment No 12 ordered on file

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 26, 1915.

MR. PRESIDENT: Your Committee on Military Affairs to which was referred Senate Bill No. 865—An Act to amend sections two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, and sixteen of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

SCOTT, Chairman.

Senate Bill No. 865 ordered on file for second reading

REPORT OF SPECIAL COMMITTEE.

The following report of special committee was received and read:

ON THE GRANT WOLFE CONTEST.

Mr. President and Members of the Senate:

Your committee appointed by resolution adopted on January 8, 1915, to investigate the Grant Wolfe election contest respectfully reports that the total expense incurred and paid by the committee in conducting such investigation amounted to the sum of $230.85. The work of the committee now being completed and all expenses of such investigation having been paid, your committee respectfully asks that it be discharged.

CARR, Chairman.

Report read and, on motion of Senator Carr, adopted and the committee discharged.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules of the bills previously reported from the committee on this legislative day.

Senate Bill No. 11—An Act to amend section two thousand five hundred and fifty-two of the Political Code of the State of California, relating to the salaries and compensation of the officers of the Board of State Harbor Commissioners of San Francisco, and the employees of the State of California employed by and under said Board of State Harbor Commissioners of San Francisco.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 535—An Act to amend an Act entitled "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending sections two, three, four, five, six, seven and one-half and eight thereof, by adding a new section thereto to be known and numbered as section six and one-half, and repealing section seven thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian and deputy state veterinarians, and fixing salaries, and prescribing penalties for violation of this Act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, line 27, strike out the word "twenty-four" and substitute in lieu thereof the following: "eighteen".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, lines 36 and 37, strike out the words "two hundred" and substitute in lieu thereof the following: "one hundred and fifty".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5 strike out of line 7 the comma and all of the balance of the line and all the rest of the section and substitute in lieu thereof a period.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 988—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, of the printed bill, strike out lines 3 to 29 inclusive, and insert in lieu thereof the following:

"Section 1. This Act shall be known as the Tenement House Act, and its provisions shall apply to all incorporated towns, incorporated cities, cities and counties in the State of California. It shall be the duty of the Department of Health of incorporated towns, incorporated cities and cities and counties to enforce all the provisions of this Act; *provided, however*, that incorporated towns, incorporated cities, cities and counties in the State of California shall have and are hereby given authority to designate and charge by ordinance, any other department than the Department of Health with the enforcement of this Act or any portion thereof; *provided*, that the Department of Health of incorporated towns, incorporated cities and cities and counties shall always have supervision over and shall enforce the provisions of this Act relating to sanitation, ventilation and health in all tenement buildings not in course of actual construction or alteration, and shall issue the permit hereinafter mentioned, entitled "Permit of Occupancy upon Completion of Construction." In the event that an incorporated town, incorporated city or city and county shall by municipal ordinance designate another and different department than the Department of Health to enforce the provisions of this Act or any of them which by the provisions of this Act may by such ordinance be transferred to the control of another department than the Department of Health all powers not so transferred shall be and remain in the Department of Health, *provided, however*, that the Commission of Immigration and Housing of California shall enforce the provisions of this Act which do not deal with actual construction of tenement houses in all incorporated towns, incorporated cities, cities and counties in the State of California whenever said Commission finds or discovers a violation or violations of the provisions of this Act and notifies the local Department of Health in writing of such violation, or violations, and said local Department of Health does not, within thirty days thereafter, enforce this Act in the instances specified in said written notice; *provided, however*, that the said Commission of Immigration and Housing of California shall enforce the Act only in the instances specified in said written notice."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 32 to 36 inclusive, also strike out lines 1 and 2, on page 3, and insert in lieu thereof the following: "A tenement house is any house or building, or portion thereof, of more than one story, which is designed, built, rented, leased, let or hired out, to be occupied or is occupied as the home or residence of four families or more living independently of each other, and doing their cooking upon the premises, or by three families so living and cooking, and having a common right in the halls, stairways, yards, water-closets, or some or any of them; *provided*, that a building of not more than two stories in height which is designed, built, rented, leased, let or hired out, to be occupied or is occupied as the home or residence of not more than four families living independently of each other, and so constructed that each section is arranged to be occupied as the home or residence of a separate family and each section having an entirely independent and separate entrance and stairway from the street or from an outside vestibule on the level of the first floor of said building and with no room, hall, bathroom, water-closet, kitchen or other convenience used in common by two or more families occupying said building, shall not come within the definition of a tenement house contained in this Act."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 5, of the printed bill, strike out the word "departments" and insert in lieu thereof the words "department of health or the department".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, line 2, of the printed bill, after the word "open" insert the word "iron".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 7 of the printed bill, strike out all of lines 6 to 13, inclusive.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 10 of the printed bill, between lines 21 and 22 of the printed bill, insert the following: "*provided*, that when only the windows of kitchens containing not more than seventy-five square feet of floor area or of bathrooms or toilets open or are designed to open upon a lot-line court and said court is entirely open and free from obstruction from the bottom thereof to the sky, said court shall have areas and minimum widths in all parts not less than the areas and widths specified in the following table:

Building	Area in square feet	Least width
2 stories	50	4 feet
3 stories	50	4 feet
4 stories	60	6 feet
5 stories	108	9 feet
6 stories	144	12 feet
7 stories	168	14 feet
8 stories or more	225	15 feet

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 11 of the printed bill, strike out all of lines 1 to 30, inclusive, and insert in lieu thereof the following:

"SEC. 17. No existing tenement house shall (unless the rear of the lot upon which it stands abuts upon a public alley at least ten feet wide) hereafter to be enlarged or its lot be diminished so that there will not be a yard immediately behind said tenement house building of the size required by this Act for tenement house buildings hereafter constructed. Where a tenement house, now or hereafter erected, stands upon a lot, other than a corner lot, no other building shall hereafter be placed upon the front or rear of that lot, unless the minimum distance between such buildings shall be at least ten feet, if neither building exceeds the height of one story; or twelve feet, if either building exceeds the height of one story, but not the height of two stories, and so on, two additional feet to be added to such minimum distance of ten feet for every story more than one in the height of the highest building on such lot. Every rear tenement hereafter erected, or every tenement that hereafter becomes a rear tenement by the erection of a building or buildings on the front of the same lot, shall have direct access to a street, or to a public alley at least sixteen feet wide, by a passageway not less than five feet wide by seven feet high."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 13, line 23 of the printed bill, after the word "five" insert the word "square".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 14, line 12 of the printed bill, after the word "vent" insert the word "shaft".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 15 of the printed bill, strike out all of lines 12, 13, and 14, inclusive.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 16 of the printed bill, strike out all of lines 12, 13, and 14, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 16 of the printed bill, strike out all of line 33 down to and including the word "erected" in line 34, and insert in lieu thereof the following:

"SEC. 33. No wooden tenement house exceeding three stories in height, exclusive of cellar, shall hereafter be erected".

Amendment adopted.

AMENDMENT NUMBER TWELVE *a*.

On page 22 of the printed bill, strike out the word "departments" in line 7 and all of line 8, and insert in lieu thereof the following: "health department or other department designated by municipal ordinance for that purpose."

Amendment adopted.

AMENDMENT NUMBER TWELVE *b*.

On page 22, line 27, of the printed bill, strike out the words "or thirty-four feet," and insert in lieu thereof the following: ", exclusive of the cellar."

Amendment adopted.

AMENDMENT NUMBER TWELVE *c*.

On page 22 of the printed bill, strike out the word "or" in line 29 and also strike out the words "thirty-four feet" in line 30.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 23, strike out all beginning with the word "departments" in line 21 down to and including the word "act" in line 22 of the printed bill, and insert in lieu thereof the following: "health department or other department designated by municipal ordinance for that purpose,".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 23, strike out all of line 34 to and including the word "act," in line 35 of the printed bill and insert in lieu thereof the following: "the health department, or other department designated by municipal ordinance for that purpose,".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 24, strike out the words "the housing" in line 3, all of line 4 to and including the word "act" in line 5 of the printed bill and insert in lieu thereof the following: "the health department or other department designated by municipal ordinance for that purpose".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 24 of the printed bill, strike out all of lines 33, 34 and 35 inclusive.

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 25, after the word "houses", strike out remainder of line 18, all of line 19 to and including the word "act" in line 20 of the printed bill and insert in lieu thereof the following: "the health department or other department designated by municipal ordinance for that purpose".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 26, line 7, of the printed bill, after the word "than", strike out the word "five" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 26, line 15, of the printed bill, after the word "to", strike out the word "housing" and the comma thereafter.

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 26, line 16, of the printed bill, after the word "buildings", insert the following: ", the protection of public health,".

Amendment adopted.

AMENDMENT NUMBER TWENTY *a*.

On page 28, after the word "of", strike out remainder of line 24, all of line 25 to and including the word "act" in line 26 of the printed bill and insert in lieu thereof the following: "the health department or other department designated by municipal ordinance for that purpose".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 29 of the printed bill, strike out all of lines 25 to 37 inclusive.

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 30 of the printed bill, strike out all of lines 1 to 37 inclusive, also lines 1 and 2 on page 31.

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 31, line 3, of the printed bill, strike out the figures "85" and insert in lieu thereof "84".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 31, after the word "the", strike out remainder of line 8, all of line 9 to and including the word "municipality" in line 10 of the printed bill, and insert in lieu thereof the following: "health department or other department designated for that purpose by ordinance of the municipality".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 33, line 12, of the printed bill, strike out the figures "86" and insert in lieu thereof "85".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 33, line 16, after the word "the", strike out remainder of line, all of line 17 to and including the word "buildings", in line 18 of the printed bill, and insert in lieu thereof the following: "health department or other department designated by municipal ordinance to enforce the provisions of this Act regarding actual construction or alteration of a tenement house or building,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 33, after the word "to", strike out remainder of line 24 to and including the word "department" in line 25 of the printed bill, and insert in lieu thereof the words "the department of health".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 33, after the word "the" strike out the remainder of line 27 and the word "must" in line 28, and insert in lieu thereof "department of health shall".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 34, line 1, of the printed bill, strike out the figures "87", and insert in lieu thereof "86".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 34, after the word "and", strike out remainder of line 5 of the printed bill, and insert in lieu thereof the words "the department of health".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 34, of the printed bill, strike out all of lines 8 to 19 inclusive, and insert in lieu thereof the following:

"SEC. 87. Except as herein otherwise provided, the provisions of this Act shall be enforced by the departments of any incorporated town, incorporated city, or city and county to which this Act applies, which are charged with the enforcement of laws, ordinances, and regulations relating to the protection of public health and the erection of buildings. By the term "department of health" used in this Act is meant any department, portion or part of the government of any incorporated town, incorporated city, or city and county to which this Act applies which is charged with the enforcement of laws, ordinances and regulations relating to the protection of public health."

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 34, of the printed bill, strike out line 20 to and including the word "department", and insert in lieu thereof the following. "SEC. 88. The department of health",

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 34, line 35, of the printed bill, strike out the number "90", and insert in lieu thereof "89".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 34, after the word "of", strike out the remainder of line 36 of the printed bill.

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 35, line 14, of the printed bill, strike out the number "91", and insert in lieu thereof "90".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 35, line 23, of the printed bill, strike out the figures "92", and insert in lieu thereof "91".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 36, line 26, of the printed bill, strike out the figures "93", and insert in lieu thereof "92".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 36, line 27, of the printed bill, after the word "ninety", strike out the hyphen and also the word "one".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 36, line 34, after the words "of the", strike out the remainder of line to and including the word "act" in line 35 of the printed bill, and insert in lieu thereof the following: "department of health or other department by municipal ordinance designated for that purpose".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 37, line 3, of the printed bill, strike out the figures "94", and insert in lieu thereof "93".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 37, line 24, of the printed bill, strike out the figures "95", and insert in lieu thereof "94".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 37, after the word "file", strike out remainder of line 26 and the word "ment" in line 27 of the printed bill, and insert in lieu thereof the words "in the department of health".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 37, after the word "file", strike out the remainder of line 35 and the word "department" in line 36 of the printed bill, and insert in lieu thereof the words "in the department of health".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 38, line 12, of the printed bill, strike out the figures "96", and insert in lieu thereof "95".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 38, line 13, of the printed bill, strike out the words "with the housing commission or department", and insert in lieu thereof the words "in the department of health".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 38, line 21, of the printed bill, strike out the figures "97", and insert in lieu thereof "96".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX *a*.

On page 38, line 22, of the printed bill, after the word "sections", strike out the words "ninety-five and ninety-six", and insert in lieu thereof the words "ninety-four and ninety-five".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 38, line 23, of the printed bill, strike out the words "housing commission or department", and insert in lieu thereof the words "department of health".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 38, line 30, of the printed bill, strike out the number "98", and insert in lieu thereof "97".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 38, line 33, of the printed bill, strike out the figures "99", and insert in lieu thereof "98".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 39, of the printed bill, after the word "procedure" in line 2 and before the word "Sec." in line 3, insert the following:

"SEC. 99. A tenement house shall be subject to a penalty of one thousand dollars, if it or any part of it shall be used for the purposes of a house of prostitution or assignation of any description, with the permission of the owner thereof, or his agent, and said penalty shall be a lien upon the house and the lot upon which the house is situated.

SEC. 100. A tenement house shall be deemed to have been used for the purposes specified in the last section with the permission of the owner or lessee thereof, if summary proceedings for the removal of the tenants of said tenement house, or so much thereof as is unlawfully used, shall not have been commenced within five days after notice of such unlawful use, served by a department charged with the enforcement of this Act in the manner prescribed by law for the service of notices and orders in relation to tenement houses.

SEC. 101. In a prosecution against an owner or agent of a tenement house under section three hundred and sixteen of the Penal Code, or in an action to establish a lien under section ninety-nine of this Act, the general reputation of the premises in the neighborhood shall be competent evidence, but shall not be sufficient to support a judgment without corroborative evidence, and it shall be presumed that their use was with the permission of the owner or lessee; *provided*, that such presumption may be rebutted by evidence.

SEC. 102. Said action shall be brought against the tenement house as defendant. Said house may be designated in the title of the action by its street and number or in any other method sufficiently precise to secure identification. The property shall be described in the complaint. The plaintiff, except as hereinafter provided, shall be any department charged with the enforcement of this Act.

SEC. 103. Said action shall be brought in the Superior Court in the county or city and county in which the property is situated. At, or before the commencement of the action, the complaint shall be filed in the office of the clerk of the county or city and county, together with a notice of the pendency of the action, containing the names of the parties, the object of the action, and a brief description of the property affected thereby.

SEC. 104. The judgment in such action, if in favor of the plaintiff, shall establish the penalty sued for as a lien upon said premises, subject only to taxes, assessments, and to such mortgages and mechanics' liens as may exist thereon prior to the filing of the notice of pendency of the action."

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 39, line 3 of the printed bill, strike out the number "100" and insert in lieu thereof "105".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 39, line 17 of the printed bill, strike out the number "101" and insert in lieu thereof "106".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 39, line 28 of the printed bill, strike out the number "102" and insert in lieu thereof "107".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 39, line 33 of the printed bill, strike out the number "103" and insert in lieu thereof "108".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR *a*.

On page 39, line 36 of the printed bill, strike out the word "departments" and insert in lieu thereof the words "boards of health".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR *b*.

On page 39 of the printed bill, after the word "act" in line 37 beginning a new line, insert the following:

"SEC. 109. All steam boilers, heating furnaces, or water-heating apparatus using any fuel other than coal, gas or natural gas, installed in the basement or cellar of any tenement building, shall be enclosed in a room with walls of masonry, reinforced concrete, terra cotta or tile from the basement or cellar floor to the bottom of the first floor joists, and the ceiling of same construction or of not less than three-fourths ($\frac{3}{4}$) inch plaster on metal lath. All windows shall be of wire glass not less than one-quarter of an inch thick in metal frames and sashes. All doors leading from said room shall be fire doors and either run on tracks or arranged to swing out and to close automatically. All fire doors shall overlap the wall at least three inches at side and top. Sills shall be of metal at least one-quarter of an inch thick on masonry, or of masonry, and have horizontal faces extending under fire doors and outer edges flush with outer surface of fire doors. Top of sliding door shall conform to incline on the track, which shall be three-quarters inch to the foot. No door shall be hung on wooden frames or in contact with any woodwork. Doors shall be made of three (3) thicknesses of seven-eights inch by six (6) inch tongued and grooved redwood boards, surfaced both sides, the outer thickness to be placed vertical or diagonal and the inner thickness to be horizontal, nailed with clinched nails. Doors shall be entirely covered with good tin plate ("IC" charcoal, 109 lbs. to the box), not over fourteen (14) inches by twenty (20) inches in size, laid with locked joints covering nail heads, and all vertical seams shall be double-locked. No solder shall be used. All doors shall have hinges, hangers, latches and chafing strips of wrought iron bolted to the doors, and shall have steel tracks (when sliding doors) and wrought iron stops and binders bolted through the wall. Swinging doors shall have wall eyes of wrought iron built into or bolted through the wall. Where oil is burned, every doorway shall have a masonry sill rising not less than six (6) inches from the floor. Where oil is burned the oil shall not be fed to the furnace by a gravity flow. All tenement houses hereafter constructed of more than two stories in height shall have at least two standard fire escapes, one of which shall be on the front of said tenement house. Tenement houses over two stories in height hereafter constructed located on corner lots shall have at least one standard fire escape, constructed as hereinafter described, placed upon each front of the building upon each frontage upon each street. The fire escape balconies of said standard fire escapes shall commence at the level of the second floor and one such fire escape balcony shall be placed at the level of each floor above such second floor and from the topmost balcony shall extend an iron gooseneck ladder over the firewall to the roof."

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 40, line 1 of the printed bill, strike out the number "104" and insert in lieu thereof "110".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 40, line 5 of the printed bill, strike out the words "housing commission or" and insert in lieu thereof the word "health".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 510—An Act to amend sections two, twelve, thirteen, fifteen, sixteen, seventeen, nineteen, twenty, twenty-two, twenty-four, twenty-five, twenty-six, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-six, thirty-seven, forty-six, forty-seven, fifty-seven, seventy-one, seventy-two, seventy-five, seventy-six, seventy-seven and eighty-one of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'state compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this state and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organi zation, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act, and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913, and to add thereto a new section to be numbered seventy-five *a*.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4, of the title, strike out the words "thirty-one".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 31, page 3, after the word "whatsoever" and before the comma, insert the following: "to any person".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 8, page 4, after the word "caused" and before the comma, insert "by the employment".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 29, page 4, strike out the word "liability" and insert in lieu thereof the word "indemnity".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 19, page 5, strike out the word "limbs" and insert in lieu thereof the word "members".

Amendment adopted.

AMENDMENT NUMBER SIX.

In line 26, page 6, after the word "for" insert the following: "a one per cent disability sixty-five per cent of the average weekly earnings for a period of four weeks; for".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

In line 32, page 7, after the word "incapacity" strike out the words "due to illness".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

In lines 33 and 34, page 7, after the word "injury" strike out the comma and the following: "but any sum so received shall be deducted from the compensation payable in accordance with the said schedule." and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER NINE.

Between lines 4 and 5, page 8, insert the following: "(10) The percentage of permanent disability caused by any injury shall be so computed as to cover the permanent disability caused by that particular injury without reference to any injury previously suffered or any permanent disability caused thereby."

Amendment adopted.

AMENDMENT NUMBER TEN.

In line 27, page 8, after the word "indemnity" insert a comma.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

In line 8, page 9, after the word "dollars" insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

In line 8, page 9, after the word "indemnity" insert a comma.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

In line 16, page 9, after the word "burial" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

In line 17, page 9, after the word "dollars" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

In line 16, page 10, strike out the period following the word "thereof" and insert in lieu thereof a semicolon and the following: "*provided, however*, that nothing contained in this section shall be construed to bar the right of any injured employee to institute proceedings for the collection of compensation within two hundred forty-five weeks after the date of the injury, upon the grounds that the original injury has caused further disability; and the jurisdiction of the commission, in such cases, shall be a continuing jurisdiction at all times within such period."

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

In line 34, page 10, after the word "medical" insert the following: "or surgical".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

In line 14, page 12, after the word "therewith" insert a comma.

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

In line 15, page 15, after the word "provisions" insert the following: "of subsection (*a*)".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

In line 19, page 18, after the word "hereof" strike out the comma and the word "the" and insert in lieu thereof a period and the following: "(3) The".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

In line 26, page 18, before the word "The" strike out the figure "(3)" and insert in lieu thereof the figure "(4)".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

In line 29, page 18. before the word "the" strike out the word "for" and insert in lieu thereof the word "forth".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

In line 7, page 19, after the word "any", strike out the word "reward" and insert in lieu thereof the word "award".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

In line 24, page 20, beginning with the word "Sec.", strike out all of that section, down to and including the word "damages" in line 7, page 21.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

In line 8, page 21, after the word "Sec.", strike out the figures "16" and insert in lieu thereof the figures "15".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

In line 12, page 22, after the word "the" where it occurs the first time, strike out the word "name" and insert in lieu thereof the word "names".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

In line 16, page 22, after the word "Sec.", strike out the figures "17" and insert in lieu thereof the figures "16".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

In line 10, page 23, after the words "as to", strike out the word "entitled" and insert in lieu thereof the word "entitle".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

In line 4, page 24, after the word "Sec.", strike out the figures "18" and insert in lieu thereof the figures "17".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

In lines 20 and 21, page 24, strike out the following: "insurance coverage against the liability for".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

In line 34, page 24, after the word "have", strike out the word "assured" and insert in lieu thereof the word "insured".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

In lines 35 and 36, page 25, strike out the following: "happening of any accident" and insert in lieu thereof the following: "suffering of any injury".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

In line 3, page 27, strike out the figures "19" and insert in lieu thereof the figures "18".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

In line 16, page 27, after the word "Sec.", strike out the figures "20" and insert in lieu thereof the figures "19".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

In line 13, page 28, after the word "Sec.", strike out the figures "21" and insert in lieu thereof the figures "20".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

In line 18, page 28, after the word "state" and before the comma, insert the following: "not including, however, any public utility corporation".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

In line 25, page 28, after the word "Sec.", strike out the figures "22" and insert in lieu thereof the figures "21".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

In line 4, page 29, after the word "Sec.", strike out the figures "23" and insert in lieu thereof the figures "22".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

In line 34, page 29, after the word "Sec.", strike out the figures "24" and insert in lieu thereof the figures "23".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

In line 36, page 30, after the word "Sec.", strike out the figures "25" and insert in lieu thereof the figures "24".

Amendment adopted.

AMENDMENT NUMBER FORTY.

In line 30, page 31, after the word "Sec." strike out the figures "26" and insert in lieu thereof the figures "25".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

In line 6, page 32, after the word "must" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

In line 26, page 32, after the word "Sec." strike out the figures "27" and insert in lieu thereof the figures "26".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

In line 31, page 32, after the word "state" strike out the period, and insert in lieu thereof the following: "and any such employee or his dependents shall be entitled to the compensation or death benefits provided by this Act."

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

In line 35, page 32, after the word "Sec." strike out the figures "28" and insert in lieu thereof the figures "27".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

In line 12, page 34, after the word "Sec." strike out the figures "29" and insert in lieu thereof the figures "28".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

In line 28, page 34, after the word "court" strike out the period and insert in lieu thereof a semicolon and the following: "*provided* that such hearsay or testimony be or refer to the statements, written or oral, of a person who is dead or who can not after diligent search be found, and relate directly to the matters in question."

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

In line 37, page 34, after the word "Sec." strike out the figures "30" and insert in lieu thereof the figures "29".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 960—An Act to amend sections five and twenty-nine of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 strike out all of lines 15 to 28, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 5, strike out the word "sixteen" and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 17, after the word "secretion" insert the following: "all parts of which within forty-eight hours, if raw, and within sixty hours, if pasteurized, last prior to its delivery to the consumer or purchaser shall have been".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 17, after the word "obtained" insert the following: "from the udder".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 27, after the word "evaporated" insert a period.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3 strike out all of lines 28 to 36, inclusive, and insert in lieu thereof the following: "The standard of purity of condensed milk and evaporated milk shall be that proclaimed and established by the Secretary of the United States Department of Agriculture."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 1, strike out the figure "5" and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 4, strike out the figure "6" and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 8, strike out the figure "7" and insert in lieu thereof the figure "6".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 10, strike out the figure "8" and insert in lieu thereof the figure "7".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 13, strike out the figure "9" and insert in lieu thereof the figure "8".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 18, strike out the figure "10" and insert in lieu thereof the figure "9".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 30, strike out the figure "11" and insert in lieu thereof the figure "10".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 34, strike out the figure "12" and insert in lieu thereof the figure "11".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4, line 35, insert after the word "sweet" the following: "milk or condensed milk or".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 4, line 36, strike out the word "twelve" and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 3, strike out the figure "13" and insert in lieu thereof the figure "12".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 5, strike out the word "ten" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 5, line 8, strike out the figure "14" and insert in lieu thereof the figure "13".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 5, line 10, strike out the word "ten" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 13, strike out the figure "15" and insert in lieu thereof the figure "14".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 19, strike out the figure "16" and insert in lieu thereof the figure "15".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 24, strike out the word "forty-five" and insert in lieu thereof the following: "forty".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 26, strike out the word "twenty" and insert in lieu thereof the word "twenty-five".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 28, strike out the word "forty-five" and insert in lieu thereof the following: "fifty".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 5, line 28, strike out all the words following the comma after the word "provided" and all of lines 29, 30, 31, 32, 33, 34, and all of line 35 to and including the comma after the word "further" in said line.

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 6, line 7, strike out the word "only".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 6, lines 9 and 10, strike out the following words: "cream, skim milk or other dairy product".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 6, line 19, after the comma following the word "bureau" insert the following: "the state board of health, and of all other state, county and municipal officers charged with the enforcement of laws and ordinances respecting dairy products or the public health;".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 865—An Act to amend sections two, three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, and sixteen, of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 16, page 2, of the printed bill, after the period, insert the following words: "The Adjutant General may, in his discretion, organize the companies of the high school cadets into one or more regiments and may commission the necessary officers and warrant the necessary non commissioned officers of the same grades and number provided for similar organizations of the National Guard of California."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Assembly Bill No. 603—An Act to prevent the importation into the State of California of horses, mules, dairy cattle and breeding bulls which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this Act, and repealing an Act approved June 4, 1913, entitled "An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an Act entitled, "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an Act entitled, "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 783—An Act to amend section six hundred eighty-one of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, strike out the word "thricing", and insert in lieu thereof the word "tricing".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 339—An Act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof.

AMENDMENTS FROM THE FLOOR.

During second reading of the bill the following amendments were offered by Senator Benson:

AMENDMENT NUMBER ONE.

On page 2, line 35, of the printed bill, strike out the word "such", and insert in lieu thereof the word "as" and in said line 35, after the word "compensation", strike out the word "as"; also, on page 2, strike out all of line 36 and all of line 37 up to and including the comma after the word "board", and insert in lieu thereof the words "the sum of eighteen hundred dollars per annum".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 11, of the printed bill, strike out the words "belong to said", and in line 12, page 4, strike out the word "secretary", and in lieu thereof insert the words "be deposited in the state treasury to the credit of the board".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 23, of the printed bill, strike out all of said line 23 following the comma after the word "board"; also, on page 4, strike out lines 24 and 25 and all of line 26 up to and including the word "therewith".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

REQUEST FOR INTRODUCTION OF BILLS—(OUT OF ORDER).

By consent of the Senate, Senator Butler requested permission to introduce, out of the regular order, a Senate bill entitled:

An Act to amend section 14 of an Act entitled "An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the costs and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled 'An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905,'' approved June 6, 1913.

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Jones asked for and was granted unanimous consent to take up the consideration of Senate Bill No. 1150 out of the regular order.

Senate Bill No. 1150—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class,'' approved March 26, 1895, by providing for the taking over and administering by counties of certain functions, powers and property previously administered by municipalities that have disincorporated.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1150 passed by the following vote:

AYES—Senators Ballard, Beban, Benson, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Shearer, Slater, Stuckenbruck, and Thompson—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following message from the Assembly was taken up and read out of the regular order.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding thereto a new section to be numbered six hundred forty-two *a*, relating to building and loan associations;

Also: Assembly Bill No. 270—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure'' approved March 11, 1872, by amending sections 85 and 97 thereof, relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants;

Also: Assembly Bill No. 508—An Act to add a new section to the Political Code to be numbered 4232*a*, providing for the compensation of grand jurors and trial jurors in the Superior Court in counties of the third class;

Also: Assembly Bill No. 740—An Act relating to the powers and privileges of officers and employees of state reformatories in arresting pupils who have escaped or been rescued therefrom;

Also: Assembly Bill No. 1211—An Act to amend section 2319*c* of the Political Code of the State of California in relation to the establishment of quarantine against infectious plant diseases.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 50 read first time, and referred to Committee on Banking.

Assembly Bill No. 270 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 508 read first time, and referred to Committee on County Government.

Assembly Bill No. 740 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1211 read first time, and referred to Committee on Public Health and Quarantine.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Crowley asked for and was granted unanimous consent to take up out of the regular order, for the purpose of amendment, Senate Bill No. 517—An Act granting municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railroad, canal, ditch or flume

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, after the comma after the word "commenced" insert the following: "or the plans adopted therefor,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Kehoe, the hour of recess was extended until twelve o'clock and thirty-five minutes p.m.

THIRD-READING FILE—ASSEMBLY BILLS—(OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent to take up out of the regular order, for consideration at this time, the third reading of Assembly bills.

Assembly Bill No. 177—An Act to amend sections two thousand one hundred fifty-three *a* and two thousand one hundred sixty-one of the Political Code, relating to the government and management of state hospitals for the insane and other incompetent persons.

By order of the President pro tem., Assembly Bill No. 177 was passed on file.

Assembly Bill No. 64—An Act providing that any person, firm, association or corporatien or agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor and providing that said accused employee shall have the opportunity to be confronted with the person making such report, and providing for the punishment for the violation thereof.

By order of the President pro tem., Assembly Bill No. 64 was passed on file.

Assembly Bill No. 266—An Act to amend an Act entitled "An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies, and trust companies, trust funds, state school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," by amending section four of said Act.

By order of the President pro tem., Assembly Bill No. 266 was passed on file.

Assembly Bill No. 661—An Act to amend section eleven hundred thirty of the Political Code, relating to limitation upon the powers of supervisors in establishing election precincts.

By order of the President pro tem., Assembly Bill No. 661 was passed on file.

FILE OF UNFINISHED BUSINESS—SENATE BILLS.

Senate Bill No. 43—An Act to amend section 1238 of the Code of Civil Procedure of the State of California, relating to the public uses on behalf of which the right of eminent domain may be exercised.

In the absence of the author, Senate Bill No. 43 was passed on file.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 266—An Act to provide for memorial halls, and meeting places for army and navy veterans of the Civil war, the Spanish-American war and the Philippine insurrection;

Also: Senate Bill No. 832—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred thirty-seven and one-half, relating to the protection of game;

And report that the same have been correctly re-engrossed.

LUCE, Vice Chairman.

ADJOURNMENT.

At twelve o'clock and thirty-five minutes p.m., on motion of Senator Kehoe, the President pro tem. declared the Senate adjourned until Monday, March 29, 1915, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Monday, March 29, 1915.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, March 27, 1915, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Benson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Chas. F. Crothers of San Jose.

On request of Senator Wolfe, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Geo. D. Gray of San Francisco.

On request of Senator Cohn, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sam A. and Chas. P. twin sons of Senator P. C. Cohn.

On request of Senator Scott, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Thomas E. Haven of San Francisco.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 506—An Act to amend section 2453 of the Civil Code, relating to the notice necessary for termination of liability of a general partner for the acts of his co-partners;

Also: Senate Bill No. 1221—An Act to amend section 411 of the Code of Civil Procedure, relating to service of summons;

Also: Senate Bill No. 644—An Act to add to the Code of Civil Procedure a new section to be numbered section 749, relating to the recording of certified copies of judgments;

Also: Assembly Bill No. 901—Authorizing the State Board of Equalization to destroy by fire certain reports and other documents;

Also: Senate Bill No. 1042—An Act to amend section 3555 of the Political Code, relating to the judgment and costs of foreclosing the interests of purchasers of state lands;

Also: Senate Bill No. 1201—An Act to amend section 1989 of the Code of Civil Procedure of the State of California, relating to the attendance of a witness before a court, judge, justice or other officer, out of the county in which the witness resides;

Also: Senate Bill No. 639—An Act to amend section 442 of the Code of Civil Procedure, relating to cross complaints;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 506, 1221, 644, 1042, 1201 and 639 ordered on file for second reading.

Assembly Bill No. 901 ordered on file for second reading.

Also:

SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 142—An Act to create the office of public defender in the counties of California, from the first to the tenth classes, inclusive, to provide for the appointment and election of such officers, and prescribing their duties and compensation;

Also: Senate Bill No. 1128—An Act to amend section 192 of the Penal Code defining manslaughter;

Also: Senate Bill No. 1218—An Act to amend sections 1 and 2 of an Act entitled "An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the state, county, city and county, or incorporated city or town government in this State," approved March 23, 1901;

Also: Senate Bill No. 428—An Act to amend section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property;

Also: Senate Bill No. 129—An Act to amend section 715 of the Civil Code, relating to restraints upon alienation;

Also: Senate Bill No. 477—An Act to amend section 1111 of the Penal Code of the State of California, relating to corroboration of accomplices and definition thereof;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 142, 1128, 1218, 428, 129 and 477 ordered on file for second reading.

Also:

SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 200—An Act to amend section six hundred one of the Code of Civil Procedure of the State of California, relating to challenge of jurors—has had the same under consideration and reports the same back with recommendation that it be referred to a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

In line 17, page 1, after the word "where", insert the words "there are".

KEHOE, Chairman.

Report adopted.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the President appointed Senator Kehoe a Special Committee of One to amend Senate Bill No. 200 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 200, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Ballard, adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 719—An Act to amend section one thousand two hundred forty-eight of the Code of Civil Procedure of the State of California relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under title VII, part III of the Code of Civil Procedure—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Public Utilities.

KEHOE, Chairman.

Senate Bill No. 719 ordered re-referred to Committee on Public Utilities.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 1018—An Act to amend section one of an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children, and of convicts in the State prisons," approved April 26, 1909—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CROWLEY, Chairman.

Senate Bill No. 1018 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 83—An Act to amend section six hundred forty-six of the Civil Code, relating to building and loan associations;

Also: Senate Bill No. 107—An Act to amend section one thousand seven hundred twenty-six *a* of the Code of Civil Procedure of California, relating to the payment of funeral expenses of deceased persons by public administrator;

Also: Senate Bill No. 277—An Act to amend section one of an Act entitled "An Act to provide for direct legislation by cities and towns, including initiative and referendum," approved January 2, 1912;

Also: Senate Bill No. 321—An Act to amend section three thousand seven hundred seventy-three of the Political Code, relating to revenue and taxation;
And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 982—An Act to amend an Act entitled "An Act providing for the time of payment of wages," approved May 1, 1911, by amending section three thereof, providing penalties for the violation of said Act;

Also: Senate Bill No. 987—An Act to amend an Act entitled "An Act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," apprpoved March 1, 1911, by prohibiting the issuance of any scrip, coupons, cards, or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money;

Also: Senate Bill No. 518—An Act to amend section two hundred seventy of the Penal Code of the State of California.
And report that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Committee on Agriculture to which was referred Senate Bill No. 1162—An Act establishing a bureau of child and animal protection, making an appropriation therefor, and defining the duties thereof—has had the same under consideration, and respectfully recommends that it be re-referred to the Committee on Judiciary.

KING, Chairman.

Senate Bill No. 1162 ordered re-referred to Committee on Judiciary.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Birdsall, the Senate took up for consideration Assembly amendments to Senate Bill No. 43.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FORTY-THREE.

AMENDMENT NUMBER ONE.

Strike out in line 3 of the title the words "of the State of California".

AMENDMENT NUMBER TWO.

On page 1, line 2, strike out the words "of the State of California".

AMENDMENT NUMBER THREE.

Strike out on page 5, line 6, the word "State".

AMENDMENT NUMBER FOUR.

Strike out on page 5, line 9, the word "State".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 43?"

The roll was called, and Assembly amendments to Senate Bill No. 43 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Senate Bill No. 43 ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Butler to introduce a bill entitled "An Act to amend section 14 of an Act entitled 'An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the costs and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled 'An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby, approved March 21, 1905." approved June 6, 1913—has had the same under consideration, and respectfully reports the same back and recommends that such request be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bill was introduced in accordance with the above report:

By Senator Butler: Senate Bill No. 1237—An Act to amend section 14 of an Act entitled "An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the costs and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled 'An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905,'' approved June 6, 1913.

Bill read first time, and referred to Committee on Municipal Corporations.

REQUEST FOR INTRODUCTION OF BILL.

Senator Rush requested permission to introduce a Senate bill entitled: ''An Act to amend section 4262 of the Political Code, relating to salaries of officers of counties of the thirty-third class.''

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

On motion of Senator Flaherty, Senate Bill No. 55 was passed on file.

Senate Bill No. 266—An Act to provide for memorial halls and meeting places for army and navy veterans of the Civil War, the Spanish-American war, and the Philippine insurrection.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 266 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 982—An Act to amend an Act entitled ''An Act providing for the time of payment of wages,'' approved May 1, 1911, by amending section three thereof, providing penalties for the violation of said Act.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 982 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 987—An Act to amend an Act entitled ''An Act prohibiting the issuances as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911, by prohibiting the issuance of any scrip, coupons, cards, or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money.

Read third time.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the hour of recess was extended until twelve o'clock and forty minutes p.m.

RECESS.

At twelve o'clock and forty minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

THIRD-READING FILE—ASSEMBLY BILLS.

Assembly Bill No. 64—An Act providing that any public service corporation, agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective, or so-called spotters, give notice and accord a hearing to such employee upon his request therefor and providing for the punishment for the violation thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 64 passed by the following vote:

AYES—Senators Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—30.

NOES—Senators Anderson and Ballard—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 266—An Act to amend an Act entitled "An Act relating to bonds of irigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies, and trust companies, trust funds, state school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," by amending section 4 of said Act.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 266 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 661—An Act to amend section 1130 of the Political Code, relating to limitation upon the powers of supervisors in establishing election precincts.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 661 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Kehoe, Luce, Maddux, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, and Wolfe—27.
NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 603—An Act to prevent the importation into the State of California of horses, mules, dairy cattle and breeding bulls which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this Act and repealing an Act approved June 4, 1913, entitled "An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an Act entitled 'An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California,' approved March 7, 1911; to repeal an Act entitled 'An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California,' " approved March 7, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 603 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(RESUMED).

The further consideration of Senate Bill No. 987 was resumed.

Senate Bill No. 987—An Act to amend an Act entitled "An Act prohibiting the issuances as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911, by prohibiting the issuance of any scrip, coupons, cards, or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money.

Read third time previously.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 987 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Flaherty, Flint, Gerdes, Kehoe, Luce, Lyon, Rush, Scott, Stuckenbruck, Thompson, and Wolfe—22.

NOES—Senators Ballard, Breed, Campbell, Cohn, Duncan, Irwin, Maddux, Mott, Owens, Purkitt, Shearer, Slater, and Strobridge—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 832—An Act to add a new section to the Penal Code of the State of California, to be numbered section 637*b*, relating to the protection of game.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 832 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 584—An Act to amend section 2466 of the Political Code and to add thereto a new section to be numbered 2466*a*, relating to rates of pilotage at San Francisco.

On motion of Senator Flint, Senate Bill No. 584 was passed on file; to retain its place.

Senate Bill No. 199—An Act to amend section 1881 of the Code of Civil Procedure of the State of California, relating to confidential communications.

On motion of Senator Ballard, Senate Bill No. 199 was passed to the file of Unfinished Business.

Senate Bill No. 969—An Act to add a new section to the Code of Civil Procedure to be numbered 103*a*, relating to the duties of clerks of certain justices of the peace.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill Senator Benson moved to refer to Senator Jones as a Special Committee of One, to amend Senate Bill No. 969 as follows:

AMENDMENT NUMBER ONE.

In line 12, page 1, of the printed bill after the word "counts" insert the words "in the name of the justice before whom the same is pending or out of whose court the same is issued".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 969, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read and, on motion of Senator Benson, adopted.

Bill ordered to print and re-engrossment.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At two o'clock and forty minutes p.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

SECRETARY EDWIN F. SMITH AT THE DESK.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 518—An Act to amend section 270 of the Penal Code of the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 518 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Slater, Stuckenbruck, Thompson, and Wolfe—28.

NOES—Senators Ballard, Cogswell, Irwin, Purkitt, and Shearer—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 38—An Act to amend an Act known as "The Building and Loan Commission Act"—chapter 354, Laws of 1911, approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be known as and numbered section 9*a*, relating to the powers and duties of the Building and Loan Commissioner; fixing the grade and penalty for non-compliance with his orders; providing for the assistance of a peace officer to enforce his demands.

On motion of Senator Benson, Senate Bill No. 38 was passed on file.

Senate Bill No. 84—An Act to amend the Civil Code of the State of California by adding thereto a new section, to be known and numbered 642*a*, relating to building and loan associations.

On motion of Senator Benson, Senate Bill No. 84 was passed on file.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, by adding to article VI of said Constitution a new section to be numbered section 6½, relating to the term of office of judge of the Superior Court.

On motion of Senator Flaherty, Senate Constitutional Amendment No. 2 was passed on file.

Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

On motion of Senator Flaherty, Senate Bill No. 10 was passed on file.

Senate Bill No. 1005—An Act to carry into effect the provisions of section 1*a* of article XIII of the Constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered 3613.

On motion of Senator Jones, Senate Bill No. 1005 was passed on file.

Senate Bill No. 744—An Act to provide for the protection of breeders and growers of live stock from theft, for registration of brands, butchers and slaughter-houses, and the inspection of live stock and the hides thereof.

On motion of Senator Benson, Senate Bill No. 744 was passed on file.

Senate Bill No. 423—An Act to amend section 1730 of the Political Code, relating to boards of trustees in high school districts.

On motion of Senator Anderson, Senate Bill No. 423 was passed on file.

Senate Bill No. 710—An Act to amend section 1731 of the Political Code, relating to the election or appointment of members of high school boards.

On motion of Senator Cogswell, Senate Bill No. 710 was passed on file.

Senate Bill No. 1174—An Act to regulate the sale of food ingredients which are in part composed of butter shipped or imported into the State of California from any point or place outside of the United States, requiring the marking of all bills of fare or menu cards placed on tables or counters in establishments preparing, serving or offering for sale any such food, and fixing penalties for the violation of the same or any of the provisions thereof.

On motion of Senator Kehoe, Senate Bill No. 1174 was passed to the file of Unfinished Business.

Senate Bill No. 1176—An Act to regulate the placing of cards in all packages or wrappers inclosing manufactured food products before being sold or offered for sale which are composed in part of butter shipped or imported into the State of California from any point or place outside of the United States and fixing penalties for the violation of the same or of any of the provisions thereof.

On motion of Senator Kehoe, Senate Bill No. 1176 was passed to the file of Unfinished Business.

CONSIDERATION OF MOTION TO RECONSIDER.

On motion of Senator Kehoe, the Senate took up consideration of his motion to reconsider the vote whereby Senate Bill No. 1175 was refused passage.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.

NOES—None.

Senate Bill No. 1175—An Act to regulate the sale of butter that has been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof, was refused passage, was continued until the next legislative day.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1175 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Brown, Butler, Crowley, Flaherty, Flint, Irwin, Kehoe, King, Luce, Lyon, Maddux, Owens, Rush, Scott, Slater, Strobridge, Thompson, and Wolfe—22.

NOES—Senators Ballard, Benson, Breed, Campbell, Carr, Chandler, Cohn, Duncan, Jones, Mott, Purkitt, Shearer, and Stuckenbruck—13.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees;

Also: Senate Bill No. 221—An Act to amend section 171 of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases;

Also: Senate Bill No. 51—An Act to regulate the opening, widening and closing of roads and paths and the disinterment of bodies in cemeteries which have been transferred to cities or cities and counties and which are held by them in trust for the purpose of maintaining said cemeteries forever as public parks;

Also: Senate Bill No. 52—An Act to authorize a cemetery corporation or association to transfer its land and certain funds to the city or city and county within which such cemetery land is located whenever further burials in such land shall be prohibited; and to authorize said city or city and county to accept and execute a trust in relation to such property for the purpose of maintaining said land forever as a public park; to provide for the carrying into effect of the purposes in this Act;

Also: Senate Bill No. 54—An Act to repeal an Act entitled "An Act providing for the removal of human remains from cemeteries in any city, or city and county in this State, and repealing all Acts in conflict therewith," approved April 24, 1911;

Also: Senate Bill No. 106—An Act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an Act entitled "An Act to survey and dispose of certain marsh and tide lands belonging to the State of California," approved March 30, 1868, or any of the Acts supplementary thereto and amendatory thereof, and regulating the procedure therein;

Also: Senate Bill No. 223—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 337*a*, relating to the time when an action upon an open book account accrues;

Also: Senate Bill No. 224—An Act to amend section 337 of the Code of Civil Procedure of the State of California, relating to time within which certain actions must be commenced;

Also: Senate Bill No. 225—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 905*a*, relating to the enforcement or carrying into execution of judgments rendered by the Justice's Court after the lapse of five years from the date of entry.

Also: Senate Bill No. 597—An Act to amend sections 190, 192, 193, 194, and 195 of the Code of Civil Procedure, relating to jurors;

Also: Senate Bill No. 599—An Act to amend section 1046 of the Penal Code, relating to the formation of the trial jury in criminal actions;

Also: Senate Bill No. 742—An Act to amend section 626*n* of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 793—An Act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements.

Also: Senate Bill No. 1170—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof"; which became a law under the constitutional provision without the Governor's approval February 25, 1901, as subsequently amended, by amending section 2 and section 3 thereof, relating to the proceedings for the calling of an election thereof and by adding a new section thereto to be numbered section 12¾, relating to the consolidation of elections;

Also: Senate Bill No. 1025—An Act amending an Act entitled "An Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, by amending sections 1, 5, 6, 7, and 11 thereof;

Also: Senate Bill No. 1026—An Act to amend an Act entitled "An Act to provide for the consolidation of municipal corporations," approved June 11, 1913, by amending sections 5, 7, 10, 11, and 14, and by adding a new section thereto to be numbered section 13½, relating to certain non-contiguous municipal corporations;

Also: Senate Bill No. 1172—An Act authorizing any county and cities within such county to join in the acquisition, construction or maintenance of bridges or viaducts;

Also: Senate Bill No. 1208—An Act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an Act entitled "An Act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby," approved April 21, 1909, and referred to as the "Street Improvement Act of 1909";

Also: Senate Bill No. 479—An Act to amend section three of an Act entitled "An Act to establish a state training school for girls; to provide for the maintenance and management of the same; and to make an appropriation therefor," approved June 14, 1913;

Also: Senate Bill No. 944—An Act authorizing the Board of Trustees of Whittier State School to maintain a department for the care and training of male defectives at the Whittier State School and to provide for the commitment of defectives thereto;

Also: Senate Bill No. 209—An Act to amend section nine of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this Act," approved February 25, 1911;

Also: Senate Bill No. 1152—An Act authorizing the transfer of certain powers, duties and functions of certain cities and officers thereof to the officers of counties in which any such city is located;

Also: Senate Bill No. 635—An Act to amend section 3 of an Act entitled "An Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a Board of Fire Commissioners," approved March 4, 1881, as amended March 6, 1899, and April 21, 1909;

Also: Senate Bill No. 109—An Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same, and known as an Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, approved March 12, 1885, approved March 23, 1901";

Also: Senate Bill No. 11—An Act to amend section 2552 of the Political Code of the State of California, relating to the salaries and compensation of the officers of the Board of State Harbor Commissioners of San Francisco and the employees of the State of California employed by and under said Board of State Harbor Commissioners of San Francisco;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 29, 1914

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the constitution of the State by adding a new section to article VI thereof, to be designated as section twenty-six, relating to the method of selection of the justices of the Supreme Court, justices of the District Courts of Appeal and judges of the Superior Courts; and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 728—An Act to amend section eleven hundred ninety-five of the Political Code, relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments, and to the printing and distribution of such constitutional amendments; and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 222—An Act to amend section 848 of the Code of Civil Procedure of the State of California relating to service of summons in the justice's court;

Also: Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees;

Also: Senate Bill No. 688—An Act to amend section 628*b* of the Penal Code of the State of California relating to the protection of fish;

Also: Senate Bill No. 983—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by amending sections four, seven, twelve and fourteen thereof;

Also: Senate Bill No. 606—An Act to amend section 875 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the president and presidents pro tem. of boards of trustees of cities of the sixth class;

Also: Senate Bill No. 176—An Act to amend an Act entitled "An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof;" approved June 13, 1913, by providing for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes in such district; and for the issuance of county waterworks district bonds, and the payment thereof, by amending the title of said Act, by amending sections one, two, three, five, six, eight, nine, ten, eleven, twelve, thirteen and fourteen thereof, and by adding a new section thereto, to be known as section 17, relating to change of name of said county irrigation districts, and to bond issues thereof;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 42—An Act to provide that the Department of Engineering of the State of California may acquire for and in the name of the people of the State of California, by purchase, donation, dedication or by proceedings in eminent domain, additional rights of way, land and trees on and along the course of any state highway;

Also: Senate Bill No. 280—An Act to confirm, validate and legalize assessments of property and taxes due thereunder entered and contained in assessment books or rolls from which assessment books or rolls the clerk of the board of supervisors and auditor omitted to attach and enter the affidavit or certificate, or both such certificate and affidavit, required by the provisions of sections three thousand six hundred eighty-two and three thousand seven hundred thirty-two of the Political Code, and to confirm, validate and legalize all sales, certificates of sale, tax deeds, or other tax conveyances issued under and based upon any such assessments and taxes;

And reports that the same have been correctly enrolled.

And presented the same to the Governor on this 29th day of March, 1915, at 2 o'clock and 30 minutes p.m.

FLAHERTY, Chairman.

CONSIDERATION OF MOTION TO RECONSIDER POSTPONED.

On motion of Senator Brown, the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage, was continued until the next legislative day.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 102—An Act creating and establishing a commission for the investigating and gathering of data and statistics concerning the use of live animals for experimental purposes; providing for the appointment of said commission to be known as the "commission for the preservation of statistics of animal life," and prescribing the powers and duties of said commission and its members.

On motion of Senator Brown, Senate Bill No. 102 was passed on file.

Senate Bill No. 1207—An Act to amend section 2 of an Act entitled "An Act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1207 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT OF SENATE IN THE CHAIR.

At three o'clock and ten minutes p.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Minute Clerk Clifton E. Brooks at the desk.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 303—An Act to recognize and declare valid all proceedings in Anderson-Cottonwood irrigation district.

On motion of Senator Shearer, Senate Bill No. 303 was passed on file.

Senate Bill No. 1173—An Act to amend an Act entitled "An Act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, by amending section four thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1173 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 1—Proposed amendment to article VI of the constitution, relative to the method of selecting the Justices of the Supreme Court, Justices of the District Courts of Appeal and judges of the Superior Courts.

On motion of Senator Chandler, Senate Constitutional Amendment No. 1 was re-committed to Committee on Judiciary.

Senate Bill No. 83—An Act to amend section six hundred forty-six of the Civil Code, relating to building and loan associations.

On motion of Senator Jones, Senate Bill No. 83 was passed on file.

Senate Bill No. 107—An Act to amend section 1726*a* of the Code of Civil Procedure of California, relating to the payment of funeral expenses of deceased persons by public administrator.

On motion of Senator Brown, Senate Bill No. 107 was passed on file.

Senate Bill No. 277—An Act to amend section 1 of an Act entitled "An Act to provide for direct legislation by cities and towns, including initiative and referendum," approved January 2, 1912.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 277 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 728—An Act to amend section 1195 of the Political Code, relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments and to the printing and distribution of such constitutional amendments.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 728 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 321—An Act to amend section 3773 of the Political Code, relating to revenue and taxation.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 321 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 222—An Act to amend section 848 of the Code of Civil Procedure of the State of California, relating to service of summons in the justice's court.

On motion of Senator Scott, Senate Bill No. 222 was passed on file.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Flaherty, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Flaherty, Senate Bill No. 60 was passed on file.

Senate Bill No. 221—An Act to amend section 171 of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases.

On motion of Senator Scott, Senate Bill No. 221 was passed on file.

Senate Bill No. 51—An Act to regulate the opening, widening and closing of roads and paths and the disinterment of bodies in cemeteries which have been transferred to cities or cities and counties and which are held by them in trust for the purpose of maintaining said cemeteries forever as public parks.

On motion of Senator Flaherty, Senate Bill No. 51 was passed on file.

Senate Bill No. 52—An Act to authorize a cemetery corporation or association to transfer its land and certain funds to the city, or city and county within which such cemetery land is located whenever further burials in such land shall be prohibited; and to authorize said city or city and county to accept and execute a trust in relation to such property for the purpose of maintaining said land forever as a public park, to provide for the carrying into effect of the purposes in this Act.

On motion of Senator Flaherty, Senate Bill No. 52 was passed on file.

Senate Bill No. 54—An Act to repeal an Act entitled "An Act providing for the removal of human remains from cemeteries in any city, or city and county in this State, and repealing all Acts in conflict therewith," approved April 24, 1911.

On motion of Senator Flaherty, Senate Bill No. 54 was passed on file.

Senate Bill No. 106—An Act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an Act entitled "An Act to survey and dispose of certain marsh and tide lands belonging to the State of California," approved March 30, 1868, or any of the Acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 106 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 223—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 337*a*, relating to the time when an action upon an open book account accrues.

On motion of Senator Scott, Senate Bill No. 223 was passed on file.

Senate Bill No. 224—An Act to amend section 337 of the Code of Civil Procedure of the State of California, relating to time within which certain actions must be commenced.

On motion of Senator Scott, Senate Bill No. 224 was passed on file.

Senate Bill No. 225—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 905*a*, relating to the enforcement or carrying into execution of judgments rendered by a Justice's Court after the lapse of five years from the date of entry.

On motion of Senator Scott Senate Bill No. 225 was passed on file.

Senate Bill No. 597—An Act to amend sections 190, 192, 193, 194 and 195 of the Code of Civil Procedure, relating to jurors.

On motion of Senator Butler, Senate Bill No. 597 was passed on file.

Senate Bill No. 599—An Act to amend section 1046 of the Penal Code, relating to the formation of the trial jury in criminal actions.

On motion of Senator Butler, Senate Bill No. 599 was passed on file.

Senate Bill No. 742—An Act to amend section 626*n* of the Penal Code of the State of California, relating to the protection of fish and game.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 742 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.
NOES—Senators Ballard, and Lyon—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 688—An Act to amend section 628*b* of the Penal Code of the State of California, relating to the protection of fish.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 688 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Birdsall asked for and was granted leave of absence for the balance of this legislative day.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 983—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by amending sections 4, 7, 12 and 14.

Read third time.

On motion of Senator Lyon, Senate Bill No. 983 was passed on file.

USE OF SENATE CHAMBER GRANTED.

Senator Cogswell asked for and was granted unanimous consent for the use of the Senate Chamber for a public hearing by the Committee on Drainage, Swamp and Overflowed Lands on Monday evening, March 29, 1915, at eight o'clock.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 606—An Act to amend section 875 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the president and presidents pro tem. of boards of trustees.

On motion of Senator Carr, Senate Bill No. 606 was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At four o'clock p.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 793—An Act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 793 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY EDWIN F. SMITH AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1170—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under the constitutional provision without the Governor's approval, February 25, 1901, as subsequently amended, by amending section two and section three thereof, relating to the proceedings for the calling of an election therefor and by adding a new section thereto to be numbered section 12¾, relating to the consolidation of elections.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1170 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Crowley, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1025—An Act amending an Act entitled "An Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, by amending sections one, five, six, seven and eleven thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1025 passed by the following vote:

Ayes—Senators Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

Noes—Senators Carr, Purkitt, and Strobridge—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1026—An Act to amend an Act entitled "An Act to provide for the consolidation of municipal corporations," approved June 11, 1913, by amending sections 5, 7, 10, 11 and 14, and by adding a new section thereto to be numbered section 13½, relating to certain non-contiguous municipal corporations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1026 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

Noes—Senators Carr, and Strobridge—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1172—An Act authorizing any county and cities within such county to join in the acquisition, construction or maintenance of bridges or viaducts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1172 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1208—An Act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an Act entitled "An Act to provide for the improvement of public streets, lanes, alleys, courts, and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby," approved April 21, 1909, and referred to as the "Street Improvement Act of 1909."

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1208 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes,

Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 479—An Act to amend section 3 of an Act entitled "An Act to establish a State training school for girls; to provide for the maintenance and management of the same; and to make an appropriation therefor," approved June 14, 1913.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 479 passed by the following vote:

AYES—Senators Anderson, Behan, Benedict, Benson, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 944—An Act authorizing the board of trustees of Whittier State School to maintain a department for the care and training of male defectives at the Whittier State School and to provide for the commitment of defectives thereto.

On motion of Senator Cogswell, Senate Bill No. 944 was passed on file.

SENATOR STROBRIDGE IN THE CHAIR.

At four o'clock and twenty-five minutes p.m., Senator Strobridge of the Thirteenth District, in the chair.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 176—An Act to amend an Act entitled "An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof," approved June 13, 1913, by amending the title thereof, by amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 thereof, and by adding a new section thereto, to be known as section 17, relating to change of name of said districts, and to bond issues thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 179 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly

CONCURRENT RESOLUTIONS OFFERED.

The following concurrent resolutions were offered:

By Senator Luce: Senate Concurrent Resolution No. 18—Relative to the approval on the part of the Legislature of certain amendments to the charter of the city of San Diego, California.

Resolution referred to Committee on Municipal Corporations.

By Senator Lyon: Senate Concurrent Resolution No. 19—Relative to the establishment of a two platoon system in municipal fire departments.

Resolution referred to Committee on Municipal Corporations.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

SECOND READING FILE OF SENATE BILLS—(OUT OF ORDER).

On motion of Senator Thompson, the Senate took up for consideration, out of the regular order, the second reading of Senate bills.

Senate Bill No. 220—An Act to provide against the publishing or circulating of an advertisement, in any form, containing any assertion, representation or statement of fact which is untrue, deceptive or misleading.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 741—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred twenty-eight *h*, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Page 1, line 6, of the printed bill, after the word "shell-fish" insert the following: "(except oysters)".

Amendment adopted.

AMENDMENT NUMBER TWO.

Page 1, line 7, of the printed bill, after the comma following the word "animal," insert the following: "whether taken without or within the state,".

Amendment adopted.

AMENDMENT NUMBER THREE.

Page 1, line 8, of the printed bill, after the word "inspection," insert the word "to".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 743—An Act to amend section six hundred twenty-six *j* of the Penal Code of the State of California, relating to the protection of game.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 15, on page 1 of the printed bill, after the words "which commission" near the end of said line, strike out the remainder of said line and all of lines 16, 17 and 18, and insert in lieu thereof the following: "must immediately make all reasonable effort to ascertain the owner of such dog or dogs. If the owner of such dog or dogs can not be ascertained by said commission or its representatives within ten days, the Fish and Game Commission may dispose of such dog or dogs as it may see fit. Every person who, after impounding any dog or dogs, as directed by this Act, fails to immediately notify the Fish and Game Commission is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill 852—An Act to amend section 630*a* of the Penal Code of the State of California, relating to the regulation of the business of wholesale dealers in fish and game and providing for a record of the transactions therein.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, strike out all of lines 4 to 12, inclusive, and insert in lieu thereof the following:

"630*a*. All persons, firms, corporations, wholesale dealers, commission dealers or retail dealers who purchase or receive from fishermen, or hunters, or takers, any fish, game, mollusks or crustaceans for the purpose of re-selling or dealing with the trade; and all persons, firms, corporations, wholesale dealers, commission dealers or retail dealers engaged in the wholesale, commission or retail business, who catch, take or kill their own fish, game, mollusks or crustaceans, shall render to the Fish and Game Commission of the State of California on or before the tenth day of each month, on blanks to be furnished by said Fish and Game Commission, a true and correct statement showing the amount of each species of fish and game, including mollusks and crustaceans, stated separately, so purchased or taken during the previous month, together with the name and address of the person or persons from whom the said fish, game, mollusks or crustaceans were received."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, insert after the word "person" the words "or firm".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1059—An Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of and government of paroled prisoners, and repealing an Act to amend an Act entitled 'An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners,' approved March 23, 1893," approved June 16, 1913, by adding thereto section one and one-half, relating to the granting of paroles and the forfeiture of credits for the violation thereof or of a law of the State or any rule or regulation of the prison, or the Board of Prison Directors or of the Board of Parole Commissioners.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, after line 15 insert new paragraph as follows:

"No parole shall be revoked and no credits forfeited without cause, which cause must be stated in the order revoking the parole or forfeiting the credits."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 27—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding a new section to said Act, to be known as section *6a*, relating to doing of public work by municipalities.

On motion of Senator Thompson, Senate Bill No. 27 was passed on file.

Senate Bill No. 442—An Act to amend an Act entitled "An Act to regulate the building and occupancy of hotels and lodgings houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, statutes of California of 1913, page 1429.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 5, of the printed bill, line 35, after the word "park" insert the words "not less than sixteen feet in width".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6 of the printed bill, strike out all of lines 25 to 29 inclusive and insert in lieu thereof the following:

4 stories	5 feet
5 stories	6 feet
6 stories	7 feet
7 stories	8 feet
8 stories or more	9 feet

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6 of the printed bill, lines 30 and 31, strike out the words "twenty-five" and insert in lieu thereof the words "thirty-six".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 7 of the printed bill, strike out all of lines 17 to 23 inclusive and insert in lieu thereof the following:

2 stories	45	4.6 feet
3 stories	60	5 feet
4 stories	77	6 feet
5 stories	96	7 feet
6 stories	117	8 feet
7 stories	140	9 feet
8 stories or more	165	10 feet

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 7, line 27, of the printed bill, strike out the comma after the word "yard" and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 7, line 27, beginning with the word "and" strike out balance of line 27 down to and including the word "level," on line 34, page 7, of the printed bill.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, line 34, of the printed bill, begin the word "the" after the word "level" with a capital "T".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, lines 35 and 36 of the printed bill, strike out the word "sixteen" after the word "than" and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 7, line 36 of the printed bill, after the comma following the word "point" insert the words "divided into not more than four separate ducts,".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 8, line 12 of the printed bill, after the word "compartment" insert the words "or bathroom".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

Beginning with the word "which" in line 24, page 8 of the printed bill, strike out down to and including the word "health" in line 25, page 8 of the printed bill

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 8, line 30 of the printed bill, strike out the word "sixteen" and insert in lieu thereof the word "twenty".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 8, line 32 of the printed bill, strike out the word "four" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 9, line 4 of the printed bill, after the word "with" strike out the word "the" and insert in lieu thereof the word "a".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 10 of the printed bill, strike out all of lines 9 to 22, inclusive.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 10, line 23 of the printed bill, after the word "Sec." strike out the figures "20" and insert in lieu thereof "19".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 10, line 27 of the printed bill, after the word "Sec." strike out the figures "21" and insert in lieu thereof "20".

Amendment adopted.

AMEDMENT NUMBER EIGHTEEN.

On page 10, line 34 of the printed bill, after the word "park" insert a comma and the word "court".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 11 of the printed bill, strike out all of lines 8, 9 and 10, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 11, line 11 of the printed bill, after the word "Sec." strike out the figures "22" and insert in lieu thereof "21".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 11, line 30 of the printed bill, after the word "Sec." strike out the figures "23" and insert in lieu thereof "22".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 11 of the printed bill, strike out all of lines 35, 36 and 37, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 12, line 1 of the printed bill, after the word "Sec." strike out the figures "25" and insert in lieu thereof "23".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 12, line 7 of the printed bill, after the word "Sec." strike out the figures "26" and insert in lieu thereof "24".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 12, line 10 of the printed bill, after the word "Sec." strike out the figures "27" and insert in lieu thereof "25".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 12, line 13 of the printed bill, after the word "Sec." strike out the figures "28" and insert in lieu thereof "26".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 12, line 19 of the printed bill, after the word "Sec." strike out the figures "29" and insert in lieu thereof "27".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 12, line 26 of the printed bill, after the word "Sec." strike out the figures "30" and insert in lieu thereof "28".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 12, line 28 of the printed bill, after the word "Sec." strike out the figures "31" and insert in lieu thereof "29".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 12, line 30 of the printed bill, after the word "roof" insert the words "and all decks".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 12, line 34 of the printed bill, after the word "Sec." strike out the figures "32" and insert in lieu thereof "30".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 13, line 3 of the printed bill, after the word "Sec." strike out the figures "33" and insert in lieu thereof "31".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 13, line 7 of the printed bill, after the word "Sec." strike out the figures "34" and insert in lieu thereof "32".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 13, line 13 of the printed bill, after the word "Sec." strike out the figures "35" and insert in lieu thereof "33".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 13, line 17 of the printed bill, after the word "Sec." strike out the figures "36" and insert in lieu thereof "34".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 13, line 21 of the printed bill, after the word "Sec." strike out the figures "37" and insert in lieu thereof "35".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 13, line 24 of the printed bill, after the word "Sec." strike out the figures "38" and insert in lieu thereof "36".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 13, line 27 of the printed bill, after the word "Sec." strike out the figures "39" and insert in lieu thereof "37".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 13, line 33 of the printed bill, after the word "Sec." strike out the figures "40" and insert in lieu thereof "38".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 14, line 14 of the printed bill, after the word "Sec." strike out the figures "41" and insert in lieu thereof "39".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 15, line 3 of the printed bill, after the word "Sec." strike out the figures "42" and insert in lieu thereof "40".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 16, line 14 of the printed bill, after the word "Sec." strike out the figures "43" and insert in lieu thereof "41".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 16, line 26, of the printed bill, after the word "Sec." strike out the figures "44" and insert in lieu thereof "42".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 16, line 34, of the printed bill, after the word "Sec." strike out the figures "45" and insert in lieu thereof "43".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 17, line 13, of the printed bill, after the word "Sec." strike out the figures "46" and insert in lieu thereof "44".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 17, line 22, of the printed bill, after the word "Sec." strike out the figures "47" and insert in lieu thereof "45".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 18, line 17, of the printed bill, after the word "Sec." strike out the figures "48" and insert in lieu thereof "46".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 18, line 30, of the printed bill, after the word "Sec." strike out the figures "49" and insert in lieu thereof "47".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 19, line 15, of the printed bill, after the word "Sec." strike out the figures "50" and insert in lieu thereof "48".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 20, line 3, of the printed bill, after the word "Sec." strike out the figures "51" and insert in lieu thereof "49".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 20, line 20, of the printed bill, after the word "Sec." strike out the figures "52" and insert in lieu thereof "50".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 20, line 24, of the printed bill, after the word "Sec." strike out the figures "53" and insert in lieu thereof "51".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 20, line 33, of the printed bill, after the word "Sec." strike out the figures "54" and insert in lieu thereof "52".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 21, line 8, of the printed bill, after the word "Sec." strike out the figures "55" and insert in lieu thereof "53".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 21, line 16, of the printed bill, after the word "houses" strike out the comma, and insert in lieu thereof a semicolon, then strike out the remainder of said line 16 and all of lines 17 to 22 inclusive, and insert in lieu thereof the following: "*provided, however*, that the Commission of Immigration and Housing of California shall enforce the provisions of this Act which do not deal with actual construction of hotels or lodging houses in all incorporated towns, incorporated cities, cities and counties in the State of California whenever said commission finds or discovers a violation or violations of the provisions of this Act and notifies the local department of health in writing of such violation or violations, and said local department of health, does not within thirty days thereafter, enforce this Act in the instances specified in said written notice; *provided, however* that said Commission of Immigration and Housing of California shall enforce the Act only in the instances specified in said written notice."

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 21, line 23, of the printed bill, after the word "Sec." strike out the figures "56" and insert in lieu thereof "54".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 22, lines 26 and 27, of the printed bill, insert a hyphen between "con" and "form".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 24, line 8, of the printed bill, after the word "Sec." strike out the figures "57" and insert in lieu thereof "55".

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 24 of the printed bill, strike out all of lines 24 to 30, inclusive.

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 25, line 12, of the printed bill, after the word "Sec." strike out the figures "58" and insert in lieu thereof "56".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 409—An Act to regulate bakeries; to provide for inspection, regulation and control thereof by the Commissioner of the Bureau of Labor Statistics; and prohibiting the operation of bakeries without sanitary certificates as herein provided.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out of line 3 of the title of said Act, commencing with "commissioner" then the remainder of said line and all of lines 4 and 5, and insert in lieu thereof the following: "State Board of Health and, providing for the enforcement thereof and making certain acts or omissions a misdemeanor".

Amendment adopted.

AMENDMENT NUMBER TWO.

Page 1, line 8, of the printed bill, commencing with the word "the" strike out all the remainder of said line 8, and lines 9, 10, 11 and 12 down to and including the word "act".

Amendment adopted.

AMENDMENT NUMBER THREE.

Page 2, line 9, of the printed bill, strike out the words "any law regulating factories" and insert in lieu thereof the words "this act".

Amendment adopted.

AMENDMENT NUMBER FOUR.

Page 2, line 15, after the word "adequate", insert "screen doors and".

Amendment adopted.

AMENDMENT NUMBER FIVE.

Page 2, line 15, of the printed bill, strike out the comma after the word "windows" and the remainder of line 15, all of line 16, 17, 18, 19, 20, 21 and 22 down to and including the word "bakeries".

Amendment adopted.

AMENDMENT NUMBER SIX.

Page 2, line 28, after the word "height", strike out the words "which was used", and insert in lieu thereof the words "in use".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

Page 2, line 30, of the printed bill, after the word "height", strike out the comma and the remainder of said line 30 and all of line 31 down to and including the word "wainscoted".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

Page 2, line 32, of the printed bill, between the words "of water", insert the word "sanitary".

Amendment adopted.

AMENDMENT NUMBER NINE.

Page 2, line 34, of the printed bill, between the words "are stored", insert the word "manufactured".

Amendment adopted.

AMENDMENT NUMBER TEN.

Page 3, line 6, of the printed bill, strike out the words "labor commissioner", and insert in lieu thereof the words "Board of Health".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

Page 3, line 29, of the printed bill, after the word "necessary", strike out the comma and all the remainder of said line and all of lines 30, 31, 32, 33, 34, 35, 36 and 37, and strike out on page 4 all of lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

Page 4, line 12, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "2".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

Strike out of lines 13 and 14 of the printed bill, on page 4, the words "labor commissioner", and insert in lieu thereof the words "Board of Health".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

Strike out of lines 20 and 21, page 4, of the printed bill, the words "to be recovered by the Labor Commissioner", and insert in lieu thereof the following: "and it is hereby made the duty of the district attorney of the county wherein such failure occurred, to maintain an action in the name of the people of the State of California for the recovery of the aggregate of such penalty."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

Page 4, on line 24, of the bill, strike out the word "section", and insert in lieu thereof "Act".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

Page 4, line 25, of the printed bill, strike out all of lines 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 37.

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

Page 5, line 13, of the printed bill, strike out the words "such lights shall" and all of lines 14, 15 and 16.

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

Page 5, line 23, of the printed bill, strike out the words "male and female employees" and insert in lieu thereof the word "sexes".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

Page 5, line 25, of the printed bill, between the words "convenient" and "water", insert the word "sanitary".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

Page 5, line 27, of the printed bill, beginning with the word "labor", strike out all the remainder of said line 27, all of lines 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, and on page 6 all of lines 1, 2, 3 and 4, and insert in lieu thereof the words "Board of Health".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

Page 6, line 5, of the printed bill, strike out the figure "3" and insert in lieu thereof the figure "2".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

Page 6, line 10, of the printed bill, strike out the words "Labor Commissioner" and insert in lieu thereof the words "Board of Health".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 6, line 14, strike out the words "Labor Commissioner" and insert in lieu thereof the words "Board of Health".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

Page 6 of the printed bill, strike out all of lines 15, 16, 17, 18 and 19.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

Page 6, line 20, of the printed bill, at the beginning of the line, insert in brackets the figure "3".

Amendment adopted.

AMENEMENT NUMBER TWENTY-SIX.

Page 6, line 26, after the word "air", strike out the word "and" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

Page 6, line 28, of the printed bill, strike out the words "Labor Commissioner" and insert in lieu thereof the words "Board of Health".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

Page 6, line 32, of the printed bill, strike out the figure "5" and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

Page 7, line 9, of the printed bill, strike out the word "three" and insert the word "six".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

Page 7, in lines 9 and 10, strike out the words "Commissioner of Labor" and insert in lieu thereof "Board of Health".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

Page 7, line 17, of the printed bill, strike out the words "in a bakery or".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

Page 7, line 19, between the words "is stored", insert the word "manufactured".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

Page 7, line 19, of the printed bill, strike out the words "or birds" and insert in lieu thereof the words "except cats".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

Page 7, line 20, of the printed bill, strike out the word "mechanical" and all of lines 21, 22 and 23, down to and including the word "screens" and insert in lieu thereof. "All living rooms shall be separated from the work shops by solid walls extending from the floor to the ceiling."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

Page 7, line 25, of the printed bill, between the words "shoes and", insert a comma.

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

Page 7, strike out of lines 27 and 28 the words, "lockers shall be provided for the street clothes of the employees."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

Page 8, line 2, of the printed bill, strike out the words "at frequent intervals" and insert in lieu thereof the word "daily".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

Page 8, line 3, of the printed bill, strike out the word "females" and insert in lieu thereof the word "women".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

Page 8, line 10, of the printed bill, strike out the words "Labor Commissioner" and insert in lieu thereof the words "State Board of Health".

Amendment adopted.

AMENDMENT NUMBER FORTY.

Page 8, line 13, of the printed bill, strike out the words "Labor Commissioner" and insert in lieu thereof the words "State Board of Health".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

Page 8, line 23 of the printed bill strike out the word "rooms" and insert in lieu thereof the word "stands".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

Page 8, line 27, strike out of the printed bill after the period all of said lines 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and lines 1 and 2 on page 9.

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

Page 9, line 3 of the printed bill strike out the figure "14" and insert in lieu thereof the figure "13".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

Page 9, line 5 of the printed bill strike out the word "local".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

Page 9, line 9 of the printed bill strike out the figure "15" and insert in lieu thereof the figure "14".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

Page 9, line 18 of the printed bill strike out the words "Labor Commissioner" and insert in lieu thereof the words "Board of Health".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

Page 9, line 16 of the printed bill after the word "compliance" strike out all the remainder of said page, all of page 10, all of page 11 and all of page 12, and insert in lieu thereof the following:

"SEC. 15. Any person failing to comply with any of the provisions of this Act shall be guilty of a misdemeanor and it is hereby made the duty of all county, city and county, and all municipal health officers and boards of health to enforce such rules and regulations for the purpose of this Act as the State Board of Health may adopt and any health officer or board of health of any such county, city and county or municipal corporation failing, neglecting or refusing to enforce any such rules or regulations so adopted by the State Board of Health relative to the enforcement of this Act, or any of its provisions, shall be guilty of a misdemeanor.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 301—An Act amending section nine of an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act," approved March 20, 1903;

Also: Senate Bill No. 836—An Act to add a new section to the Penal Code of the State of California, to be numbered section six hundred twenty-eight *i*, relating to the protection of fish;

Also: Senate Bill No. 830—An Act to amend section six hundred thirty-three of the Penal Code of the State of California, relating to the protection of fish.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 301, 836 and 830 ordered to enrollment.

Also:

SACRAMENTO, March 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1080—An Act to amend an Act entitled, "An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal leading therefrom.

Also: Assembly Bill No. 1091—An Act to amend section 4251 of the Political Code relating to the salaries and fees of officers of the counties of the twenty-second class;

Also: Assembly Bill No. 1501—An Act to amend section 599*f* of the Penal Code, relating to the protection of elk.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1080 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 1091 read first time, and referred to Committee on County Government.

Assembly Bill No. 1501 read first time, and referred to Committee on Fish and Game.

Also:

SACRAMENTO, March 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 547—An Act to amend section one hundred seventy-two of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain State buildings and grounds;

Also: Assembly Bill No. 562—An Act authorizing the use of convict labor on State highways; regulating the handling of such labor; authorizing extra good time allowance; and providing penalties for interference.

Also: Assembly Bill No. 105—An Act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered 1690; providing for the granting of letters of administration upon the estates of persons, presumed to be dead, by reason of absence from the State for seven years; and for the administration of the estates of such absent persons;

Also: Assembly Bill No. 684—An Act to forbid managers, superintendents, foremen and other persons having authority from their respective employers to hire, employ, or direct the services of other persons in such employments, to demand or receive any fee, gift or other remuneration in consideration of any such hiring, employment or permission to continue to perform work or services in such employment; and to provide for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 547 and 105 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 562 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 684 read first time, and referred to Committee on Labor and Capital.

Also:

SACRAMENTO, March 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 662—An Act amending an Act entitled, "An Act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and electric power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume," approved April 10, 1911.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 662 read first time, and referred to Committee on Municipal Corporations.

STATEMENT FROM SENATOR TYRRELL.

If I had been present in the Senate when Assembly Bill No. 64, commonly referred to as the "Spotters Bill" was called up for final passage, I would have voted "Aye."

TYRRELL.

ADJOURNMENT.

At five o'clock p.m., on motion of Senator Gerdes, the Acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Tuesday, March 30, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 29, 1915, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Scott, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rev. A. F. Trivelle, of San Francisco.

On request of Senator Purkitt, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. H. Shearer and J. W. Kearth, of Colusa.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to P. M. Fisher, of Oakland.

PETITION.

Senator Duncan presented the following petition, which was read and ordered printed in the Journal:

RESOLUTIONS ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF YUBA CITY, IN REGARD TO THE SUTTER BASIN CONTROVERSY.

To the Governor and the Legislature of the State of California:

WHEREAS, The county of Sutter and certain private landowners therein are now engaged in litigation with Reclamation District No. 1500 asking relief from threatened damage to their homes and property through the construction of a by-pass as outlined in the plans and specifications of said Reclamation District No. 1500; and

WHEREAS, There is involved in this controversy great private and public property rights, the welfare and prosperity of a highly improved community and the very existence of one of the "garden spots" of the State of California; and

WHEREAS, There has been introduced in the present Legislature certain measures intended to aid and assist said reclamation district, with the approval of the State Reclamation Board to accomplish that which is in direct violation of the State and Federal constitutions; and

WHEREAS, The county of Sutter and the landowners, relying on the justness and fairness of the laws as they have existed, desire to try the suits instituted on their merits as soon as possible; and

WHEREAS, The town of Yuba City, being the county seat of Sutter County and situated entirely within Levee District No. 1, is most vitally interested in this controversy; now, therefore, be it

Resolved, That we, the Board of Trustees of the town of Yuba City, in meeting assembled this eighteenth day of March, 1915, do hereby declare: That we favor all work of reclamation observant of and respecting the rights of the people and conservient with the best interests of the communities directly and indirectly benefited.

That we oppose the following bills which have been introduced as being unfair to the county of Sutter and directly affecting the controversy now pending in the courts of the State:

Senate Bill No. 631 and Assembly Bill No. 759;
Senate Bill No. 634 and Assembly Bill No. 831;
Senate Bill No. 660 and Assembly Bill No. 766;
Senate Bill No. 661 and Assembly Bill No. 764;
Senate Bill No. 662 and Assembly Bill No. 765;
Senate Bill No. 722 and Assembly Bill No. 793;
Senate Bill No. 910 and Assembly Bill No. 1151;
Senate Constitutional Amendment No. 34 and Assembly Constitutional Amendment No. 30;

Resolved, That we protest against the passage of these measures, and ask that the present laws of the State be not changed in the interests of private reclamation scheme.

We, therefore, earnestly request and petition you, the Governor and the Legislature of the State of California, that you do not pass the above-mentioned measures that will seriously affect the rights of the people of Sutter County, and that interfere in a just and fair continuation of the litigation in which the landowners and the county of Sutter are now involved.

In witness whereof, we, the Board of Trustees of the town of Yuba City, have hereunto signed our names and caused the official seal of the town of Yuba City to be affixed by the clerk of said board this eighteenth day of March, 1915.

Signed: BOARD OF TRUSTEES.
F. S. WALTON, President.
H. H. WOLFSKILL.
M. J. NEWKOM.
F. W. COOPER.
H. H. VAN TIGER.

The foregoing is a full, true and correct copy of resolutions adopted by the Board of Trustees of the town of Yuba City at a meeting held on the eighteenth day of March, 1915.

C. C. KLINE,
Clerk, Town of Yuba City.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 338—An Act to recognize and declare valid all proceedings in Anderson-Cottonwood Irrigation District—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

MADDUX, Chairman.

Assembly Bill No. 338 ordered on file for second reading.

Also:

SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 643—An Act validating the formation and organization, and determining the boundaries of the Pleasanton Township County Water District in the county of Alameda, State of California—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

MADDUX, Chairman.

Assembly Bill No. 643 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 30, 1915.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 669—An Act to amend section three of an Act entitled "An Act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of Commissioner of Corporations, and making an appropriation therefor," approved May 28, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

HANS, Chairman.

Senate Bill No. 669 ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, March 30, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 239—An Act creating a board of retirement to keep, invest, maintain and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, and the Sonoma State Home; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said board of retirement—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CROWLEY, Chairman.

Senate Bill No. 239 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 1222—An Act to regulate the sale of agricultural lime, and to provide penalties for the infraction thereof, and means for the enforcement of the Act—has had the same under consideration, and respectfully recommends that it do pass.

KING, Chairman.

Senate Bill No. 1222 ordered on file for second reading.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Rush to introduce a bill entitled: "An Act to amend section 4262 of the Political Code, relating to salaries of officers of counties of the thirty-third class"—has had the same under consideration, and respectfully reports the same back and recommends that such request be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with the above report:

By Senator Rush: Senate Bill No. 1238—An Act to amend section 4262 of the Political Code, relating to salaries of officers of counties of the thirty-third class.

Bill read first time, and referred to Committee on County Government.

REQUEST FOR INTRODUCTION OF BILL.

Senator Flint requested permission to introduce a Senate bill entitled: "An Act to amend section 637 of the Penal Code of the State of California, providing for the construction and maintenance of fishways over or around dams and artificial obstructions."

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF MOTION TO RECONSIDER—POSTPONED.

On motion of Senator Brown, the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage was continued until the next legislative day.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

Read third time.

On motion of Senator Finn, Senate Bill No. 55 was passed on file.

Senate Bill No. 584—An Act to amend section 2466 of the Political Code and to add thereto a new section to be numbered 2466*a*, relating to rates of pilotage at San Francisco.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 584 passed by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Breed, Brown, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 818—An Act to add a new section to the Penal Code of the State of California, to be known as section 654*b*, relating to the protection of the purchasers of real estate against fraud and deception.

On motion of Senator Gerdes, Senate Bill No. 818 was passed on file.

Senate Bill No. 38—An Act to amend an Act known as "The Building and Loan Commission Act"—chapter 354, Laws of 1911, approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be known as and numbered section 9*a*, relating to the powers and duties of the Building and Loan Commissioner; fixing the grade and penalty for non-compliance with his orders; providing for the assistance of a peace officer to enforce his demands.

On motion of Senator Jones, Senate Bill No. 38 was passed on file.

Senate Bill No. 84—An Act to amend the Civil Code of the State of California by adding thereto a new section, to be known and numbered 642*a*, relating to building and loan associations.

On motion of Senator Jones, Senate Bill No. 84 was passed on file.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, by adding to article VI of said Constitution a new section to be numbered section 6½, relating to the term of office of judges of the Superior Court.

On motion of Senator Finn, Senate Constitutional Amendment No. 2 was passed on file.

Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

On motion of Senator Flaherty, Senate Bill No. 10 was passed on file.

Senate Bill No. 1005—An Act to carry into effect the provisions of section 1*a* of article XIII of the Constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered 3613.

On motion of Senator Jones, Senate Bill No. 1005 was passed on file; to retain its place.

Senate Bill No. 744—An Act to provide for the protection of breeders and growers of live stock from theft, for registration of brands, butchers and slaughter-houses, and the inspection of live stock and the hides thereof.

On motion of Senator Benson, Senate Bill No. 744 was passed on file.

Senate Bill No. 423—An Act to amend section 1730 of the Political Code, relating to boards of trustees in high school districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 423 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 710—An Act to amend section 1731 of the Political Code, relating to the election or appointment of members of high school boards.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 710 passed by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 102—An Act creating and establishing a commission for the investigating and gathering of data and statistics concerning the use of live animals for experimental purposes; providing for the appointment of said commission to be known as the "commission for the preservation of statistics of animal life," and prescribing the powers and duties of said commission and its members.

On motion of Senator Brown, Senate Bill No. 102 was passed on file.

Senate Bill No. 303—An Act to recognize and declare valid all proceedings in Anderson-Cottonwood Irrigation District.

On motion of Senator Shearer, Senate Bill No. 303 was passed on file.

Senate Bill No. 83—An Act to amend section 646 of the Civil Code, relating to building and loan associations.

Read third time.

On motion of Senator Benson, Senate Bill No. 83 was passed on file.

Senate Bill No. 274—An Act to amend section 4316 of the Political Code of the State of California, relating to officers prohibited from practicing law.

On motion of Senator Jones, Senate Bill No. 274 was passed on file to retain its place.

Senate Bill No. 107—An Act to amend section 1726*a* of the Code of Civil Procedure of California, relating to the payment of funeral expenses of deceased persons by public administrator.

On motion of Senator Benedict, Senate Bill No. 107 was passed on file.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Finn, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Finn, Senate Bill No. 60 was passed on file.

Senate Bill No. 223—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 337*a*, relating to the time when an action upon an open book account accrues.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 223 passed by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY EDWIN F. SMITH AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 224—An Act to amend section 337 of the Code of Civil Procedure of the State of California, relating to time within which certain actions must be commenced.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 224 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

NOES—Senator Irwin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 225—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 905*a*, relating to the enforcement or carrying into execution of judgments rendered by a Justice's Court after the lapse of five years from the date of entry.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 225 passed by the following vote:

AYES Senators Anderson, Ballard, Beban, Birdsall, Breed, Butler, Campbell, Carr, Chandler Cogswell Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—36.

NOES None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER RESET.

On motion of Senator Thompson, the consideration of Senate Bill No. 343, heretofore set as a special order for this time, was reset as a special order for consideration at eleven o'clock Wednesday, March 31, 1915.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 52—An Act to authorize a cemetery corporation or association to transfer its land and certain funds to the city, or city and county within which such cemetery land is located whenever further burials in such land shall be prohibited; and to authorize said city or city and county to accept and execute a trust in relation to such property for the purpose of maintaining said land forever as a public park, to provide for the carrying into effect of the purposes in this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 52 refused passage by the following vote:

AYES—Senators Beban, Campbell, Cohn, Crowley, Flaherty, Gerdes, Lyon, Rush, and Stuckenbruck—9.

NOES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Duncan, Finn, Flint, Hans, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—28.

NOTICE OF MOTION TO RECONSIDER.

Senator Finn gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 52 was refused passage.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 51—An Act to regulate the opening, widening and closing of roads and paths and the disinterment of bodies in cemeteries which have been transferred to cities or cities and counties and which are held by them in trust for the purpose of maintaining said cemeteries forever as public parks.

On motion of Senator Finn, Senate Bill No. 51 was passed on file.

Senate Bill No. 54—An Act to repeal an Act entitled "An Act providing for the removal of human remains from cemeteries in any city, or city and county in this State, and repealing all Acts in conflict therewith," approved April 24, 1911.

On motion of Senator Finn, Senate Bill No. 54 was passed on file.

Senate Bill No. 597—An Act to amend sections 190, 192, 193, 194 and 195 of the Code of Civil Procedure, relating to jurors.

On motion of Senator Butler, Senate Bill No. 597 was re-committed to Committee on Judiciary, to retain its place of file.

Senate Bill No. 599—An Act to amend section 1046 of the Penal Code, relating to the formation of the trial jury in criminal actions.

On motion of Senator Butler, Senate Bill No. 599 was re-committed to the Committee on Judiciary to retain its place on file.

Senate Bill No. 983—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by amending sections four, seven, twelve and fourteen.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 983 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—Senator King—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 30, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1007—An Act to provide for re-assessments by municipal corporations on property benefited by street work done under authority of the governing bodies thereof; providing for the method of making and collecting such assessments and for the payment of contractors and others performing labor or supplying materials for the work done out of funds so raised or bonds issued by municipal corporations;

Also: Senate Bill No. 612—An Act to amend section 2 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885;

Also: Senate Bill No. 930—An Act to amend section 1216 of the Political Code relating to the duties of registrar of voters;

Also: Senate Bill No. 789—An Act to amend section 4275 of the Political Code, relative to the salary of officers in counties of the forty-sixth class;

Also: Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class;

Also: Senate Bill No. 755—An Act to amend section 635 of the Penal Code of the State of California, relating to the pollution of the streams and the use of explosives in the streams and public waters and to repeal section 374½ of the Penal Code;

Also: Senate Bill No. 975—An Act to amend section 628*a* of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 942—An Act to amend an Act entitled "An Act to provide for local improvement upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities, such Act to be known as 'The Local Improvement Act of 1901,'" which became a law under constitutional provision without the Governor's approval February 26, 1901, by adding two new sections thereto to be numbered and known as sections 21*a* and 21*b*, providing for the alteration of plans, profiles, cross sections and specifications or for the abandonment of all proceedings, and providing for a pro rata distribution of funds in case the improvement is abandoned;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 606—An Act to amend section 875 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the president and presidents pro tem. of boards of trustees.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 606 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

TITLE AMENDED.

Senator Carr moved to amend the title of Senate Bill No. 606 by adding thereto the following: "and the powers of board of trustees of such cities."

Amendment adopted.

Bill ordered to print, re-engrossment, and to the Assembly.

REPORT OF STANDING COMMITTEE (OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 30, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Flint to introduce a bill entitled "An Act to amend section 637 of the Penal Code of the State of California, providing for the construction and maintenance of fishways over or around dams and artificial obstructions"—has had the same under consideration and respectfully reports the same back and recommends that such request be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and report adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with the above report:

By Senator Flint: Senate Bill No. 1239—An Act to amend section 637 of the Penal Code of the State of California, providing for the construction and maintenance of fishways over or around dams and artificial obstructions.

Bill read first time, and referred to Committee on Fish and Game.

RECESS.

At twelve o'clock and thirty minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate re-convened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

SECOND READING OF ASSEMBLY BILL.

Assembly Bill No. 901—An Act authorizing the State Board of Equalization to destroy by fire certain reports and other documents.

Bill read second time, and ordered on file for third reading.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 944—An Act authorizing the board of trustees of Whittier State School to maintain a department for the care and training of male defectives at the Whittier State School and to provide for the commitment of defectives thereto.

MOTION TO REFER TO A SPECIAL COMMITTEE OF ONE.

During the third reading of the bill Senator Cogswell moved to refer to Senator Birdsall as a Special Committee of One to amend Senate Bill No. 944 as follows:

AMENDMENT NUMBER ONE.

In lines 3 and 4, of the title, strike out the words "male defectives" and insert in lieu thereof the words "defective persons".

AMENDMENT NUMBER TWO.

In line 5, of the title, strike out the word "defectives" and insert in lieu thereof the words "defective persons".

AMENDMENT NUMBER THREE.

On page 1, lines 1 to 11 inclusive, strike out all of section 1 and insert in lieu thereof the following:

"SECTION 1. The board of trustees of Whittier State School are hereby authorized and empowered to maintain a department for the care, training, confinement, discipline and instruction of defective persons, said department to be established in the buildings and on the premises now used for the detention and instruction of girls on the property of the Whittier State School, at such time as said buildings and premises are vacated by the transfer of said girls to the California School for Girls, near Ventura, California, and shall be put in condition for the purpose satisfactory to the said trustees, and the said trustees may use for the said department such additional ground belonging to the Whittier State School as shall in their judgment be desirable."

AMENDMENT NUMBER FOUR.

On page 1, strike out all of lines 12, 13 and 14 and on page 2, strike out all of lines 1 to 7 inclusive, and insert in lieu thereof the following:

"SEC. 2. Under the direction of said board of trustees the superintendent of Whittier State School shall have supervision over the said department for defective persons and shall appoint, subject to confirmation by said trustees, an educational director skilled in dealing with defective persons, who shall not be subject to civil service regulations. Subject to confirmation by said superintendent, said educational director shall appoint such other employees as may be deemed necessary by the trustees of said department. The trustees of the Whittier State School, and any superintendent whom they may appoint, shall respectively exercise the same powers with relation to said department for defective persons and the inmates thereof, as are now exercised by them under the law regulating the management of the Whittier State School."

AMENDMENT NUMBER FIVE.

On page 2, commencing with line 8, strike out all down to and including line 29, and insert in lieu thereof the following:

"SEC. 3. Commitment or admission to said department for defective persons at Whittier State School shall be made in the same manner and upon the same terms and upon the same payments by persons responsible therefor, or by the several counties, with the same provision for payment as now provided by law in the case of the Sonoma State Home; *and provided, further*, that whenever the trustees of Preston School of Industry or of Whittier State School deem it advisable to transfer inmates of said schools to said department, such transfer may be made, provided there is room for the reception of such inmates, and the trustees of said Whittier State School deem such inmates proper subjects to be admitted to said department, and the trustees of the said Whittier State School are hereby authorized and empowered to retain in said department for defective persons any person so transferred, for such time as they may see fit either within or beyond the period of their commitment to Whittier State School or the Preston School of Industry; *provided, however*, that no person ordered committed by the court or whom it is desired to transfer from the Preston School of Industry, shall be received except upon application first made to the trustees of said Whittier State School and the ascertainment that the person committed or to be committed or to be transferred will be received and cared for by said institution; and the said trustees are hereby authorized to reject said application and refuse to accept any and all such persons whenever in their judgment it is best or proper so to do, it being the intention that the said board of trustees shall determine the number and character and mental status of the persons who can best be cared for in said department for defective persons."

AMENDMENT NUMBER SIX.

To add a new section to be numbered section 4 and to read as follows:

"SEC. 4. The trustees of the said Whittier State School together with two persons to be designated by the Phychopathic Association of California are hereby authorized and empowered to prepare and present to the next session of the State Legislature of the State of California recommendations regarding the establishing of a separate institution for the care, training, confinement, discipline and instruction of defective persons, together with recommendations as to a suitable location for such an institution."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 30, 1915

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 944, with instructions to amend, respectfully reports the same back, amended as per instructions.

BIRDSALL, Committee.

Report read and, on motion of Senator Cogswell, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 209—An Act to amend section nine of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 209 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Lyon, Maddux, Owens, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1152—An Act authorizing the transfer of certain powers, duties and functions of certain cities and officers thereof to the officers of counties in which any such city is located.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1152 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Lyon, Maddux, Owens, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Anderson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge J. B. West, of Santa Ana.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At two o'clock and twenty-five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 635—An Act to amend section 3 of an Act entitled "An Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended March 6, 1899, and April 21, 1909

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 635 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 109—An Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same, and known as an Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, approved March 12, 1885, approved March 23, 1901."

On motion of Senator Brown, Senate Bill No. 109 was passed on file, to retain its place.

Senate Bill No. 789—An Act to amend section 4275 of the Political Code of the State of California, relative to the salary of officers in counties of the forty-sixty class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 789 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Maddux, Owens, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 755—An Act to amend section 635 of the Penal Code of the State of California, relating to the pollution of the streams and public waters.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 755 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Birdsall, Breed, Brown, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Kehoe, Luce, Maddux, Owens, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 975—An Act to amend section 628*a* of the Penal Code of the State of California, relating to the protection of fish.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill Senator Flint moved to refer to Senator Chandler as a Special Committee of One to amend Senate Bill No. 975 as follows:

On page 2, line 14, of the printed bill, as amended in Senate, March 27, 1915, strike out the period and insert in lieu thereof the following: "; *provided, however*, that nothing in this section shall prohibit any person from having in his possession, at any time, not more than five striped bass of less than three pounds each in weight, caught with hook and line, but such fish shall not be bought, sold or offered for sale, or shipped or offered for shipment. Every person who violates any of the provisions of this section is guilty of a misdemeanor."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 30, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 975, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHANDLER, Committee.

Report read and, on motion of Senator Flint, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 942—An Act to amend an Act entitled "An Act to provide for local improvement upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities, such Act to be known as 'The Local Improvement Act of 1901,'" which became a law under constitutional privision without the Governor's approval February 26, 1901, by adding two new sections thereto to be numbered and known as sections 21*a* and 21*b*, providing for the alteration of plans, profiles, cross sections and specifications or for the abandonment of all proceedings, and providing for a pro rata distribution of funds in case the improvement is abandoned.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 942 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Maddux, Owens, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1007—An Act to provide for the re-assessments by municipal corporations on property benefited by street work done under authority of the governing bodies thereof; providing for the method of making and collecting such assessments and for the payment of contractors and others performing labor or supplying materials for the work done out of funds so raised or bonds issued by municipal corporations.

On motion of Senator Purkitt, Senate Bill No. 1007 was re-committed to Committee on Municipal Corporations, to retain its place on file.

Senate Bill No. 612—An Act to amend section two of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Carr moved to refer to Senator Butler as a Special Committee of One, to amend Senate Bill No. 612 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 18, after the comma following the word "sewers" insert the following: "ditches, drains, conduits, channels and other appurtenances, pipes, hydrants and appliances for fire protection and break waters, levees, bulkheads and walls of rock or other material to protect the streets, avenues, lanes, alleys, courts, places, public ways and other property in any such city, from overflow by water,"

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 30, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 612, with instructions to amend, respectfully reports the same back, amended as per instructions.

BUTLER, Committee.

Report read and on motion of Senator Carr adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 930—An Act to amend section 1216 of the Political Code (relating to the duties of registrar of voters).

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 930 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Kehoe, King, Luce, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 11—An Act to amend section 2552 of the Political Code of the State of California, relating to the salaries and compensation of the officers of the Board of State Harbor Commissioners of San Francisco, and the employees of the State of California employed by and under said Board of State Harbor Commissioners of San Francisco.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 11 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Wolfe, the privilege of the floor of the Senate chamber for this day was unanimously extended Hon. Jacob Shaen of San Francisco.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

SECOND READING OF SENATE BILLS.

Senate Bill No. 27—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding a new section to said Act, to be known as section six *a*, relating to doing of public work by municipalities.

On motion of Senator Carr, Senate Bill No. 27 was passed on file.

Senate Bill No. 1128—An Act to amend section 192 of the Penal Code defining manslaughter.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In lines 7 and 8, page 1, after the words "of a" strike out the words "municipal ordinance or".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 129—An Act to amend section 715 of the Civil Code, relating to restraints upon alienation.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out lines 3 to 6 inclusive on page 1 of the printed bill and insert in lieu thereof the following:

"715. The absolute power of alienation can not be suspended, by any limitation or condition whatever, except in the single case mentioned in section 772 of this code, for a longer period than as follows:".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 477—An Act to amend section 1111 of the Penal Code of the State of California, relating to corroboration of accomplices and definition thereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 6, page 1, after the word "offense" strike out the period and insert in lieu thereof a semicolon and the following: "and the corroboration is not sufficient if it merely shows the commission of the offense or the circumstances thereof."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 506—An Act to amend section 2453 of the Civil Code, relating to the notice necessary for termination of liability of a general partner for the acts of his co-partners.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1221—An Act to amend section 411 of the Code of Civil Procedure, relating to service of summons.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 644—An Act to add to the Code of Civil Procedure a new section to be numbered 749, relating to the recording of certified copies of judgments.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1042—An Act to amend section 3555 of the Political Code, relating to the judgment and costs of foreclosing the interests of purchasers of state lands.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 1201—An Act to amend section 1989 of the Code of Civil Procedure of the State of California, relating to the attendance of a witness before a court, judge, justice or other officer, out of the county in which the witness resides.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 639—An Act to amend section 442 of the Code of Civil Procedure, relating to cross complaints.

Bill read second time, ordered engrossed and on file for third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 30, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 195—An Act authorizing municipal corporations to permit other municipal corporations and counties to construct and maintain sewers, water mains and other conduits, and pole lines for the transmission of electricity and electric energy in, through, over, along and across its streets and public places, and to construct and maintain sewers, water mains and other conduits and pole lines for the transmission of electricity and electric energy for their joint benefit and at their joint expense, through, over, along and across such streets and public places, and to make and enter into contracts for such purposes, prescribing a method for compelling such use of such streets and public places—and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

On motion of Senator Stuckenbruck, the third reading of Senate Bill No. 195 was taken up out of the regular order.

Senate Bill No. 195—An Act authorizing municipal corporations to permit other municipal corporations and counties to construct and maintain sewers, water mains and other conduits, and pole lines for the transmission of electricity and electric energy in, through, over, along and across its streets and public places, and to construct and maintain sewers, water mains and other conduits and pole lines for the transmission of electricity and electric energy for their joint benefit and at their joint expense, through, over, along and across such streets and public places, and to make and enter into contracts for such purposes, prescribing a method for compelling such use of such streets and public places, and repealing an Act of the Legislature of the State of California, entitled, "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909.

On motion of Senator Stuckenbruck, Senate Bill No. 195 was passed on file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 30, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 707—An Act to amend section 3866 of the Political Code relating to settlements of county treasurers with the State—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Senate Bill No. 707 ordered on file for second reading.

Also:

SACRAMENTO, March 29, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 555—An Act to amend section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Assembly Bill No. 555 ordered on file for second reading.

Also:

SACRAMENTO, March 30, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1091—An Act to amend section 4251 of the Political Code, relating to the salaries and fees of officers of the counties of the twenty-second class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Assembly Bill No. 1091 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following messages from the Assembly were taken up and read, out of the regular order.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 671—An Act to amend sections 2152, 2154, and 2156 of the Political Code and to add a new section to said Political Code, to be known and designated as section 2153*b*, all relating to the government and management of state hospitals for the insane, feeble-minded and other incompetent persons, and to the care, training and education of insane, feeble-minded and other incompetent persons;

Also: Assembly Bill No. 858—An Act to amend section five hundred and ninety-one of the Political Code, relating to the expenses and funds of the insurance commissioner;

Also: Assembly Bill No. 995—An Act to amend an Act entitled "An Act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities, such Act to be known as 'The Local Improvement Act of 1901', which became a law under constitutional provision without the Governor's approval February 26, 1901, by adding two new sections thereto to be known as sections 21*a* and 21*b*, providing for the alteration of plans, profiles, cross sections and specifications or for the abandonment of all proceedings, and providing for a pro rata distribution of funds in case the improvement is abandoned.";

Also: Assembly Bill No. 1002—An Act to amend section fifteen hundred and ninety-nine of the Political Code of the State of California, relating to the election of school trustees, and defining the duties of the County Clerk in relation to such election.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 671 read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 858 read first time, and referred to Committee on Insurance.

Assembly Bill No. 995 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1002 read first time, and referred to Committee on Education.

Also:

SACRAMENTO, March 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1082—An Act approving, confirming and declaring valid the creation, formation and organization of Reclamation District No. 108, created by that certain Act of the Legislature of the State of California entitled "An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa, fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all acts and parts of acts inconsistent therewith," approved April 23, 1913, and all acts and proceedings of said district and the board of trustees thereof, and also more clearly defining the exterior boundaries of said district;

Also: Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; and authorizing the commission of the Bureau of Labor Statistics to enforce the provisions of this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1082 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 487 read first time, and referred to Committee on Labor and Capital.

Also:

SACRAMENTO, March 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 4—Relative to approving eleven certain amendments to the charter of the city of Petaluma, county of Sonoma, State of California, voted for and ratified by the qualified electors of the said city of Petaluma at a general municipal election held therein for that purpose on the tenth day of June, 1913.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 4 ordered to enrollment.

Also:

SACRAMENTO, March 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 45—An Act declaring the wagon road extending from the western end of the Lake Tahoe state wagon road to the eastern limits of the city of Placerville to be a state highway;

Also: Senate Bill No. 588—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating liquors to persons addicted to the inordinate use of intoxicating liquors," approved March 19, 1889;

Also: Senate Bill No. 98—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 319—An Act validating the formation and organization, and determining the boundaries of Alameda County Water District in the county of Alameda, State of California;

Also: Senate Bill No. 753—An Act to recognize and declare valid all proceedings in Oakdale Irrigation District.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 45, 588, 98, 319, and 753 ordered to enrollment

Also:

SACRAMENTO, March 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 64.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 142—An Act to create the office of public defender in the counties of California, from the first to the tenth classes, inclusive, to provide for the appointment and election of such officers, and prescribing their duties and compensation.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In lines 1 and 2 of the title, after the word "defender", strike out the following: "in the counties of California, from the first to the tenth classes, inclusive," and insert in lieu thereof a semicolon.

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title, after the word "appointment" strike out the words "and election".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 1, page 1, after the word "each" strike out the words "of the counties" and insert in lieu thereof the following: "county, city and county".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In lines 2 and 3, page 1, after the word "California" strike out the following: "of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 4, page 1, after the word "be" strike out the words "elected or".

Amendment adopted.

AMENDMENT NUMBER SIX.

In lines 5, 6, 7, 8, 9 and 10, page 1, after the period following the word "defender" strike out the following: "The person to be elected or appointed to such office shall have been a practicing attorney in all the courts of this State for the period of at least three years next preceding the date of his appointment or election. He shall take and file the constitutional oath of office." and insert in lieu thereof the following: "No person shall be eligible to the office of public defender, who shall not have been a practicing attorney in all of the courts of the State for the period of at least one year next preceding the date of his appointment."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

In line 11, page 1, after the word and figure "SEC. 2." strike out all of section 2, down to and including line 8, page 2, and insert in lieu thereof the following: "The Board of Supervisors for any county or city and county in the State may appoint a qualified attorney to the office of public defender, who shall hold said office and discharge the duties thereof as provided in this Act for a term of two years from and after the date of said appointment and said term of office shall not be deemed to extend beyond said period of two years; *provided, however*, that the provisions of this Act shall not apply to counties in this State that have adopted or may hereafter adopt a special county charter, in which provision is made for a public defender; *and provided, further*, that said public defender may be removed by said Board of Supervisors at any time by four-fifths vote of said board on the grounds of incompetency, neglect of duty or dishonorable conduct after a hearing before said board. Said board may select such public defender through the aid of civil service or other examination or such test of qualification as it may deem proper."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

In lines 16, 17, 18 and 19, page 2, after the colon following the word "follows" strike out the following: "In counties of the first, second, and third classes thirty-six hundred dollars per annum; in counties of the fourth, fifth, sixth, seventh, eighth, ninth and tenth classes twenty-four hundred dollars per annum." and insert in lieu thereof the following: "In counties of the first and third classes, three thousand dollars per annum; in counties of the seventh, eighth, and eleventh classes, eighteen hundred dollars per annum; in counties of the thirteenth class, fifteen hundred dollars per annum; in counties of the sixth, fourteenth, eighteenth, twentieth and twenty-six classes, twelve hundred dollars per annum; in counties of the twenty-seventh class, nine hundred dollars per annum; in counties of the twenty-first class, six hundred dollars per annum; in counties of the nineteenth class, four hundred eighty dollars per annum; in counties of the thirty-fifth class, four hundred twenty dollars per annum; in counties of the thirty-eighth class, three hundred sixty dollars per annum; in counties of the fourth, fifth, ninth, tenth, twelfth, fifteenth, sixteenth, seventeenth, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-sixth, thirty-seventh, thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh, forty-ninth, fiftieth, fifty-first, fifty-second, fifty-third, fifty-fourth, fifty-seventh, fifty-eighth, sixty dollars per annum; in counties of the fifty-fifth and fifty-sixth class, thirty dollars per annum; in counties of the forty-eighth class, twenty dollars per annum."

Amendment adopted.

AMENDMENT NUMBER NINE.

In lines 24, 25, 26, 27, 28, 29 and 30 of page 2, after the word "defender;" strike out the following: "*and, provided, also*, that if any county in which the office of public defender is hereby created shall hereafter, by reason of the change of population, or otherwise, be classified as of a class different from that now designated, the office of public defender shall not be abolished thereby but shall continue to exist regardless of the future classification of said county."

Amendment adopted.

AMENDMENT NUMBER TEN.

In line 31, page 2, after the word and figures "SEC. 4." strike out all of section 4, down to and including line 14, page 3, and insert in lieu thereof the following: "Upon request by the defendant or upon order of the court, the public defender shall defend, without expense to such defendant, any person who is not financially able to employ counsel and who is charged in any court of the State with the commission of any contempt, misdemeanor, felony or other offense. He shall also upon request give counsel and advice to any person, against whom any such charge is brought, and shall conduct his defense with all the skill and ability at his command, and in such a manner as to secure justice for such accused having due regard to his duty to his client and to the State of California, and he shall prosecute all appeals to a higher court or courts, of any person who has been convicted upon any such charge, where, in his opinion, such appeal will, or might reasonably be expected to, result in a reversal or modification of the judgment of conviction. He shall also, upon request, prosecute actions for the collection of wages, or claims for labor of persons who are not financially able to employ counsel, in cases in which the sum involved does not exceed fifty dollars, and in which, in the judgment of the public defender, the claims urged are valid and enforceable in the courts. He shall also, upon request, defend persons in all civil litigation in which, in his judgment, they are being persecuted or unjustly harassed, and who have not the financial ability to employ counsel."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

In line 16, page 3, after the word "created", strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

In line 19, page 3, after the word "supervisors", strike out the words "shall also", and insert in lieu thereof the words "in any county or city and county from the first to the tenth classes inclusive may".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

In line 29, page 3, after the word and figure "SEC. 6." strike out all of section 6, down to and including line 30, page 3, and insert in lieu thereof the following: "Said public defender shall keep a record of all services rendered by him in such capacity and shall file with the board of supervisors once a month during his term a written report of said services.

"SEC. 7. The board of supervisors may at the expiration of the term of office of any public defender as provided for herein, refuse to appoint a successor, if in their judgment such course is deemed for the best interests of the county, in which event said office shall become vacant until such time as said board shall appoint some person to fill said office.

"SEC. 8. All Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1218—An Act to amend sections 1 and 2 of an Act entitled "An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the state, county, city and county, or incorporated city or town government in this state," approved March 23, 1901.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title after the words, "An Act" and insert in lieu thereof the following: "To secure to native-born and naturalized citizens of the United States the exclusive rights to be employed in any department of the state, county, city and county and city government in this State, except in certain schools, to validate certain Acts, and to repeal all Acts in conflict herewith."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of the bill after the word and figure, "SECTION 1." and insert in lieu thereof the following: "No person except a native-born or naturalized citizen of the United States, shall be employed in any department of the State, county, city and county or city government in this State: *provided, however*, that nothing herein contained shall prohibit the employment as a member of the faculty or teaching force in public schools of this State, nor in schools supported in whole or in part by the State, of any person who has declared his intention to become a citizen of the United States, nor of any native-born woman of the United States who has married a foreigner: *and provided, further*, that the prohibitions of this Act shall not apply to any member of the faculty or teaching force of any college or university supported in whole or in part by the State, nor of any specialist or expert temporarily employed by any department of the State, or any county, city and county or city and engaged in special investigation.

SEC. 2. It shall be unlawful for any person, whether elected, appointed or commissioned to fill any office in either the State, county, city and county or city government of this State, or in any department thereof, to appoint or employ any person to perform any duties whatsoever, unless such person so appointed or employed be a native-born or naturalized citizen of the United States, subject nevertheless, to the exceptions contained in section 1 of this Act.

SEC. 3. No money shall be paid out of the state treasury or out of the treasury of any county, or city and county, or city, to any person employed in any of the offices mentioned in section 2 of this Act unless such person shall be a native-born or naturalized citizen of the United States, subject nevertheless to the exceptions contained in section 1 of this Act.

SEC. 4. No action shall be authorized or maintained for the recovery of money heretofore paid to any member of the faculty or teaching force of any public school of this State, or any school, college or university supported in whole or in part by the State, and all payments so made are hereby approved and declared valid.

SEC. 5. An Act entitled, "An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county, or incorporated city or town government in this State," approved March 23, 1901, is hereby repealed and all other Acts or parts of Acts in conflict with this Act are hereby repealed.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 428—An Act to amend section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

COMMITTEE AMENDMENT

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 11, page 1, after the word "amount", strike out the words: "that is".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

On motion of Senator Jones, Senate Bill No. 720 was passed on file.

ADJOURNMENT.

At three o'clock and twenty minutes p.m., on motion of Senator Kehoe, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Wednesday, March 31, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, [illegible], Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

By invitation of the President, prayer was offered by the Rev. Chas. E. Farrar of Sacramento.

LEAVE OF ABSENCE.

Senator Rush was, on motion of Senator Strobridge, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 30, 1915, the further reading was dispensed with, on motion of Senator Strobridge.

PETITIONS.

Senator Duncan presented the following petitions, which were read and ordered printed in the Journal:

CHICO, CALIFORNIA, March 30, 1915.

Senator W. E. Duncan, Sacramento:

DEAR SIR: The Butte County Christian Endeavor in convention assembled in Gridley, California, March 27, 1915, adopted the following resolution which we wish you would endorse:

Resolved, That we heartily endorse the bill now before the California Legislature to place the Bible in the public schools and we request that you present the same to the Senate.

Sincerely,

GENEVA SHAFFER,
Secretary of Butte County Christian Endeavor Union.

Also:

To the Legislature of California:

The undersigned, qualified electors of the State of California, hereby register our emphatic protest against the passage of the bill now before the Legislature to extend the non-partisan feature of the election law to include all State offices, and hereby call upon you to secure the defeat of said measure.

H. K. ALBRIGHT, and 34 others.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Kehoe, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. H. C. Nelson of Eureka.

On request of Senator Cohn, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. W. Pettit, principal, and the following pupils of the Galt Grammar School:

Grace Arnall, Bernhardt Boessow, Aileen Chase, Ethel Colledge, Jimmie Davis, Minnie Eldridge, Berenice Gibson, Dola Harper, Payne Larrick, George McKenzie, Katherine O'Shea, Thomas Rowe, Rose Jones, Elsie Donaldson, Leland Maxwell, and Evelyn Orr.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 30, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 510—An Act to amend sections 2, 12, 13, 15, 16, 17, 19, 20, 22, 24, 25, 26, 29, 30, 32, 33, 34, 36, 37, 46, 47, 57, 71, 72, 75, 76, 77, and 81 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'State Compensation Insurance Fund,' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all acts and parts of acts inconsistent with the provisions of this Act," approved May 26, 1913, and to add thereto a new section to be numbered 75*a*;

Also: Senate Bill No. 865—An Act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911;

Also: Senate Bill No. 535—An Act to amend an Act entitled "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending sections 2, 3, 4, 5, 6, 7½, and 8 thereof, by adding a new section thereto to be known and numbered as section 6½, and repealing section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian and deputy state veterinarians, and fixing salaries, and prescribing penalties for violation of this Act;

Also: Senate Bill No. 988—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737;

Also: Senate Bill No. 960—An Act to amend sections 5 and 29 of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this Act," approved April 21, 1911;

Also: Senate Bill No. 783—An Act to amend section 681 of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes;

Also: Senate Bill No. 339—An Act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof;

Also: Senate Bill No. 517—An Act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and electric power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume;

Also: Senate Bill No. 220—An Act to provide against the publishing or circulating of an advertisement, in any form, containing any assertion, representation or statement of fact which is untrue, deceptive or misleading;
And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 30, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 200—An Act to amend section 601 of the Code of Civil Procedure of the State of California, relating to challenge of jurors;

Also: Senate Bill No. 969—An Act to add a new section to the Code of Civil Procedure to be numbered 103*a*, relating to the duties of clerks of certain Justices of the Peace;
And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 741—An Act to add a new section to the Penal Code of the State of California, to be numbered section 628*h*, relating to the protection of fish;

Also: Senate Bill No. 743—An Act to amend section 626*j* of the Penal Code of the State of California, relating to the protection of game;

Also: Senate Bill No. 852—An Act to amend section 630*a* of the Penal Code of the State of California, relating to the regulation of the business of wholesale dealers in fish and game and providing for a record of the transactions therein;
And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 782—An Act to provide two additional judges of the Superior Court of the county of Alameda;

Also: Senate Bill No. 1214—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Stanislaus, to provide for the appointment of an additional judge and for his compensation
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass and be re-referred to the Committee on Finance

KEHOE, Chairman.

Senate Bills Nos. 782 and 1214 ordered re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1219—An Act granting to the City of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Eureka, and regulating the management, use and control thereof;

Also: Senate Bill No. 268—An Act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law;

Also: Senate Bill No. 1203—An Act to add a new section to the Penal Code, to be numbered section 653*f*, relating to the restricting of the number of individuals who may learn a trade;

Also: Assembly Bill No. 269—An Act to amend section 86 of the Code of Civil Procedure of the State of California, relating to clerks of Justices' Courts and repealing all Acts inconsistent herewith;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: A minority of your Committee on Judiciary to which was referred Senate Bill No. 1203—An Act to add a new section to the Penal Code to be numbered 653*f*, relating to the restricting of the number of individuals who may learn a trade—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

LUCE.
TYRRELL.
DUNCAN.
KEHOE.

Senate Bills Nos. 1219, 268 and 1203 ordered on file for second reading.

Assembly Bill No. 269 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 500—An Act to amend sections 1, 8, 9, 10, 11, 14 and 17 of an Act entitled: "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat disease, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled, 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation," approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, said amendments relating to the board of examiners, and to the requirements of applicants for examination, and to the requirements of schools, and to the revocation of licenses and to the regulation of practice—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BUTLER, Chairman.

Senate Bill No. 500 ordered on file for second reading.

Also:

SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act, entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act—has had the same under consideration, and respectfully reports the same back without recommendation.

BUTLER, Chairman.

Senate Bill No. 310 ordered on file for second reading.

Also:

SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 443—An Act to amend an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings;

to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, by amending sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 17 and 18 and adding a new section thereto to be numbered 12½ relating to the practice of chiropody—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 443 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 950—An Act to amend an Act entitled, "An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district, defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district, the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, by amending section one of said Act, and making the description more certain, amending section 6 of said Act in reference to the certifying and depositing of a certified copy of assessment, amending section 7 of said Act in reference to the lien of said assessment, and also amending the said section 7 in regard to the collection of the assessments, issuance of warrants and the payment of all moneys that may be collected into the county treasury of Yolo County;

Also: Senate Bill No. 951—An Act approving, confirming and declaring valid the creation, formation and organization of reclamation district number one hundred eight, created by that certain Act of the Legislature of the State of California entitled, "An Act legalizing the consolidation and reorganization of reclamation district number seven hundred twenty-nine with reclamation district number one hundred eight, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith," approved April 23, 1913, and all Acts and proceedings of said district and the board of trustees thereof, and also more clearly defining the exterior boundaries of said district;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

CHANDLER, Chairman.

Senate Bills Nos. 950 and 951 ordered on file for second reading.

Also:

SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 1105—An Act authorizing the sale of certain property belonging to the State of California, and located in what is known as Reclamation District 1600 in Yolo County—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CHANDLER, Chairman.

Senate Bill No. 1105 ordered on file for second reading.

ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Mines and Mining, to which was referred Senate Concurrent Resolution No. 17—Relative to free assays to be made by the College of Mines of the University of California—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

COHN, Chairman.

Senate Concurrent Resolution No. 17 ordered on file.

Also:

SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 769—An Act to authorize the Surveyor General of the State of California to consent to the provisions of the Act of Congress approved July 17, 1914, entitled "An Act to provide for agricultural entry of lands withdrawn, classified, or reported as containing phosphate, nitrate, potash, oil, gas or asphaltic minerals"—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass.

COHN, Chairman.

Assembly Bill No. 769 ordered on file for second reading.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Brown the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Finn moved to reconsider the vote whereby Senate Bill No. 52—An Act to authorize a cemetery corporation or association to transfer its land and certain funds to the city, or city and county within which such cemetery land is located whenever further burials in such land shall be prohibited; and to authorize said city or city and county to accept and execute a trust in relation to such property for the purpose of maintaining said land forever as a public park, to provide for the carrying into effect of the purposes in this Act—was refused passage.

MOTION.

On motion of Senator Finn, the consideration of the above motion to reconsider was postponed until the next legislative day.

PETITION—(OUT OF ORDER).

By consent of the Senate, Senator Duncan presented the following petition, out of the regular order, which was read and ordered printed in the Journal:

RESOLUTIONS ADOPTED BY THE PEOPLE OF FRANKLIN CORNERS, SUTTER COUNTY, AT MASS MEETING HELD SATURDAY, MARCH 27, 1915, IN REGARD TO THE SUTTER BASIN CONTROVERSY.

To the Governor and the Legislature of the State of California:

WHEREAS, The county of Sutter and certain private landowners therein are now engaged in most important litigation with Reclamation District No. 1500 in which enormous property rights and private property of great value are involved, and upon the result of which the security of one of the richest fruit belts of the State depends; and

WHEREAS, This litigation is the result of the attempt of outside capitalists to reclaim a natural overflow and tule basin to the damage and at the expense of those who will not be benefited but largely damaged thereby; and

WHEREAS, Reclamation District No. 1500, commonly known as the Armour-Gerber interests, is seeking to do this in violation of the fundamental law of the State of California and to accomplish their design are seeking legislative action at the present session of the Legislature in order to overthrow this law and change the same to suit their purposes; now, therefore, be it

Resolved, That we, the people of Franklin Corners, Sutter County, do hereby declare:

First. That we are not opposed to a general plan of flood control, and that we believe in the reclamation of the swamp and overflowed lands of this State;

Second. That we believe that any plan of flood control or reclamation should have due regard to the rights of others and the protection and security of established communities; that reclamation at the expense and to the danger of lands now secure from flood or drainage waters is detrimental and not beneficial to the State as a whole;

Third. That reclamation of overflow lands should be carried on along lines in the least possible discord and opposition to the established law of this State and which cause the least possible damage to lands which are at present highly improved and cultivated;

Fourth. That the law of the State of California should not be changed, when the proposed changes therein will favor, aid and materially assist a few large land speculators at the expense and to the damage of the resident citizens of a whole county;

Fifth. That the following measures affect the litigation above referred to and are unfair to the county of Sutter:

Senate Bill No. 631, Assembly Bill No. 759;
Senate Bill No. 634, Assembly Bill No. 831;
Senate Bill No. 660, Assembly Bill No. 766;
Senate Bill No. 661, Assembly Bill No. 764;
Senate Bill No. 662, Assembly Bill No. 765;
Senate Bill No. 722, Assembly Bill No. 793;
Senate Bill No. 910, Assembly Bill No. 1151;
Senate Constitutional Amendment No. 34, Assembly Constitutional Amendment No. 30.

Sixth. That we have relied upon the law of the State of California for our protection and that it is unfair to do away with that protection at the time when we are most in need thereof;

We, therefore, petition you, the Governor and the Legislature of the State of California, that you do not pass the above mentioned measures or any measures that will injuriously affect the rights of the county of Sutter or which may apply to litigation in which this county is now involved, and that you do not alter the reclamation law of this State when such alteration would aid a few men to inflict a great damage upon the people of Franklin Corners and of the whole county.

The foregoing is a full, true and correct copy of the resolutions adopted at a mass meeting of the people of Franklin Corners on Saturday, March 27, 1915.

GEORGE OHENGER, Chairman of Meeting.

H. H. DOUGLAS, Secretary of Meeting.

APPROVAL OF JOURNALS.

On motion of Senator Thompson the Journals of Monday, March 15; Tuesday, March 16; Wednesday, March 17; Thursday, March 18, and Friday, March 19, were approved as corrected.

REQUEST FOR INTRODUCTION OF BILL.

Senator Duncan requested permission to introduce a Senate bill entitled:

"An Act to establish a conservation, bird and arbor day, and to repeal an Act entitled, 'An Act to establish a bird and arbor day,' approved March 3, 1909."

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

On motion of Senator Finn, Senate Bill No. 55 was passed on file.

Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

On motion of Senator Flaherty, Senate Bill No. 10 was passed on file.

Senate Bill No. 1005—An Act to carry into effect the provisions of section 1*a* of article XIII of the Constitution of California, exempting property from taxation in certain instances; defining certain terms;

providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered 3613.

On motion of Senator Jones, Senate Bill No. 1005 was passed on file, to retain its place.

Senate Bill No. 303—An Act to recognize and declare valid all proceedings in Anderson-Cottonwood Irrigation District.

On motion of Senator Shearer, Senate Bill No. 303 was passed on file.

Senate Bill No. 83—An Act to amend section 646 of the Civil Code, relating to building and loan associations.

On motion of Senator Benson, Senate Bill No. 83 was passed on file.

Senate Bill No. 107—An Act to amend section 1726*a* of the Code of Civil Procedure of California, relating to the payment of funeral expenses of deceased persons by public administrator.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 107 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Hans, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 222—An Act to amend section 848 of the Code of Civil Procedure of the State of California, relating to service of summons in the justice's court.

On motion of Senator Scott, Senate Bill No. 222 was passed on file.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Finn, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Finn, Senate Bill No. 60 was passed on file.

Senate Bill No. 221—An Act to amend section 171 of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases.

On motion of Senator Scott, Senate Bill No. 221 was passed on file.

Senate Bill No. 51—An Act to regulate the opening, widening and closing of roads and paths and the disinterment of bodies in cemeteries which have been transferred to cities or cities and counties and which are held by them in trust for the purpose of maintaining said cemeteries forever as public parks.

On motion of Senator Finn, Senate Bill No. 51 was passed on file.

Senate Bill No. 109—An Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as: "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same, and known as an Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, approved March 12, 1885, approved March 23, 1901."

On motion of Senator Brown, Senate Bill No. 109 was passed on file.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

On motion of Senator Jones, Senate Bill No. 720 was passed on file.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 2 of article IX of the Constitution of the said State, relating to the election and salary of a Superintendent of Public Instruction and also by repealing section 10 of article XXII of said Constitution, relating to the term of officers first elected under the constitution and also to the election and term of office of the successors of such officers and also to the election of judicial officers and the Superintendent of Public Instruction.

On motion of Senator Jones, Senate Constitutional Amendment No. 12 was passed on file.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, by adding to article VI of said Constitution a new section to be numbered section 6½, relating to the term of office of judges of the Superior Court.

On motion of Senator Finn, Senate Constitutional Amendment No. 2 was passed on file.

Senate Bill No. 38—An Act to amend an Act known as "The Building and Loan Commission Act" chapter 354, Laws of 1911, approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be known as and numbered section nine *a*, relating to the powers and duties of the Building and Loan Commissioner; fixing the grade and penalty for non-compliance with his orders; providing for the assistance of a peace officer to enforce his demands.

On motion of Senator Benson, Senate Bill No. 38 was passed on file.

Senate Bill No. 84—An Act to amend the Civil Code of the State of California by adding thereto a new section, to be known and numbered 642*a*, relating to building and loan associations.

On motion of Senator Benson, Senate Bill No. 84 was passed on file.

Senate Bill No. 744—An Act to provide for the protection of breeders and growers of live stock from theft, for registration of brands, butchers and slaughter-houses, and the inspection of live stock and the hides thereof.

On motion of Senator Benson, Senate Bill No. 744 was passed on file.

Senate Bill No. 200—An Act to amend section 601 of the Code of Civil Procedure of the State of California, relating to challenge of jurors.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 200 was refused passage by the following vote:

AYES—Senators Ballard, Campbell, Cogswell, Cohn, Crowley, Duncan, Gerdes, Hans, King, Owens, Scott, Shearer, Slater, Stuckenbruck, and Wolfe—15.

NOES—Senators Anderson, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Thompson, and Tyrrell—20.

Senate Bill No. 969—An Act to add a new section to the Code of Civil Procedure to be numbered 103*a*, relating to the duties of clerks of certain justices of the peace.

On motion of Senator Benson, Senate Bill No. 969 was passed on file.

Senate Bill No. 517—An Act granting municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railroad, canal, ditch or flume.

On motion of Senator Crowley, Senate Bill No. 517 was passed on file.

Senate Bill No. 339—An Act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof.

On motion of Senator Benson, Senate Bill No. 339 was passed on file.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 343, heretofore set as a special order for this time, the same was taken up for consideration.

Senate Bill No. 343—An Act to safeguard the youth of the State, in attendance at universities and normal schools, by adding a new section to the Penal Code of California, to be numbered and known as section 172*b*, making unlawful the soliciting or receiving of orders for, also the sale, service or giving away of spirituous, vinous, malt or other alcoholic liquors on or within one mile of the grounds of any university or state normal school, with certain exceptions.

Read third time.

RECESS.

At twelve o'clock and thirty minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RE-CONVENED.

At two o'clock p.m., the Senate re-convened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 177—An Act to amend sections 2153*a* and 2161 of the Political Code, relating to the government and management of state hospitals for the insane and other incompetent persons.

Read third time.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate the following report of standing committee was received and read, out of the regular order:

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, March 27, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 177—An Act to amend section 2153*a* and 2161 of the Political Code, relating to the government and management of state hospitals for the insane and other incompetent persons—has had the same under consideration and respectfully reports the same back and recommends that it be referred to a Special Committee of One to be amended as follows:

AMENDMENT NUMBER ONE.

Strike out of line 1, page 1, of the printed bill, the words "of section" and insert in lieu thereof a period and the word "Section".

AMENDMENT NUMBER TWO.

Strike out of line 3, page 1, the following: "Appointments by superintendent."

AMENDMENT NUMBER THREE.

Strike out of line 13, page 1, the following: "Physicians and internes."

AMENDMENT NUMBER FOUR.

Strike out of line 3, page 2, the following: "Qualifications of physicians."

AMENDMENT NUMBER FIVE.

Strike out of line 8, page 2, the following: "Woman physician."

AMENDMENT NUMBER SIX.

Strike out of line 16, page 2, the following: "Examination of physicians."

AMENDMENT NUMBER SEVEN.

Strike out of line 29, page 2, the following: "Homeopathic physicians."

AMENDMENT NUMBER EIGHT.

Strike out of line 33, page 2, the following: "Duty of superintendent."

AMENDMENT NUMBER NINE.

On page 4, of the printed bill, strike out all of lines 28, 29 and 30.

AMENDMENT NUMBER TEN.

Strike out of line 33, page 4, the following: "The business manager, and his powers and duties."

CROWLEY, Chairman.

Report adopted.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the President appointed Senator Thompson a Special Committee of One to amend Assembly Bill No. 177 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 177, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Committee.

Report read and, on motion of Senator Crowley, adopted.

Bill ordered to print and re-engrossment.

Assembly Bill No. 901—An Act authorizing the State Board of Equalization to destroy by fire certain reports and other documents.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 901 passed by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Campbell, Carr, Chandler, Cohn, Duncan, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, and Thompson—23.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 338—An Act to recognize and declare valid all proceedings in Anderson-Cottonwood Irrigation District.

Bill read second time, ordered engrossed, and on file for third reading.

Assembly Bill No. 643—An Act validating the formation and organization, and determining the boundaries of the Pleasanton Township County Water District in the county of Alameda, State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Assembly Bill No. 555—An Act to amend section 4242 of the Political Code of the State of California, relating to salaries and fees of officers of counties of the thirteenth class.

Bill read second time, ordered engrossed, and on file for third reading.

Assembly Bill No. 1091—An Act to amend section 4251 of the Political Code, relating to the salaries and fees of officers of the counties of the twenty-second class.

Bill read second time, ordered engrossed, and on file for third reading.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 818—An Act to add a new section to the Penal Code of the State of California, to be known as section 654*b*, relating to the protection of the purchasers of real estate against fraud and deception.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading, Senator Gerdes moved to refer to Senator Crowley as a Special Committee of One to amend Senate Bill No. 818 as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title, strike out the words "of the State of Cali-" down to and including the word "fornia" in line 2 of the title.

AMENDMENT NUMBER TWO.

In line 5, strike out the words "orally or".

AMENDMENT NUMBER THREE.

In line 7, strike out the word "knowingly".

AMENDMENT NUMBER FOUR.

Strike out all of lines 11 and 12 and down to and including the word "chaser." in line 13.

AMENDMENT NUMBER FIVE.

In line 13 after the word "is" and before the word "untrue" insert the following: "known to him to be".

AMENDMENT NUMBER SIX.

In line 14, strike out the period after the word "misdemeanor" and insert in lieu thereof a semicolon and add the following: "*provided, however*, that nothing in this section shall be construed to hold the publisher of any newspaper, or any job printer, liable for any publication herein referred to unless such publisher or printer has an interest either as owner or agent, in such real estate so advertised."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 818, with instructions to amend, respectfully reports the same back, amended as per instructions.

CROWLEY, Committee.

Report read and, on motion of Senator Gerdes, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 535—An Act to amend an Act entitled "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending sections 2, 3, 4, 5, 6, 7½ and 8 thereof, by adding a new section thereto to be known and numbered as section 6½, and repealing section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian, and deputy state veterinarians, and fixing salaries and prescribing penalties for violation of this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 535 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FORTY-THREE RESUMED.

Senate Bill No. 343—An Act to safeguard the youth of the State, in attendance at universities and normal schools, by adding a new section to the Penal Code of California, to be numbered and known as section 172*b*, making unlawful the soliciting or receiving of orders for, also the sale, service or giving away of, spirituous, vinous, malt or other alcoholic liquors on or within one mile of the grounds of any university or state normal school, with certain exceptions.

Read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the consideration of the bill Senator Luce moved that Senator Duncan be appointed a Select Committee of One to amend Senate Bill No. 343 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 2, insert between the words "section" and "shall" the following, "shall not apply to any city and county, or to any city, which at the last decennial census taken by the United States government had a population of more than twenty thousand: *and, provided, further,* that they".

AMENDMENT NUMBER TWO.

On page 2, strike out all of lines 31 to 37, inclusive.

AMENDMENT NUMBER THREE.

On page 2 insert a new paragraph between lines 30 and 31 to read as follows:
"(5) The manufacture of liquors, or the receiving of orders therefor on the premises where manufactured, or the shipping of the same from said premises, when none of the liquors so ordered or shipped is delivered to any person or place within the limits prescribed in this section, except to a common carrier for delivery outside of said limits".

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

The ayes and noes were demanded by Senators Wolfe, Finn, and Scott.

The roll was called and the motion to refer lest by the following vote:

Ayes—Senators Benedict, Benson, Breed, Campbell, Carr, Cogswell, Duncan, Flint, Irwin, Jones, King, Luce, Maddux, Mott, and Thompson—15.

Noes—Senators Anderson, Ballard, Beban, Birdsall, Brown, Butler, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Kehoe, Lyon, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—23.

PRESIDENT OF THE SENATE IN THE CHAIR.

At four o'clock and thirty minutes p.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Butler moved a call of the Senate.

Motion carried.

Time, four o'clock and thirty-five minutes p.m.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

The Secretary announced the absentees.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Butler.

The roll of absentees was called, and Senate Bill No. 343 was refused passage by the following vote:

AYES—Senators Anderson, Benedict, Benson, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Duncan, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, and Thompson—18.

NOES—Senators Ballard, Beban, Birdsall, Butler, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Lyon, Owens, Scott, Shearer, Slater, Stuckenbruck, Tyrrell, and Wolfe—20.

NOTICE OF MOTION TO RECONSIDER.

Senator Butler gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 343 was refused passage.

QUESTION OF PERSONAL PRIVILEGE.

Senator Luce arose to a question of personal privilege and spoke as follows:

Mr. President and Gentlemen of the Senate:

I desire to explain my vote on the bill. I am opposed to the bill on the principle stated in my speech on the floor that it is unfair and unjust and that it is special legislation. I have therefore voted aye against my better judgment. I have done so in an attempt to show my good faith when I told the Senate that the bill could not be passed without my amendments. I want to give Senators Butler and Brown every possible chance to carry the bill and so I give them my vote, feeling certain that my position has been correct and that no saloons can be eliminated with this legislation except through the adoption of the amendments offered by me to the bill.

EDGAR A. LUCE.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 30, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 452—An Act to amend sections 1768 and 1770 of the Political Code of the State of California, relating to the nomination, appointment and organization of county boards of education—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

ANDERSON, Chairman.

Senate Bill No. 452 ordered on file for second reading.

Also:

SACRAMENTO, March 30, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 1236—An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of education;

Also: Senate Bill No. 767—An Act to amend section 1519 of the Political Code of the State of California, relating to certificates of teachers in special subjects—has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

ANDERSON, Chairman.

Senate Bills Nos. 1236 and 767 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 442—An Act to amend an Act entitled "An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429;

Also: Senate Bill No. 469—An Act to regulate bakeries; to provide for inspection, regulation and control thereof by the State Board of Health, and providing for the enforcement thereof and making certain acts or omissions a misdemeanor;

Also: Senate Bill No. 506—An Act to amend section 2453 of the Civil Code, relating to the notice necessary for termination of liability of a general partner for the acts of his copartners;

Also: Senate Bill No. 1221—An Act to amend section 411 of the Code of Civil Procedure, relating to service of summons;

Also: Senate Bill No. 644—An Act to add to the Code of Civil Procedure a new section to be numbered section 749, relating to the recording of certified copies of judgments;

Also: Senate Bill No. 1042—An Act to amend section 3555 of the Political Code, relating to the judgment and costs of foreclosing the interests of purchasers of State lands;

Also: Senate Bill No. 1201—An Act to amend section 1989 of the Code of Civil Procedure, relating to the attendance of a witness before a court, judge, justice or other officer, out of the county in which the witness resides;

Also: Senate Bill No. 639—An Act to amend section 442 of the Code of Civil Procedure, relating to cross complaints;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 18 relative to approval of certain charter amendments to the charter of the city of San Diego has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

TYRRELL, Chairman.

Senate Concurrent Resolution No. 18 ordered on file.

CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Luce asked for, and was granted, unanimous consent to take up out of the regular order for consideration at this time, Senate Concurrent Resolution No. 18.

SENATE CONCURRENT RESOLUTION NO. 18.

Relative to the approval on the part of the Legislature of certain amendments to the charter of the city of San Diego, California.

WHEREAS, The city of San Diego, in the county of San Diego, State of California, contains a population of over seventy-five thousand inhabitants and has been ever since the year one thousand eight hundred and eighty-nine, and is now, organized and existing under and pursuant to the provisions of a freeholders charter adopted in accordance with and by virtue of the provisions of section 8 of article XI of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city at a special election held for that purpose on the second day of March, in the year one thousand eight hundred and eighty-nine, in manner, form and substance as required by law, and was thereafter on the sixteenth day of May, in the year one thousand eight hundred and eighty-nine, duly approved by the Legislature of the State of California; and,

WHEREAS, The legislative body and authority of said city, being the Common Council thereof, did, on its own motion, by resolution passed and adopted by said Common Council on the first day of February, in the year one thousand nine hundred and fifteen, and approved by the mayor of said city subsequent thereto and on the second day of February in the year one thousand nine hundred and fifteen, and pursuant to section 8 of article XI of the Constitution of the State of California, duly propose to the qualified electors of said city of San Diego certain amendments to the charter of said city of San Diego; and,

WHEREAS, The legislative body and authority of said city, being the Common Council thereof, did, on its own motion, by resolution passed and adopted by said Common Council on the third day of February in the year one thousand nine hundred and fifteen, and approved by the mayor of said city subsequent thereto and on the third day of February in the year one thousand nine hundred and fifteen, and pursuant to section 8 of article XI of the Constitution of the State of California, duly propose to the qualified electors of said city of San Diego certain other and additional amendments to the charter of said city of San Diego; and, WHEREAS, The legislative body and authority of said city, being the Common Council thereof, did, on its own motion, by resolution passed and adopted by said Common Council on the eighth day of February, in the year one thousand nine hundred and fifteen, and approved by the mayor of said city subsequent thereto and on the eighth day of February, in the year one thousand nine hundred and fifteen, and pursuant to section 8 of article XI of the Constitution of the State of California, duly propose to the qualified electors of said city of San Diego certain other and additional amendments to the charter of said city of San Diego, and

WHEREAS, Said Common Council did, by resolution passed and adopted by said Common Council on the eighth day of February, in the year one thousand nine hundred and fifteen, proclaim and fix the twenty-third day of March, in the year one thousand nine hundred and fifteen, as the date upon which all of said amendments so proposed by said Common Council of said city of San Diego would be submitted to the qualified electors of said city of San Diego; and,

WHEREAS, Said Common Council did, by ordinance number six thousand and thirty-eight, entitled, "An ordinance proclaiming a primary election and submitting certain charter amendments to the electors of the city of San Diego," which ordinance was passed by said Common Council of said city on the fifteenth day of February, in the year one thousand nine hundred and fifteen, and was approved by the mayor of said city on the sixteenth day of February, in the year one thousand nine hundred and fifteen, call an election of the qualified electors of said city, to be holden in said city on the twenty-third day of March, in the year one thousand nine hundred and fifteen, wherein and whereby said amendments were, in accordance with section 8 of article XI of the Constitution of the State of California, duly submitted to the qualified electors of said city for their approval; and,

WHEREAS, Said amendments proposed by said resolution of said Common Council of said city of San Diego on the first day of February, in the year one thousand nine hundred and fifteen, and said amendments proposed by said resolution of said Common Council of said city of San Diego on the third day of February, in the year one thousand nine hundred and fifteen, were, and each of them was on the fifth day of February, in the year one thousand nine hundred and fifteen, and within fifteen days after the passage and adoption of said resolutions of said Common Council of said city of San Diego proposing said amendments, published once in The Evening Tribune, the official paper of said city of San Diego; and,

WHEREAS, Said amendments proposed by said resolution of said Common Council of said city of San Diego on the eighth day of February, in the year one thousand nine hundred and fifteen, were, and each of them was on the ninth day of February, in the year one thousand nine hundred and fifteen, and within fifteen days after the passage and adoption of said resolution of said Common Council of said city of San Diego proposing said amendments, published once in The Evening Tribune, the official paper of said city of San Diego; and,

WHEREAS, Said Common Council of said city of San Diego caused copies of all of said amendments to be printed in convenient pamphlet form, and from the fifteenth day of February, in the year one thousand nine hundred and fifteen, until the twenty-third day of March, in the year one thousand nine hundred and fifteen being the date fixed for the election upon such charter amendments, did advertise in The Evening Tribune, a paper of general circulation, published in said city of San Diego, a notice that such copies of said amendments might be had upon application therefor at the office of the city clerk in the City Hall of said city; and,

WHEREAS, Said election was held in said city on said twenty-third day of March, in the year one thousand nine hundred and fifteen, being not less than forty and not more than sixty days after the completion of the advertisement of said amendments, and of each of them in the official paper of said city of San Diego, being The Evening Tribune; and,

WHEREAS, Said amendments were, pursuant to the terms of said ordinance numbered six thousand and thirty-eight, described and submitted to the qualified voters of said city of San Diego, at said election held on the twenty-third day of March, in the year one thousand nine hundred and fifteen, in manner and form as follows:

"Proposition I. Amend section 4 of chapter IV of article I of the city charter.

This amendment provides for the recall of all elective officers in the manner outlined by the general laws of the State of California."

"Proposition II. Amend section 9 of chapter II of article VI of the city charter.

This amendment creates a special election fund to contain at all times sufficient money to defray expense of two special elections."

"Proposition III. Amend section 1 of chapter I of article III of the city charter.

Amend section 5 of chapter I of article II of the city charter.

Amend section 19 of chapter I of article II of the city charter.

Amend section 20 of chapter I of article II of the city charter.

Amend section 9 of chapter I of article III of the city charter.

This amendment makes the mayor ex officio president of the Common Council, with a voice, but no vote, in its deliberations, and creates from among its members the office of vice-president to act in the absence of the president and to retain the right to vote."

"Proposition IV. Add section 11 to chapter I of article III of the city charter.

This amendment provides for the appointment and removal of the chief of police by the mayor, subject to confirmation by a majority of the Common Council, or removal by the Common Council alone by a two-thirds vote."

"Proposition V. Amend section 2 of chapter I of article II of the city charter.

This amendment makes the Common Council a purely legislative body, without executive or administrative powers, creates a manager of operation, to be appointed or removed by the Common Council, such manager to have charge of all departments excepting the departments of fire and police."

"Proposition VI. Add article XI to the city charter.

This article provides for civil service for city employees, excepting all elective officers, all officers, members of appointive boards and commissions, and other persons serving the city without compensation, the secretary of the Civil Service Commission, the chief of police, the city attorney and his deputies, the city clerk, the city engineer and chief assistant, the hydraulic engineer, the city librarian, the chief deputy of the city treasurer, the city auditor and city assessor, the chief deputy of the city auditor and the chief deputy of the city assessor, the secretary of the mayor, the manager or superintendent of each administrative department, and one assistant of each such manager or superintendent, the superintendents, principals and teachers in the school system, and the members of the fire department of the city of San Diego."

"Proposition VII. Repeal chapter II of article I of the city charter.

This chapter now divides the city into nine wards."

"Proposition VIII. Amend section 5 of chapter VII of article V of the city charter.

This amendment provides for an annual tax levy of not less than eight cents, nor more than twelve cents on each one hundred dollars valuation of property, for the maintenance and improvement of public parks, plazas and squares."

"Proposition IX. Amend section 1 of chapter II of article II of the city charter.

This amendment provides that moneys collected for dog licenses, fines for violation of humane laws affecting animals, and moneys paid upon redemption of impounded animals, shall be placed in a special fund to be used for the support of the public pound; also provides for the leasing of Pueblo lands north of the San Diego River for a period of not to exceed fifteen years; also provides that the common council shall have superintendence and control of public works; also requires all appropriations of money to be made by ordinance."

"Proposition X. Amend sections 1 and 2 of chapter III of article IX of the city charter.

This amendment changes the present charter provisions requiring all five members of the Board of Health to be practicing physicians, so that but three members need be practicing physicians."

"Proposition XI. Amend section 8 of chapter 7½ of article III of the city charter.

This amendment provides for an appropriation annually of not less than two cents, nor more than five cents, on each one hundred dollars valuation of property, for the acquisition, development and maintenance of children's playgrounds."

"Proposition XII. Add section 6 to chapter IV of article I of the city charter.

This section provides that whenever an initiative, referendum or recall petition shall be presented, requiring a special election to be held, it must be accompanied by a bond running to the city of San Diego, in a sum of not less than five thousand dollars, conditioned that the proposition submitted shall receive a majority of the votes cast."

And,

WHEREAS, On the twenty-fifth day of March, in the year one thousand nine hundred and fifteen, being the Thursday following said election, at an adjourned meeting of said Common Council of said city, said Common Council duly and regularly canvassed the returns of said election, and duly declared the result thereof, and said Common Council did thereby find and determine, and this Legislature finds and determines, that those certain amendments proposed in said resolutions and submitted to the electors of said city, and designated in said ordinance numbered six thousand and thirty-eight, as Proposition One; Proposition Two; Proposition Three; Proposition Four; Proposition Five; Proposition Six; Proposition Seven; Proposition Eight; Proposition Nine; Proposition Ten; and Proposition Eleven, respectively, were, and each of them was, duly and regularly ratified by a majority of the qualified voters voting on each such amendment; and said Common Council of said city of San Diego did thereby find and determine, and this Legislature finds and determines that a certain amendment proposed in one of said resolutions and submitted to the electors of said city of San Diego, and designated in said ordinance numbered six thousand and thirty-eight, as Proposition Twelve, was not ratified by a majority of the qualified voters voting on such amendment; and,

WHEREAS, said charter amendments, and each of them, so ratified by the qualified voters of said city of San Diego at said election, are now submitted to the Legislature of the State of California for approval or rejection as a whole, without power of alteration, in accordance with the provisions of section 8 of article XI of the Constitution of the State of California, which amendments so ratified by the qualified electors of said city of San Diego, are in words as follows, to wit:

Amend section 4 of chapter IV of article I of said charter of the city of San Diego, to read as follows:

"Section 4. The holder of any elective office of this municipality may be removed or recalled at any time by the electors; *provided*, he has held his office at least four months. The procedure to effect such removal or recall shall be as follows: A petition demanding the election of a successor to the person sought to be removed shall be filed with the city clerk, which petition shall be signed by registered voters equal in number to at least twenty-five per cent of the entire vote cast for mayor at the last preceding general municipal election, and shall contain a statement of the grounds on which the removal or recall is sought, which statement is intended solely for the information of the electors. Any insufficiency of form or substance in such statement shall in no wise affect the validity of the election and proceedings held thereunder. The signatures to the petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number, if any. One of the signers of each such paper shall make oath before an officer competent to administer an oath that the statements therein made are true as he believes, and that each signature to the paper appended is the genuine signature of the person whose name it purports to be. Within ten days from the date of filing such petition, the clerk shall examine and from the records of registration ascertain whether or not said petition is signed by the requisite number of qualified voters, and if necessary the city council, board of trustees or other governing body shall allow him extra help for that purpose, and he shall attach to said petition his certificate showing the result of said examination. If by the clerk's certificate the petition is shown to be insufficient, it may be amended within ten days from the date of said certificate. The clerk shall, within ten days after such amendment, make like examination of the amended petition, and if his certificate shall show the same to be insufficient it shall be returned to the person filing the same, without prejudice, however, to the filing of a new petition to the same effect. If the petition shall be found to be sufficient, the clerk shall submit the same to the city council, or board of trustees, or other governing body without delay, whereupon the council, or board of trustees or other governing body shall forthwith cause a special election to be held within not less than thirty-five nor more than forty days after the date of the order calling such election, to determine whether the voters will recall such officer; *provided*, that if a general municipal election is to occur within sixty days, the council may in its discretion postpone the holding of such election to such general election or submit such recall election at any such general election occurring not less than thirty-five days after such order. If a vacancy occur in said office after a recall petition is filed, the election shall nevertheless proceed as in this section provided. One petition is sufficient to propose the removal and election of one or more elective officials. One election is competent for the removal and election of one or more elective officials. Nominations for any office under such recall election shall be made in the same manner as are nominations for such office at general municipal elections. Upon the sample ballot there shall be printed in not more than two hundred words the reasons for demanding the recall of the officer set forth in the recall petition, and upon the same ballot in not more than two hundred words the officer may justify his course in office.

There shall be printed on the recall ballot, as to every officer whose recall is to be voted on thereat, the following question: 'Shall (name of person against whom the recall petition is filed) be recalled from the office of (title of the office)?' following which question shall be the words 'Yes' and 'No' on separate lines, with a blank space at the right of each, in which the voter shall indicate, by stamping a cross (X), his vote for or against such recall. On such ballots, under each such question, there shall also be printed the names of those persons who have been nominated as candidates to succeed the person recalled, in case he shall be removed from office by said recall election; but no votes cast shall be counted for any candidate for said office unless the voter also voted on said question of the recall of the person sought to be recalled from said office. The name of the person against whom the petition is filed shall not appear on the ballot as a candidate for the office. If a majority of those voting on said question of the recall of any incumbent from office shall vote 'No,' said incumbent shall continue in said office. If a majority shall vote 'Yes,' said incumbent shall thereupon be deemed removed from such office, upon the qualification of his successor. The canvassers shall canvass all votes for candidates for said office and declare the result in like manner as in a regular election. If the vote at any such recall election shall recall the officer, then the candidate who has received the highest number of votes for the office shall be thereby declared elected, for the remainder of the term. In case the person who received the highest number of votes shall fail to qualify within ten days after receiving the certificate of election, the office shall be deemed vacant and shall be filled according to law.

No person who has been recalled or who has resigned from such office while recall proceedings were pending against him, shall be appointed to any office within one year after such resignation or recall. The successor of any officer so recalled shall hold office during the unexpired term of his predecessor, subject to removal under the provisions of this section."

Amend section 9 of chapter II of article VI of said charter, to read as follows:

"Section 9. The following funds are hereby established:

1. 'Fire Department Fund,' upon which all warrants must be drawn for Fire Department supplies and expenses whatsoever.

2. 'Salary Fund,' from which all salaries of city officers and their deputies, including regular policemen, must be paid.

3. 'Police Department Fund,' from which must be paid all expenses of the Police Department, except salaries of regular policemen.

4. 'Street Fund,' from which must be paid all expenses for street repairs, street sprinkling and cleaning, highway and bridge repairs, and all other street improvements not otherwise provided for in this charter.

5. 'Harbor and Wharf Fund,' from which must be paid all expenses for wharf building and repairs, and for all harbor improvements.

6. 'Sewer and Drainage Fund,' from which all expenses for sewer and drainage construction and repairs must be paid.

7. 'School Fund,' from which must be paid all salaries of teachers in the city public schools, and all expenses of such schools, together with all expenses of repairs to school buildings, school furniture, and other necessary expenditures by the Board of Education, including the erection of school buildings and purchase of sites therefor.

8. 'Street Light Fund,' from which must be paid all sums for lighting the city by electric light, gas, etc.

9. 'Park Improvement Fund,' from which must be paid all expenses for park and boulevard improvements, such as construction and building of drives, boulevards, and planting of trees, and other improvements.

10. 'Public Health Fund,' from which must be paid all expenses of the Health Department, including scavengers, and all expenses of disposing of garbage, etc.

11. 'Library Fund,' from which must be paid all expenditures made and ordered by the Board of Library Trustees and the San Diego Public Library.

12. 'Public Building Fund,' from which all expenditures for public buildings of the city (other than school buildings) must be paid.

13. 'Office Fund,' from which all expenditures for furniture, fuel, stationery, books, etc., furnished to the city officers and departments must be paid.

14. 'General Fund,' from which must be paid appropriations and general expenses not payable from other funds.

15. 'Special Election Fund,' from which shall be paid the expenses of all special elections. Transfers of money from the General Fund to the Special Election Fund shall be made at such times and in such amounts so that there shall stand at all times to the credit of the Special Election Fund moneys sufficient to defray the expense of at least two special elections.

The Common Council may from time to time establish such other funds as they may deem necessary and shall establish and continue in force all interest funds, bond funds, bond redemption funds, and other funds now or hereafter established for the payment of all interest upon, and the payment of all bonded indebtedness of said city; and the percentage of each annual tax levy shall be named for each fund, and the whole amount of taxes and revenue of the city apportioned to said several funds accordingly; and no transfer shall be made from one fund to another except as otherwise provided in this charter, unless by vote of the Common Council, by ayes and noes, recorded in the journals of preceedings; and in no case shall any moneys be transferred from the School Fund or Library Fund to any other fund. The Common Council shall by ordinance determine and designate to what funds shall be apportioned all moneys arising from the levy of all license taxes in the city; *provided*, that none of such moneys shall be apportioned to either the School Fund, Library Fund, or to any of the bond funds, interest funds, or bond redemption funds of the city."

Amend section 1 of chapter I, of article III, of said charter, to read as follows:

"Section 1. The Mayor shall be the chief executive officer of the city. He shall be elected by the qualified voters of the city at each general election and his term of office shall be two years. The mayor shall also be ex officio president of the Common Council and as such president shall have a voice but not a vote in its proceedings. The powers and duties of the mayor as president of the Common Council shall not be construed in any manner to conflict with or limit his powers in the capacity of mayor."

Amend section 5 of chapter I, of article II, of said charter, to read as follows:

"Section. 5. Said Common Council shall

1. Choose a Vice President annually from its own members, who may be removed by affirmative vote of not less than two-thirds of the members of said Common Council. In the absence of the president at any meeting or meetings of said Common Council, the vice president shall preside and discharge the duties and exercise the powers of the president and shall retain his right to vote.

2. Establish rules for its proceedings.

3. Keep a journal of its proceedings and allow the same to be published. The ayes and noes on any question shall, on the demand of any two members, be taken and entered therein.

4. Have authority to punish its members for disorderly or contemptuous behavior in its presence, and to expel any member by the affirmative vote of not less than two-thirds of its members, specifying in the order of expulsion the cause thereof.

5. Have power to compel the attendance of witnesses and production of papers pertinent to any business before said Common Council or any of its committees."

Amend section 19 of chapter I of article II of said charter, to read as follows:

"Section 19. The Auditing Committee shall consist of the mayor, vice president of the Common Council, city attorney and auditor."

Amend section 20 of chapter I of article II of said charter, to read as follows:

"Section 20. When and so long as the mayor is temporarily unable to perform his official duties, the vice president of the Common Council shall act as mayor pro tempore."

Amend section 9 of chapter I of article III of said charter, to read as follows:

"Section 9. When and so long as the mayor is temporarily unable to perform his official duties, the vice president of the Common Council shall act as mayor pro tempore.

When a vacancy occurs in the office of mayor, it shall be filled for the unexpired term by a majority vote of the Common Council, and any person possessing the necessary qualifications may be chosen mayor. A member of the Common Council, during the term for which he shall be elected or appointed, shall be eligible to fill such vacancy."

The operation of this amendment shall be suspended until the third day of May, 1915.

Add section 11 to chapter I of article III of said charter, as follows:

"Section 11. The mayor shall appoint the chief of police, which appointment shall become effective only upon the confirmation of the Common Council. The removal of the chief of police shall be by the mayor, if confirmed by a majority of the Common Council, or by the Common Council alone by a two-thirds vote."

Amend section 2 of chapter I of article II of said charter, to read as follows:

"Section 2. (*a*) The Common Council shall consist of five members, to be nominated and elected at large by the electors of the city of San Diego, and shall hold office for four years, except, that at the organization of the first Common Council elected after the adoption of this provision, the members thereof shall, by lot, determine that two of its members shall hold office for a term of two years.

(*b*) The members of the Common Council shall receive as compensation the sum of two thousand dollars per annum, for each councilman, payable in equal monthly installments.

(*c*) Each member of the Common Council must have been both an elector and an actual resident of the city at least two years next preceding his election, and shall give bond in the sum of $5,000.00.

(*d*) The Common Council shall have, possess and exercise all the legislative, executive and judicial powers and functions held, possessed and exercised by the Common Council at the time this amendment is proposed by the said Common Council, except such executive functions as were then distributed into and among the following Departments:—

(1) Department of Finance, Ways and Means.
(2) Department of Police, Health and Morals.
(3) Department of Public Streets and Buildings.
(4) Department of Fire and Sewers.
(5) Department of Water, and excepting also the administrative functions pertaining to the harbor.

(*e*) All executive and administrative powers relating or pertaining to the harbor, public streets, public buildings, sewer system, water system, and office of the city engineer shall be vested in a department known as the Operating Department. The executive head of such department shall be known as the manager of operation. Said manager shall be subject to recall in the same method as provided in this charter for the recall of elective officials.

(*f*) The administrative functions now performed by the Police Department shall be vested in a department to be known as the Police Department. The executive head of such department shall be known as the superintendent or chief of police.

(*g*) The administrative functions of the Fire Department shall be vested in a department to be known as the Fire Department. The executive head of such department shall be known as the superintendent or chief engineer of the Fire Department.

(*h*) All other executive and administrative powers now exercised by the Common Council shall by majority vote of the Common Council be assigned to these departments, or to such other executive department as the council may hereafter create. The executive head of any such additional department shall be known as the superintendent of such department.

(*i*) The Common Council shall appoint the manager of operation and the superintendents of other departments; define the powers and duties of the manager of operation and superintendents and fix their respective salaries and the salaries of their assistants. The Common Council may also remove such manager of operation and superintendents, alter their powers or duties except such as are prescribed in this charter), or change their salaries. Such appointments and removals shall be confirmed by the mayor, except that such confirmation shall not be necessary when the appointment or removal has been made upon a vote of four fifths of the members of the Common Council. The mayor shall have power to make temporary appointments of such manager of operation or superintendents, pending the failure of the council for a period of ten days to make such appointments.

(j) Such manager of operation and superintendents shall be the executive heads of their respective departments and shall appoint and remove their assistants and employees, subject to such civil service regulations as this charter may provide, except that provisions now contained in the Peoples' Ordinance No. 4979 and entitled, "An ordinance reorganizing the San Diego Fire Department and providing for a Fireman's Relief and Pension Fund," shall continue in full force and effect. The appointment of members of the Fire Department and of the Police Department shall be confirmed by the Common Council.

(k) The Common Council shall within five days after this amendment goes into effect create the administrative departments as herein provided and shall thereafter, as soon as practicable, appoint the manager of operation and superintendent of each department.

(l) The Common Council shall appoint by majority vote a city attorney and city clerk."

The operation of this amendment shall be suspended until the third day of May, 1915.

Add article XI to said charter as follows:

"ARTICLE XI.

CIVIL SERVICE.

Section 1. The mayor, with the approval of the Common Council, shall appoint three electors of the city as members of the Civil Service Commission, one to serve for two years, one for four years, and one for six years. The first commissioners hereunder shall be appointed and take office on the third day of May, 1915. Thereafter members of the Civil Service Commission shall be appointed to serve for six years and until their successors have been appointed and have qualified. The commission shall elect one of its members president. Any vacancy shall be filled by the mayor with the approval of the Common Council for the unexpired term. No member of the commission shall hold any other municipal office. The mayor, with the approval of four-fifths of the Common Council, or the Common Council by unanimous vote, may remove a member of the commission during his term of office, but only by stating in writing the reasons for such removal, and allowing him an opportunity to be publicly heard in his own defense. Members of the commission shall be subject to recall in like manner as provided herein for the recall of elective officers.

Section 2. The Common Council shall appoint and fix the compensation of a chief examiner, who shall also act as secretary. The commission may appoint and fix the compensation of such other subordinates as may be necessary.

Section 3. For the support of the work of the commission the Common Council shall appropriate annually not less than forty-five hundred dollars, which fund shall be placed in the city treasury and be available for no other purpose. Any part of said fund not expended during any fiscal year, or required to defray expenses incurred during such year, shall be placed in the general fund of the city.

Section 4. Civil service of the city is hereby divided into the unclassified and classified service.

The unclassified service shall comprise:

All officers elected by the people.

All officers, members of appointive boards and commissions and other persons serving the city without compensation.

The secretary of the Civil Service Commission.

The chief of police.

The city attorney and his deputies.

The city clerk.

The city engineer and chief assistant.

The hydraulic engineer.

The city librarian.

The chief deputy of the city treasurer.

The city auditor and city assessor.

The chief deputy of the city auditor and the chief deputy of the city assessor.

The secretary of the mayor.

The manager or superintendent of each administrative department and one assistant of each such manager or superintendent.

Superintendents, principals and teachers in the school system.

The classified service shall include all other positions now existing or hereafter created.

Section 5. The commission shall prescribe, amend and enforce rules for the classified service, which shall have the force and effect of law; shall keep minutes of its proceedings and records of its examinations, and shall, as a board or through a single commissioner, make investigations concerning the enforcement and effect of this article and of the rules and efficiency of the service. It shall make an annual report to the mayor in January for transmission to the Common Council. The mayor may require a special report from said commission at any time. The rules shall provide:

For the classification of all positions in the classified service.

For open, competitive examinations to test the relative fitness of applicants for such positions.

For public advertisement of all examinations.

For the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their standing in examination. Such lists shall remain in force not longer than two years.

For the rejection of candidates or eligibles who fail to comply with the reasonable requirements of the commission in regard to age, residence, sex, physical condition, or who have been guilty of crime or of infamous or disgraceful conduct, or who have attempted any deception or fraud in connection with an examination

For the appointment of one of the three persons standing highest on the appropriate list.

For non-competitive examinations for minor positions in the employment of the city when competition is found to be impracticable.

For temporary employment of persons on the eligible list until the list of the class covering the temporary employment is exhausted, and in case of emergency for temporary employment without examination, with the consent of the commission, after the eligible list has been exhausted. But no such temporary employment shall continue longer than sixty days, nor shall successive temporary appointments be allowed. Nor shall the acceptance or refusal to accept such temporary appointment on the part of a person on the eligible list be a bar to appointment to a permanent position from said eligible list.

For transfer from one position to a similar position in the same class and grade, and for reinstatement within one year of persons who without fault or delinquency on their part are separated from the service or reduced.

For promotion based on competitive examination and records of efficiency, character, conduct and seniority. Lists shall be created and promotions made therefrom in the same manner as prescribed for original appointment. An advancement in rank or an increase in salary beyond the limit fixed for the grade by the rules shall constitute promotion. Whenever practicable vacancies shall be filled by promotion.

For suspensions for not longer than thirty days and for leaves of absence.

For the appointment of unskilled laborers and such skilled laborers as the commission may determine in the order of priority of application after such tests of fitness as the commission may prescribe.

For the adoption and amendment of rules only after public notice and hearing.

The commission shall adopt such other rules, not inconsistent with the foregoing provisions of this section, as may be necessary and proper for the enforcement of this article.

Section 6. The commission shall ascertain and record comparative efficiency of employees of the classified service, and shall have power after hearing to dismiss from the service those who fall below the standard of efficiency established.

Section 7. When a civil service employee, other than a member of the Police Department, who has served three years in his position, has become incapable, through age, accident or other disability, of satisfactorily performing the duties of the positions covered by the class in which he has qualified, the Civil Service Commission may, in its discretion, authorize his transfer to another class and upon the request of the appointing power therein, whose duties are within his capacity, and may, by a unanimous vote, order that he be preferred for appointment to a designated position; but such position shall be one having a smaller compensation than the position from which he may be transferred, and the compensation shall not be increased subsequent to his appointment thereto.

Section 8. In case of a vacancy in a position requiring peculiar and exceptional qualifications of a scientific, professional or expert character, upon satisfactory evidence that competition is impracticable, and that the position can best be filled by the selection of some designated person of recognized attainments, the commission may, after public hearing, and by the affirmative vote of all three members of the commission, suspend competition, but no such suspension shall be general in its application to such positions, and all such cases of suspension shall be reported, together with the reason therefor, in the annual reports of the commission.

Section 9. Any of the following persons may be exempted from the provisions of this article, upon the request of the head of the department in which they are employed, by order of the Board of Civil Service Commissioners after public hearing approved by the council by resolution passed by the vote of two-thirds of all its members, to wit:

(*a*) The first and second deputies in any department, or either of such deputies where not exempt, as herein provided;

(*b*) Unskilled laborers, including drivers;

(*c*) Persons employed on the construction of public works, improvements or buildings;

(*d*) Persons employed to render professional, scientific, technical or expert service of an occasional and exceptional character.

Any exemption thus made may be terminated at any time by resolution of the Board of Civil Service Commissioners.

Section 10. When oral tests are used, a record of the examination, showing basis of rating, shall be made. Examinations shall be in charge of a chief examiner, except when members of the commission act as examiners. The commission may call on other persons to draw up, conduct or mark examinations, and when such persons are connected with the city service it shall be deemed to be a part of their official duties to act as examiners, without extra compensation.

Section 11. All persons in the city service, holding positions in the classified service, as established by this article, at the time it takes effect, whether holding by election or by appointment, and who shall have been in such service for the six months next preceding, shall hold their positions until discharged, reduced, promoted or transferred in accordance with the provisions of this article. The commission shall maintain a civil list of all persons in the city service, showing in connection with each name the position held, the date and character of every appointment, and of every subsequent change in status. Each appointing officer shall promptly transmit to the commission all information required for the establishment and maintenance of said civil list.

Section 12. The auditor shall not approve any salary or compensation for services to any person holding or performing the duties of a position in the classified service unless the pay roll or account for such salary or compensation shall bear the certificate of the commission, by its chairman and secretary, that the persons named therein have been appointed or employed, and are performing service in accordance with the provisions of this article, and of the rules established thereunder.

Section 13. In any investigation conducted by the commission, it shall have the power to subpœna and require the attendance of witnesses and the production thereby of books and papers pertinent to the investigation, and each commissioner shall have power to administer oaths to such witness.

Section 14. No officer or employee of the city, in the classified service, shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving any assessment, subscription or contribution for any political party, or political purpose whatever. No person shall, orally, or by letter, solicit, or be in any manner concerned in soliciting any assessment, subscription or contribution for any political party or purpose whatever, from any person holding a position in the classified service.

Section 15. No person holding a position in the classified service shall take any part in political management or affairs, or in political campaigns further than to cast his vote and to express privately his opinions.

Section 16. Any person wilfully violating any of the provisions of this article, or of the rules established thereunder, shall be guilty of a misdemeanor.

Section 17. The commission shall have the right to discharge from the employment of the city, after public hearing, any person found guilty of a wilful violation of any of the foregoing provisions, or of the rules established thereunder. Such decision and action by the commission shall be final.

Section 18. Any board, commission or officer having the power of appointment or removal of officers, members and employees in any department of the government of the city, shall have the power to remove, discharge or suspend any officer, member or employee of such department, as provided elsewhere in this charter, irrespective of the fact that such officer, member or employee may be included in the classified civil service list.

Section 19. The provisions of the foregoing article shall not apply to the Fire Department of the city of San Diego, or any of its employees."

The operation of this amendment shall be suspended until the third day of May, 1915.

Repeal chapter II of article I of said charter.

Chapter II of article I of the charter of the city of San Diego, California, is hereby repealed.

Amend section 5 of chapter VII of article V of said charter, to read as follows:

"Section 5. That the said Common Council shall levy annually, in addition to all other taxes provided for in this charter, not less than eight cents nor more than twelve cents on each one hundred dollars valuation of property for the purpose of maintaining and improving said parks, plazas and squares."

Amend section 1 of chapter II of article II of said charter, to read as follows:

"Section 1. Subject to the provisions, limitations, and restrictions in this charter contained, the Common Council shall have power to pass ordinances:

1. To make and enforce within the limits of said city all such local, police, sanitary and other laws and regulations as are not in conflict with the general laws or this charter.

2. To regulate and control the use of the streets, sidewalks, highways, roads, and public places for any and all purposes; to prevent encroachments upon and obstructions to the same, and require the removal of any encroachments or obstructions thereon.

3. To regulate and control the use of the streets and sidewalks for signs, sign posts, awnings, awning posts, drinking fountains, horse troughs, urinals, all posts for the suspension of electric wires; for traffic and sale therein; for exhibiting

banners, placards, or flags in or across the same, or from houses or other buildings, and for all other purposes.

4. To regulate the cleaning and sprinkling of the streets, sidewalks, and gutters, and prevent the depositing of ashes, offal, dirt, rubbish, or garbage in the same.

5. To regulate the opening of street surfaces for the laying of gas or water mains, of telegraph or telephone wires, for the building and repair of sewers; for the erection of gas or electric lights, or for any other use or purpose.

6. To regulate the numbering of houses and blocks and the naming of streets, public places and thoroughfares.

7. In relation to street beggars, vagrants and mendicants and the exhibition and distribution of advertisements or handbills along the streets or in public places.

8. In relation to intoxication, fighting, quarreling, and vulgar language in the streets and other places, and in relation to carrying concealed weapons.

9. In relation to the construction, maintenance, repair and removal of public fountains, for the use of persons and animals on the streets and in other public places.

10. To regulate public assemblages and processions.

11. To restrain and prevent any riot, mob, noise, disturbance or disorderly assembly or amusement, dangerous to persons or property in any street, house or place.

12. To permit the laying down of railroad tracks and running cars thereon, along any street or portion of a street, for the sole purpose of excavating and filling in a street or portion of a street or the adjoining land, for such limited time as may be necessary for such purpose and no longer.

13. To provide for lighting the streets, squares, parks, and public places, buildings and offices; and for inclosing, improving and regulating public grounds.

14. To establish fire districts and to determine the character of buildings that may be erected therein, and the nature of the materials to be used in the construction, alteration, or repair of such buildings, or in the repair or alteration of existing buildings within such limits.

15. To prohibit, suppress, regulate, or exclude from the city or certain limits thereof all houses of ill fame, prostitution, and gaming; to prohibit, suppress or exclude from the city, or certain limits thereof, all occupations, houses, places, pastimes, amusements, exhibitions and practices which are against good morals and contrary to public order and decency, or dangerous to public safety.

16. To regulate the manufacture, transportation, sale, disposition, storage, and use of firearms, firecrackers, fireworks, petroleum, and all explosive and combustible material and substances; the manufacture of acids, and the maintenance of acid works, slaughter-houses, brick kilns, tanneries, laundries, foundries, steam boilers, and factories using steam boilers, and all other manufactories, works, and occupations of every description that may affect the public safety, health or comfort, and to exclude them from certain limits.

17. To protect the health, comfort and security of the inhabitants, and the safety and security of property and life; to exclude from certain limits hospitals, institutions, and places for the treatment of disease; or for the care of sick or insane persons; to regulate all noxious trades, and to restrict the prosecution thereof to such limits as may from time to time seem proper, or exclude them from said city; to make regulations for protection against fire, and to make such rules and regulations concerning the construction and use of buildings as may be necessary for the safety of the inhabitants; to provide for the examination, approval, or disapproval of the plans and specifications of all buildings about to be constructed, and to prevent the construction thereof contrary to the provisions of any ordinance; to provide for the examination of all buildings, and the removal thereof if found unsafe or constructed contrary to ordinance.

18. To authorize the establishment and maintenance of crematories, to regulate the same, and to exclude them from certain limits.

19. To declare what shall constitute a nuisance, and to provide for the abatement or summary removal of any nuisance.

20. To regulate hackney carriages and public passenger vehicles, and fix the rates to be charged for the transportation of persons or personal baggage; to regulate all vehicles used for the conveyance of merchandise, earth, or ballast; to prescribe the width of the tires of all vehicles and the weight to be carried by said vehicles; and to regulate drivers, carriers, runners and solicitors.

21. To regulate the construction, repair, care, and use of markets and market places, and of places of public amusement and public assemblage.

22. To regulate the construction, repair and use of vaults, cisterns, areas, hydrants, pumps and sewers.

23. To provide a public pound, and poundkeeper with necessary assistants and to fix the salary for the poundkeeper or necessary assistants; to prescribe fines for the redemption of animals duly impounded and to provide for the collection of such fines and their payment into the treasury; to prevent animals from running at large and to provide for impounding and killing them when found running at large; to provide that all sums collected for dog licenses as well as all fines collected for the violation of humane laws affecting animals and all sums paid into the city treasury for the redemption of impounded animals shall be set aside as a special fund to be used in supporting and maintaining the public pound.

24. To provide suitable buildings, rooms, or accommodations for all courts, departments, boards, and officers, together with all necessary attendants, furniture, fuel, lights and stationery for the convenient transaction of business.

25. To provide and maintain a morgue.

26. To provide for places for the detention of witnesses separate and apart from places where criminals, or persons accused of public offense are imprisoned.

27. To regulate and provide for the employment on the streets and highways of said city of prisoners, and to make regulations requiring prisoners to be sentenced to such labor either in the chain gang or elsewhere, as the Common Council may deem expedient; to establish, maintain, and regulate and change, discontinue and re-establish city jails, prisons, and houses of correction, and other places of detention, punishment, confinement and reformation.

28. To purchase or acquire by condemnation such property as may be needed for public use.

29. To adopt, enter into, and carry out means for securing a supply of water for the use of the city, or its inhabitants or for irrigating purposes therein, and along the line of its water supply.

30. To regulate the quality, capacity, and location of water and gas mains and fire plugs, and provide for and regulate the construction and repair of hydrants, fire plugs, cisterns, and pumps and such other appliances as may be used in the distribution of water or gas in the streets, public places, and public buildings.

31. To fix and determine the rate or compensation to be charged and collected by any person, company, or corporation in this city for the use of telephones; and to fix and determine the maximum rate or compensation to be charged by any person, company or corporation for gas, electric, or other illuminating power in said city.

32. To fix and determine in the month of February of each year, to take effect on the first day of July thereafter, the rates or compensation to be collected by any person, company, or corporation in this city for the use of water.

33. To regulate and impose a license tax upon public amusements, shows, and exhibitions, pawnbrokers, and railroad passenger cars; upon the manufacture, sale, transportation, or storage of any combustibles or explosives; upon astrologers, and fortune tellers who practice their profession for hire; upon billiard tables, bowling alleys, shooting galleries and other games or amusements kept or conducted for gain or hire; upon the sale at retail of tobacco, cigars, cigarettes, alcoholic and malt liquors, and upon all such other callings, trades, employments, business, and places not prohibited by law, that may require special police surveillance, or that may be prejudicial to public morals and the general welfare.

34. To impose a license tax on dogs.

35. To provide for the collection of licenses and municipal revenue, and fix the amount thereof, and to license for regulation or revenue hawkers, peddlers, pawnbrokers, auctioneers, and also lunch, refreshment, coffee or tamale counters, stands, booths, sheds, or wagons when erected, located, placed, conducted, or doing business on any sidewalk, street, or alley in said city; also to license for regulation or revenue any other business or occupation conducted or carried on in the said City of San Diego.

36. To prescribe fines, forfeitures, and penalties for the breach of any ordinance and for a violation of any provision of this charter, but no penalty shall exceed the amount of five hundred dollars or six months' imprisonment, or both.

37. To provide for the security, custody, and administration of all property of said city.

38. To make rules and regulations for the government of all servants, employees, officers, and departments, and to fix the fees and charges for all official services, and to fix salaries and wages not otherwise provided by general laws or by this charter.

39. To allow and order paid out of the various funds provided by this charter the sums respectively chargeable thereto, the allowance of which is not otherwise provided for.

40. To allow and order paid out of the General Fund such sums, not to exceed five thousand dollars in any one fiscal year, as may be deemed necessary for the employment of special counsel.

41. To provide for the survey of streets and blocks of land within the limits of the city, and to declare such surveys official, and to compel all persons to conform to the streets as they are now or may be hereafter lawfully established and declared official or otherwise dedicated.

42. To provide in the annual tax levy for a special fund to be used in the construction of a general system of sewerage and drainage for said city.

43. To provide a common seal for said city, and from time to time to alter and change the same; and, also, to provide for seals for the several departments, boards, and officers of said city, and for the police court, and for altering and changing the same.

44. To open, close, straighten, or widen any street, road or highway; to open and lay out any new street or highway through public or private property, upon making compensation to all persons whose property may be taken therefor, or injuriously affected thereby, upon the conditions and in the manner by law and in this charter provided; and in like manner to establish and change the grade of any street, road or highway. But no compensation shall be allowed for damage to gas or water

pipes, railway tracks, telegraph or telephone posts or wires, or other property or thing laid above, along, in, or under any street, highway, park, place, or other public property.

45. To allow any railroad company or corporation to enter said city, and make its way to the water front at the most convenient point for public convenience; but no exclusive right, franchise, or privilege shall be granted to such railroad company; and the use of all such rights, privileges, and franchises shall at all times be subject to regulation by the Common Council. Every ordinance granting such right, privilege, or franchise, shall be upon the conditions that said company or corporation shall pave and keep in repair the street between the rails of each track, and also between the tracks, and for at least two feet on each side of the same, including switches, turnouts, and sidetracks, and that said company or corporation shall allow any railroad company or corporation to which a similar right, privilege, or franchise may be granted, to use in common with it the same track or tracks upon such terms as the Common Council may determine.

46. To make appropriations allowed by law or this charter; provided that appropriation of moneys out of public funds shall be made only by ordinance.

47. To provide for the execution of all trusts confided to said city.

48. (*a*) That all pueblo lands owned by the city of San Diego lying and being situated north of the north line of the San Diego River be, and the same are hereby reserved from sale until the year 1930; *provided, however*, that at any time should it be desired to sell any part or portion of such pueblo lands prior to the year 1930, the sale thereof may be authorized by an ordinance duly passed by the Common Council and ratified by the electors of the city of San Diego at any special or general municipal election; *and provided further*, that if at any time it should be desired to lease any part or portion of such public lands prior to the year 1930, the leasing thereof may be authorized by an ordinance duly passed by the Common Council, provided that no lease so authorized shall be for a longer period of time than fifteen years. The Common Council shall levy annually, in addition to all other taxes provided for in this charter, two cents on each one hundred dollars valuation of property for the purpose of improving said pueblo lands herein reserved from sale.

(*b*) The Common Council may provide for the sale and conveyance or lease of all other lands now or hereafter owned by said city not dedicated or reserved for public use; but all leases and sales shall be made at public auction after publication of notice thereof for at least three (3) weeks. No lease shall be made for a longer term than two years except by ordinance passed by an affirmative vote of two-thirds of the members of the Common Council.

49. To provide for the sale, at public auction, after advertising for five days, of all personal property unfit or unnecessary for the use of said city.

50. To provide for the purchase of property levied on under execution in favor of said city; but the amount bid on such purchase shall not exceed the amount of the judgment and costs.

51. To incur an indebtedness exceeding the revenue for any fiscal year in case of great public calamity or danger, such as earthquakes, conflagrations, pestilence, invasion, or any other great or unforeseen emergency. The ordinance for such purpose must be passed by the affirmative vote of two-thirds of the members of said Common Council, and be approved by the mayor. Before or at any time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof within forty years from the time of contracting the same. No such indebtedness shall be incurred without the assent of two-thirds of the qualified electors of said city, voting at an election held for that purpose.

52. The Common Council shall have charge, superintendence, and control of all public work of every kind, where not otherwise provided for in this charter, to be done for the city, or for any board or department thereof, and also of the furnishing of all labor, work, materials and supplies for said city. This charge, superintendence and control of public work shall be subject, however, to such ordinances as the Common Council may from time to time adopt."

Amend sections 1 and 2 of chapter III of article IX of said charter, to read as follows:

"Section 1. There shall be established by ordinance a board of five persons, three at least of whom shall be practicing physicians, and graduates of some reputable school of medicine. The members of this board shall serve without pay, and their term of office shall be four years, except that at the organization of the first board of health appointed after the adoption of this provision the members thereof shall by lot, determine that two of its members shall hold office for a term of two years."

Amend section 8 of chapter 7½ of article III of said charter, to read as follows:

"Section 8. The council shall for the acquisition, development and maintenance of children's playgrounds, appropriate annually, not less than two cents, nor more than five cents, on each one hundred dollars of assessed valuation, as a special tax independent of the general tax levied, and the amount so appropriated shall be credited to the Playground Fund."

Now, therefore, be it resolved by the Legislature of the State of California, being the Senate and Assembly of said State, (a majority of all the members elected to each house voting for and concurring therein) That said amendments to the said charter of the city of San Diego, as proposed and submitted to and adopted and ratified by the qualified electors of said city, be, and the same are, and each of them is, hereby approved as a whole, without amendment or alteration, for and as amendments to, and as part of, the charter of said city of San Diego.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 18 adopted by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Senate Concurrent Resolution No. 18 ordered to engrossment and transmitted to the Assembly.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Benson asked for, and was granted, unanimous consent for the second reading at this time out of the regular order, of Senate Bill No. 443, previously reported from committee on this legislative day.

Senate Bill No. 443—An Act to amend an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, by amending sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 17 and 18 and adding a new section thereto to be numbered 12½ relating to the practice of chiropody.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 16, line 8 of the printed bill, strike out the period after the word "state" and insert in lieu thereof a semicolon and add the following words: "*provided, however*, that an application based upon a certificate to practice any system or mode of treating the sick or afflicted issued in the District of Columbia or in any state or territory prior to March 4, 1907, if refused or denied by reason of the insufficiency of the standard of such state or territory then such applicant may have the privilege of either a written or oral examination before the Board at the option of the applicant.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Benson, the Secretary was directed to issue a rush order for printing Senate Bill No. 443.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

On motion of Senator Thompson, the Senate took up out of the regular order the second reading of Senate bills.

Senate Bill No. 27—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding a new section to said Act to be known as section *6a*, relating to doing of public work by municipalities.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out everything after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The Act entitled 'An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities,' approved March 18, 1885, is hereby amended by adding thereto a new section to be known as section *6a*, to read as follows:

"'SEC. *6a*. Any city may, without awarding the contract elsewhere in this Act provided for any of the work authorized and provided for in this Act, do any of said work directly, through the direct employment of labor and the purchase of materials; provided the intention of any city to do such work directly shall be set forth in the ordinance or resolution of intention, and in the ordinance or resolution ordering such work to be done. Any such city shall have the power, when it elects to do such work directly, to employ the labor, purchase the materials and do all other things necessary for the doing of said work. When any city shall do any of said work directly, as in this section provided, not more than the actual cost of said work and the incidental expenses allowed by this Act in the case of work done by contract shall be charged against the property to be assessed for the expense of said work as provided in this Act.

"'It shall be the duty of an officer, board or employee of such city, which officer, board or employee shall be designated in said ordinance or resolution of intention, to keep an accurate account of all expenses incurred for labor or materials or incidental expenses, in the performance of such work. Upon the completion of said work said officer, board or employee shall certify to the legislative body of such city an itemized account of all such expenses, including said incidental expenses, and their total sum. Said certified account shall be filed with the city clerk and by him presented forthwith to said legislative body.

"'At any time prior to the expiration of ten days after the presentation of said account any owner of property assessable for the cost of said work, may file with the legislative body, for its consideration, any objections he may have to said certified account. Said legislative body shall, at the expiration of said ten days or at a time thereafter fixed, consider such objections and may approve such account as certified, or, having corrected and modified such account, or having reduced said account by directing that a specified portion thereof, shall be paid by said city out of funds of said city, may approve such account as corrected, modified or reduced. The total sum of such approved account shall constitute the sum due for the work performed and specified in said ordinance or resolution ordering the work to be done, and shall constitute the total sum of the assessment made to pay for such work.

"'Whenever any city shall do said work directly, without awarding a contract to the contractor as elsewhere in this Act provided, the provisions of this Act relating to the advertising for bids, and awarding of contracts, shall be omitted from the proceedings otherwise required by this Act; the notice of objection provided in section 5½ of this Act shall be made within ten days from the date of the publication of the ordinance or resolution ordering the work done; the city need not furnish bonds for the performance of the work or the payment for labor or materials; the assessment warrant shall be made out to the city; failure on the part of the city to make a return of the warrant within the time and in the manner and form provided in section 10 of this Act shall not make void any lien upon the property assessed, but such return, if not made at the time in said section provided, may be made on order of the legislative body of said city; and in all respects not otherwise specified in this section, said city shall have the rights, duties, obligations and powers, specified in this Act as pertaining to the contractor under this Act, such rights, duties, obligations and powers of the city to be exercised and performed by such officers, boards, or employees of the city as shall be specified by this Act, the charter or the ordinances of such city.'"

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1018—An Act to amend section 1 of an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children, and of convicts in the State prisons," approved April 26, 1909.

AMENDMENT FORM THE FLOOR.

During second reading of the bill, the following amendment was offered by Senator Cogswell:

AMENDMENT NUMBER ONE.

By striking out the period following the figures "1909" in line 6 and insert in lieu thereof a comma, and the following: "to include the inmates of the Whittier State School for defective persons within the scope of said Act."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 669—An Act to amend section 3 of an Act entitled "An Act to define investment companies, investment brokers, and agents, to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of commissioner of corporations, and making an appropriation therefor, approved May 28, 1913.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 239—An Act creating a board of retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, and the Sonoma State Home; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said board of retirement.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1222—An Act to regulate the sale of agricultural lime, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 707—An Act to amend section 3866 of the Political Code, relating to settlements of county treasurers with the State.

Bill read second time, ordered engrossed, and on file for third reading.

SECRETARY EDWIN F. SMITH AT THE DESK.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson the following messages from the Assembly were read, out of the regular order.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 22—Relative to the reenactment of section 9 of an Act of Congress, approved June 17, 1902, entitled

"An Act appropriating the receipts from the sale and disposal of public lands in certain states and territories to the construction of irrigation works for the reclamation of arid lands," which section 9 was repealed by an Act of Congress approved June 25, 1910, entitled "An Act to authorize advances to the 'reclamation fund' and for the sale and disposal of certificates of indebtedness in reimbursement thereof and other purposes."

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Joint Resolution No. 22 referred to Committee on Federal Relations.

Also:

SACRAMENTO, March 30, 1915.

MR. PRESIDENT: I am directed to inform your honorably body that the Assembly on this day passed Assembly Bill No. 1207—An Act to amend section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto:

Also: Assembly Bill No. 1224—An Act authorizing the transfer of certain powers, duties and functions of certain cities and officers thereof to the officers of counties in which any such city is located;

Also: Assembly Bill No. 1232—An Act authorizing any county and cities within such county to join in the acquisition, construction or maintenance of bridges or viaducts;

Also: Assembly Bill No. 1491—An Act to add a new section to the Political Code to be numbered 3408*f*, relating to indemnity certificates of location or scrip issued pursuant to the provisions of section 3408*d* of said Code;

Also: Assembly Bill No. 1515—An Act to repeal section 2189 of the Civil Code, relating to passenger who has not paid fare upon a railroad train;

Also: Assembly Bill No. 1505—An Act granting certain tide lands and submerged lands of the State of California to the city of Redondo Beach upon certain trusts and conditions.

L. B. MALLORY, Chief Clerk of Assembly
By M. STERN, Assistant Clerk.

Assembly Bill No. 1207 read first time, and referred to Committee on Municipal Corporations.

Assembly Bills Nos. 1224 and 1232 read first time, and referred to Committee on County Government.

Assembly Bill No. 1491 read first time, and referred to Committee on Judiciary.

Assembly Bill. No. 1515 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 1505 read first time, and referred to Committee on Commerce and Navigation.

Also:

SACRAMENTO, March 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 51—An Act to amend an Act known as "The Building and Loan Commission Act"—chapter 354, Laws of 1911, approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be numbered 9*a*, relating to the powers and duties of the Building and Loan Commissioner, fixing the grade and penalty for non-compliance with his orders, providing for the assistance of a peace officer to enforce his demands and fixing the grade of evidence required for the confirmation of his action;

Also: Assembly Bill No. 240—An Act to amend an Act entitled "An Act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold or offered or exposed for sale in containers, and providing penalties for the violation thereof," approved May 24, 1913, by amending sections 3, 5 and 6 of said Act and adding a new section thereto to be known as section 13 thereof, relating to the manner in which quantity shall be designated;

Also: Assembly Bill No. 560—An Act to amend section 1714 of the Political Code of the State of California relating to the library fund in cities, or cities and counties, not divided into school districts;

Also: Assembly Bill No. 903—An Act providing for the preferential rights of certain persons to purchase public lands of the State.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 51 read first time, and referred to Committee on Banking.

Assembly Bill No. 240 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 560 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 963 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, March 31, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assemely Bill No. 36—An Act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bed clothes or bed covering in such hotels, repealing all Acts or parts of Acts in conflict with this Act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions;

Also: Assembly Bill No. 202—An Act to amend section 103 of the Code of Civil Procedure, relating to justices of the peace;

Also: Assembly Bill No. 370—An Act to amend sections 2, 3, 4, 5, 6, 7, 8 and 12 of an Act entitled "An Act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie," approved March 21, 1903, and to add ten new sections to said Act, to be numbered *8a*, *8b*, *8c*, *8d*, *8e*, *8f*, *8g*, *8h*, *8i* and *8j*, respectively, all relating to the issuance of bonds to cover the cost of draining wet, swamp and overflowed lands;

Also: Assembly Bill No. 679—An Act to add a new section to the Political Code to be known as section 2522*a* relating to the manner in which the secretary of the Board of Harbor Commissioners shall keep the accounts, and authorizing the employment of a certified public accountant to certify to statements of accounts and authorizing the compensation to be paid such certified public accountant.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 36 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 202 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 370 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 679 read first time, and referred to Committee on Commerce and Navigation.

Also:

SACRAMENTO, March 31, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 19—Approving the certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special election held therein on the sixteenth day of March, 1915;

Also: Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California, an amendment to the constitution of said state by amending section 1½ of article XIII thereof, relating to the exemption of churches from taxation.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 19 referred to Committee on Municipal Corporations.

Assembly Constitutional Amendment No. 15 referred to Committee on Revenue and Taxation.

Also:

SACRAMENTO, March 31, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1502—An Act to amend sections seven hundred seventeen and seven hundred eighteen of the Civil Code, relating to the leasing of agricultural lands, and to the leasing of lands for agricultural and horticultural purposes, and to the leasing of property of a municipality, a minor or incompetent person, and to the leasing of city or town lots:

Also: Senate Bill No. 723—An Act amending an Act entitled, "An Act establishing a legislative counsel bureau and making an appropriation therefor," approved May 26, 1913, by amending section 2 thereof, relating to the duties of the chief of the legislative counsel bureau;

Also: Senate Bill No. 726—An Act to add a new section to the Penal Code to be numbered fifty *a* making it a felony to sign to any initiative, referendum, or recall or nominating petition a fictitious name or the name of another and prescribing the penalty therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1502 read first time, and referred to Committee on Judiciary.

Senate Bills Nos. 723 and 726 ordered to enrollment

Also:

SACRAMENTO, March 31, 1915

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 566—An Act to amend section 4285 of the Political Code, relating to the salaries and fees of officers of counties of the fifty-sixth class.

Also: Assembly Bill No. 567—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted;

Also: Assembly Bill No. 32—An Act to amend an Act entitled "An Act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire the property of the State of California located on the water front of San Francisco, California," approved March 25, 1901, and all acts or parts of acts amendatory thereof, by amending section two thereof, said amendment relating to the aggregate amount of such insurance and the cost thereof;

Also: Assembly Bill No. 292—An Act to amend sections 717 and 718 of the Civil Code, relating to the leasing of agricultural lands, and to the leasing of lands for agricultural and horticultural purposes, and to the leasing of property of a municipality, a minor or incompetent person, and to the leasing of city or town lots.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 566 read first time, and referred to Committee on County Government.

Assembly Bill No. 567 read first time, and referred to Committee on Elections.

Assembly Bill No. 32 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 292 read first time, and referred to Committee on Judiciary.

THIRD READING OF SENATE BILL—(OUT OF ORDER).

Senator Jones asked for and was granted unanimous consent to take up Senate Bill No. 274, out of the regular order, for the purpose of amendment.

Senate Bill No. 274—An Act to amend section 4316 of the Political Code of the State of California, relating to officers prohibited from practicing law.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill Senator Jones moved to refer to Senator Luce as a Special Committee of One to amend Senate Bill No. 274 as follows:

AMENDMENT NUMBER ONE.

At the end of line 17, after the word "section.", add the following "This Act shall take effect in so far as it applies to district attorneys or their deputies on January 1, 1919."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 274, with instructions to amend, respectfully reports the same back, amended as per instructions.

LUCE, Committee.

Report read and, on motion of Senator Jones, adopted.

Bill ordered to print and re-engrossment.

ADJOURNMENT.

At five o'clock and five minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Thursday, April 1, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

By invitation of the President, prayer was offered by the Rev. Chas. E. Farrar of Sacramento.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 31, 1915, the further reading was dispensed with, on motion of Senator Tyrrell.

PETITIONS.

Senator Duncan presented the following petition, which was ordered printed in the Journal:

RESOLUTIONS ADOPTED BY THE BOGUE WEDNESDAY CLUB, OF SUTTER COUNTY, CALIFORNIA, PROTESTING THE PASSAGE OF PENDING MEASURES IN REGARD TO THE SUTTER BASIN CONTROVERSY.

To the Governor and Legislature of the State of California:

WHEREAS, The county of Sutter, and taxpayers and property owners thereof, are engaged in a legal combat with Reclamation District No. 1500 and the moneyed promoters of said district, wherein their prayer for relief, substantially, is that injury and injustice be not done to them and that they be not taxed to aid in imposing the injustice upon themselves; and

WHEREAS, The people of this county are perfectly content to rest their case on the law as it stands now and as it stood when the combat was begun; and

WHEREAS, There has been introduced into this session of the Legislature certain measures whose very evident and obvious purpose is to strengthen and bolster up the law-points of the interests furthering the Sutter Basin project, to the exclusion and non-recognition of the constitutional rights of the inhabitants of Sutter County's farming communities; and

WHEREAS, The completion of the easterly located by pass and other contemplated works of reclamation of District No. 1500 would mean either irreparable injury and destruction to our homes, holdings, and belongings, or exorbitant, unbearable taxation, and possibly both; and

WHEREAS, We realize and know by travel, comparison and observation, that we live in one of the richest, most highly and intensively cultivated districts of the State of California, and that under our present reclamation scheme and management we are as safe as levee districts can possibly be made; therefore, be it

Resolved, First. That we, the members of the Bogue Wednesday Club of Sutter County, do bitterly oppose the passage of the following measures:

Senate Bill No. 631, Assembly Bill No. 759;
Senate Bill No. 634, Assembly Bill No. 831;
Senate Bill No. 660, Assembly Bill No. 766;
Senate Bill No. 661, Assembly Bill No. 764;
Senate Bill No. 662, Assembly Bill No. 765;
Senate Bill No. 722, Assembly Bill No. 793;
Senate Bill No. 910, Assembly Bill No. 1151;
Senate Constitutional Amendment No. 34, Assembly Constitutional Amendment No. 30.

Second. That in opposing the above-mentioned measures, after broad-minded deliberation, we are firmly convinced that we are upholding the right, as a just God and a deep-thinking conscience have given us to see the right.

Third. That the measures above named are void of virtue and merit, since they practically force to judgment, prematurely and without trial, two law suits now pending, and on the outcome of which rests our hopes of a just verdict and salvation in this present critical crisis.

Fourth. That we do earnestly ask you, the Governor and Legislature of this State, to not pass any of these measures, but that you do evidence to us your faith in the present laws and statutes of this State, by allowing this litigation to be carried forward and brought to judgment under the law as it now stands.

In witness whereof, We have caused our president to affix hereunto her signature, duly attested by our secretary, this thirty-first day of March, 1915.

BOGUE WEDNESDAY CLUB OF SUTTER COUNTY.

The above is a true, correct and full copy of resolutions adopted at a meeting of the Bogue Wednesday Club on March 31, 1915.

ADA OHLEYER, President.

M. P. HODGES, Secretary.

Also:

Senator Benson presented the following petition, which was read and ordered printed in the Journal:

SAN FRANCISCO, March 31, 1915.

WHEREAS, The California Cattlemen's Protective Association in convention assembled March 23, 1915, are vitally interested in the passage of a hide and brand inspection bill, known as Senate Bill No. 744; and

WHEREAS, Said bill has been introduced in the Legislature and is medeled after laws now on the statute books of Arizona and other large Western cattle raising States; and

WHEREAS, Similar laws where they are in effect are almost wholly preventing cattle stealing, now therefore be it

Resolved, That this convention does express to the Legislature of the State of California its sincere belief that the proposed law will be of material benefit to the live stock interest of this State, that its adoption will be a menace to no honest indrstry, and that the interests of all men, both large and small, engaged in stock raising demand the passage of this bill as introduced.

CALIFORNIA CATTLEMEN'S PROTECTIVE ASSOCIATION.
F. J. SINCLAIR, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 606—An Act to amend section 875 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the president and presidents pro tem., of boards of trustees of cities of the sixth class;

Also: Senate Bill No. 944—An Act authorizing the Board of Trustees of Whittier State School to maintain a department for the care and training of defective persons at the Whittier State School and to provide for the commitment of defective persons thereto;

Also: Senate Bill No. 975—An Act to amend section 628*a* of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 612—An Act to amend section 2 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885;

And reports that the same have been correctly re-engrossed.

LUCE, Vice Chairman.

ON CIVIL SERVICE.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Civil Service to which was referred Senate Bill No. 208—An Act to amend section 6 of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California and repealing 'An Act entitled "An Act to provide County Library Systems," approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

GERDES, Chairman.

Senate Bill No. 208 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital to which was referred Assembly Bill No. 684—An Act to forbid managers, superintendents, foremen and other persons having authority from their respective employers to hire, employ, or direct the services of other persons in such employments, to demand or receive any fee, gift or other remuneration in consideration of any such hiring, employment or permission to continue to perform work or services in such employment; and to provide for the enforcement of this Act by the commissioner of the Bureau of Labor Statistics—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass.

LYON, Chairman.

Assembly Bill No. 684 ordered on file for second reading.

Also:

SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital to which was referred Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass as amended.

LYON, Chairman.

Senate Bill No. 954 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Fish and Game to which was referred Assembly Bill No. 172—An Act to protect bear, and forbidding the use of steel traps, etc., in their pursuit—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

FLINT, Chairman.

Assembly Bill No. 172 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Corporations to which was referred Senate Bill No. 642—An Act to add a new section to the Civil Code, to be numbered section 320*a*, relating to waiver of notice of meeting by directors of corporations—has had the same under consideration, and respectfully recommends that it do pass.

JONES, Chairman.

Senate Bill No. 642 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Commerce and Navigation to which was referred Assembly Bill No. 1505—An Act granting certain tide lands and submerged lands of the State of California to the city of Redondo Beach upon certain trusts and conditions;

Also Senate Bill No. 89—An Act to amend an Act entitled "An Act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire the property of the State of California located on the water front of San Francisco, California," approved March 25, 1901, and all Acts or parts of Acts amendatory thereof, by amending section 2 thereof, said amendment relating to the aggregate amount of such insurance and the cost thereof;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BROWN, Chairman.

Assembly Bill No. 1505 ordered on file for second reading.

Senate Bill No. 89 ordered on file for second reading.

Also:

SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 1209—An Act authorizing the board of supervisors of the city and county of San Francisco to reconvey to the State of California certain lands and streets for the purpose of docks, wharves, slips, piers, and increasing the harbor facilities on the water front of the city and county of San Francisco—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Judiciary Committee.

BROWN, Chairman.

Senate Bill No. 1209 ordered re-referred to Committee on Judiciary.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Duncan to introduce a bill entitled "An Act to establish a conservation, bird and arbor day, and to repeal an Act entitled 'An Act to establish a bird and arbor day,' approved March 3, 1909"—has had the same under consideration and respectfully reports the same back and recommends that such request be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with the above report:

By Senator Duncan: Senate Bill No. 1240—An Act to establish a conservation, bird and arbor day, and to repeal an Act entitled, "An Act to establish a bird and arbor day," approved March 3, 1909.

Bill read first time and referred to Committee on Education.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Brown, the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Butler moved to reconsider the vote whereby Senate Bill No. 343—An Act to safeguard the youth of the state, in attendance at universities and normal schools, by adding a new section to the Penal Code of California, to be numbered and known as section 172*b*, making unlawful the soliciting or receiving of orders for, also the sale, service or giving away of, spirituous, vinous, malt or other alcoholic liquors on or within one mile of the grounds of any university or state normal school, with certain exceptions—was refused passage.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 343 was refused passage carried by the following vote:

AYES—Senators Anderson, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Irwin, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Strobridge, and Thompson—22.

NOES—Senators Ballard, Birdsall, Crowley, Finn, Flaherty, Gerdes, Hans, Lyon, Scott, Shearer, Slater, Stuckenbruck, Tyrrell, and Wolfe—14.

The question being on the passage of Senate Bill No. 343.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Kehoe moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

The Secretary announced the absentees.

Time, ten o'clock and forty minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At ten o'clock and forty-five minutes a.m., Senator Mott was brought to the bar of the Senate, and, on motion of Senator Strobridge, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and forty-seven minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Kehoe.

The Secretary was directed to call the roll, on passage of the bill, of Senators who had not answered to their names.

The roll was called, and Senate Bill No. 343 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, and Thompson—20.

NOES—Senators Ballard, Behan, Birdsall, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Lyon, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—20.

Whereupon the President announced that the vote was a tie, and that he would exercise his constitutional right of casting the deciding vote, by ordering the Secretary to record his vote "no," and the bill was refused passage.

STATEMENT BY THE PRESIDENT.

Lieutenant Governor John M. Eshleman, President of the Senate, presented the following statement, which was ordered printed in the Journal:

When the presiding officer of the Senate exercises his prerogative conferred by the constitution and votes on a measure, he becomes for the time being a legislator and is in no different position from the other members of the Senate. I, therefore, deem that I have the same privilege to explain my vote as have the members of the Senate. I believe this bill is a bad and unfair measure. I am in thorough sympathy with its alleged intent, but I am not in sympathy with the method of attempting to carry it out. I will not countenance an unfair means even to accomplish a good thing.

By enactment of the Legislature it was left to the communities to deal with this question as they saw fit. The fundamental considerations of popular government require that the majority in each community control and the law be of uniform application. If there be some strong and controlling reason why a different rule should apply to one community than another such reason would justify the dominant authority in the state in taking from such community the rights that are exercised by other communities in similar circumstances. No such controlling reasons exist in the case before this Senate.

Having provided a way for eliminating the saloons in the unit adopted by the Legislature, that method should be followed unless the Legislature or the people themselves apply a different rule either by eliminating them all or by taking from all communities the right to decide. But when the right to decide is reposed in a constituency, that right to decide carries with it the right to decide wrongly, and it is more important that a constituency have the right to decide and that their will be not thwarted, than that any particular reform be consummated. In the present case, as I have already said, regardless of the alleged intent of this bill there has been nothing disclosed to me which leads me to believe that a different rule should apply to the communities here involved than to the other communities of the State. I put the test upon myself that I put upon the one opposing me, and if the means resorted to by the one opposing me would be decided unfair means by me, when my opponents are seeking to perpetrate what I consider a wrong, then the same means employed by me to bring about what I consider a right are just as reprehensible. There is not an advocate of prohibition upon the floor of this Senate, in my opinion, who would not raise his hands in holy horror if the liquor interests resorted to the same subterfuge in making dry territory wet in defiance of the local option law as is being used here in an attempt to make wet territory dry, and I believe his indignation would be justified. The fact that the liquor interests have resorted to unfair means in the past, and no doubt some of them at least will do so in the future, does not in the least change the situation nor relieve us from the necessity of dealing with scrupulous fairness. Otherwise we are but Pharisees.

I have no misconception of the effect of the emergency which makes it necessary for me to decide this question, but I have no apology to make. Simply I desire to have my reasons set forth. I am at least justifying and satisfying myself. It is to be regretted if I do not satisfy others, but that is a matter over which I have no control.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1128—An Act to amend section 192 of the Penal Code defining manslaughter:

Also: Senate Bill No. 129—An Act to amend section 715 of the Civil Code relating to restraints upon alienation;

Also: Senate Bill No. 477—An Act to amend section 1111 of the Penal Code of the State of California, relating to corroboration of accomplices and definition thereof:

Also: Senate Bill No. 142—An Act to create the office of public defender in the counties of California, from the first to the tenth classes, inclusive, to provide for the appointment and election of such officers, and prescribing their duties and compensation;

Also: Senate Bill No. 1218—An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county and city government in this State, except in certain schools, to validiate certain Acts, and to repeal all Acts in conflict herewith;

Also: Senate Bill No. 428—An Act to amend section 2969 of the Civil Code of the State of California relating to limitation of rights of officers to levy on mortgaged personal property;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 18—Relative to the approval on the part of the Legislature of certain amendments to the charter of the city of San Diego, California:

Also: Senate Bill No. 669—An Act to amend section 3 of an Act entitled "An Act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of commissioner of corporations, and making an appropriation therefor," approved May 28, 1913;

Also: Senate Bill No. 239—An Act creating a board of retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, and the Sonoma State Home; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said board of retirement:

Also: Senate Bill No. 1222—An Act to regulate the sale of agricultural lime, and to provide penalties for the infraction thereof, and means for the enforcement of the Act;

Also: Senate Bill No. 707—An Act to amend section 3866 of the Political Code, relating to settlements of county treasurers with the State;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 969—An Act to add a new section to the Code of Civil Procedure to be numbered 103*a*, relating to the duties of clerks of certain justices of the peace.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 969 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—36.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1005—An Act to carry into effect the provisions of section 1*a* of article XIII of the Constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered 3613.

On motion of Senator Jones, Senate Bill No. 1005 was passed on file; to retain its place.

Senate Bill No. 83—An Act to amend section 646 of the Civil Code, relating to building and loan associations.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 83 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, March 30, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1059—An Act to amend an Act entitled "An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners, and repealing an Act to amend an Act entitled 'An Act to establish a Board of Parole Commissioners for the parole of, and government of paroled prisoners,' approved March 23, 1893," approved June 16, 1913, by adding thereto section 1½ relating to the granting of paroles and the forfeiture of credits for the violation thereof or of a law of the State or any rule or regulation of the prison, or the Board of Prison Directors or of the Board of Parole Commissioners, and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 222—An Act to amend section 848 of the Code of Civil Procedure of the State of California, relating to service of summons in Justice's Court.

On motion of Senator Scott, Senate Bill No. 222 was passed on file; to retain its place.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Finn, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Finn, Senate Bill No. 60 was passed on file.

Senate Bill No. 221—An Act to amend section 171 of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases.

On motion of Senator Scott, Senate Bill No. 221 was passed on file.

Senate Bill No. 51—An Act to regulate the opening, widening and closing of roads and paths and the disinterment of bodies in cemeteries which have been transferred to cities or cities and counties and which are held by them in trust for the purpose of maintaining said cemeteries forever as public parks.

On motion of Senator Finn, Senate Bill No. 51 was ordered re-referred to Committee on Judiciary.

Senate Bill No. 54—An Act to repeal an Act entitled "An Act providing for the removal of human remains from cemeteries in any city, or city and county in this State, and repealing all Acts in conflict therewith," approved April 24, 1911.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 54 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Hans, Irwin, Kehoe, King, Lyon, Mott, Scott, Stuckenbruck, and Thompson—24.

NOES—Senators Anderson, Flint, Jones, Maddux, Owens, Purkitt, Shearer, Slater, Tyrrell, and Wolfe—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Scott gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 54 was passed.

LEAVE OF ABSENCE.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for the rest of this legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Finn moved to reconsider the vote whereby Senate Bill No. 52—An Act to authorize a cemetery corporation or association to transfer its land and certain funds to the city, or city and county within which such cemetery land is located whenever further burials in such land shall be prohibited; and to authorize said city or city and county to accept and execute a trust in relation to such property for the purpose of maintaining said land forever as a public park, to provide for the carrying into effect of the purposes in this Act—was refused passage.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 52 was refused passage carried by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Maddux, Mott, Owens, Purkitt, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

On motion of Senator Finn, Senate Bill No. 52 was ordered re-committed to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate the following reports of standing committees were received and read, out of the regular order:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 562—An Act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain state buildings and grounds—has had the same under consideration, and respectfully reports the same back and recommends that the same be re-referred to the Committee on Judiciary.

BIRDSALL, Chairman.

Senate Bill No. 562 ordered re-referred to Committee on Judiciary.

Also:

SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 1216—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles, to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act, and to make appropriations therefor; and to repeal all acts or parts of acts in conflict with this Act—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass as amended.

BIRDSALL, Chairman.

Senate Bill No. 1216 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 1231—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section 19 thereof, relating to elections held in such districts;

Also: Assembly Bill No. 854—An Act legalizing and validating the formation and organization of Marin Municipal Water District in the county of Marin, State of California; declaring the same created; fixing, defining and establishing the boundaries thereof; providing for its management and control subject to the provisions of the laws of the State of California relative to municipal water districts; and repealing all acts and parts of acts inconsistent therewith;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

MADDUX, Chairman.

Senate Bill No. 1231 ordered on file for second reading.
Assembly Bill No. 854 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 19—Relative to approving five certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special election held therein on the sixteenth day of March, 1915—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

TYRRELL, Chairman.

Assembly Concurrent Resolution No. 19 ordered on file.
Also:

SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 125—An Act to provide for planting, improving, care and maintenance of parkings and parkways in the public streets, boulevards and highways of incorporated cities—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Senate Bill No. 125 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 1224—An Act to amend section 16 of an Act entitled the "Bank Act" of the State of California, approved March 1, 1909, approved as amended April 21, 1911, approved as amended May 31, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

HANS, Chairman.

Senate Bill No. 1224 ordered on file for second reading.
Also:

SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 81—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as subsequently amended, by adding a new section thereto to be numbered section 146, relating to trusts and dispensing with the deposit of securities in certain instances—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

HANS, Chairman.

Senate Bill No. 81 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1210—An Act to amend section 103 of the Code of Civil Procedure relating to Justices' Courts—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KEHOE, Chairman.

Senate Bill No. 1210 ordered on file for second reading.
Also:

SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1206—An Act to amend sections 28 and 35 of an Act entitled, "An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such district," approved March 20, 1903, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KEHOE, Chairman.

Senate Bill No. 1206 ordered on file for second reading.

Also:

SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass; minority report, do pass.

KEHOE, Chairman.

Senate Bill No. 36 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

Senator Slater requested permission to introduce a Senate bill entitled: "An Act making an appropriation for the construction of curb and gutter around the Mission San Francisco Del Solano."

Request referred to Committee on Introduction of Bills.

REQUEST FOR INTRODUCTION OF BILL.

Senator Stuckenbruck requested permission to introduce a Senate bill entitled: "An Act making an appropriation to pay the claim of C. G. Baldwin against the State of California."

Request referred to Committee on Introduction of Bills.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 517—An Act granting municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railroad, canal, ditch or flume.

On motion of Senator Crowley, Senate Bill No. 517 was passed on file.

Senate Bill No. 783—An Act to amend section 681 of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes.

On motion of Senator Finn, Senate Bill No. 783 was passed on file.

Senate Bill No. 195—An Act authorizing municipal corporations to permit other municipal corporations and counties to construct and maintain sewers, water mains and other conduits, and pole lines for the transmission of electricity and electric energy in, through, over, along and across its streets and public places, and to construct and maintain sewers, water mains and other conduits and pole lines for the transmission of electricity and electric energy for their joint benefit and at their joint expense, through, over, along and across such streets and public places, and to make and enter into contracts for such purposes, prescribing a method for compelling such use of such streets and public places, and repealing an Act of the Legislature of the State of California, entitled, "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 195 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 339—An Act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof.

On motion of Senator Benson, Senate Bill No. 339 was passed on file.

Senate Bill No. 109—An Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as: "An Act to insure the better education of practitioners of dental surgery, and to regulate the pracice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same, and known as an Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, approved March 12, 1885, approved March 23, 1901."

On motion of Senator Brown, Senate Bill No. 109 was passed on file.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

On motion of Senator Jones, Senate Bill No. 720 was passed on file, to retain its place.

Senate Bill No. 960—An Act to amend sections 5 and 29 of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, olemargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor, and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 960 passed by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Jones, King, Luce, Lyon, Maddux, Purkitt, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 988—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled, 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737.

Read third time.

On motion of Senator Butler, Senate Bill No. 988 was passed on file.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 2 of article IX of the constitution of the said State, relating to the election and salary of a Superintendent of Public Instruction and also by repealing section 10 of article XXII of said Constitution, relating to the term of officers first elected under the Constitution and also to the election and term of office of the successors of such officers and also to the election of judicial officers and the Superintendent of Public Instruction.

On motion of Senator Jones, Senate Constitutional Amendment No. 12 was passed on file, to retain its place.

Senate Bill No. 510—An Act to amend sections 2, 12, 13, 15, 16, 17, 19, 20, 22, 24, 25, 26, 29, 30, 31, 32, 33, 34, 36, 37, 46, 47, 57, 71, 72, 75, 76, 77 and 81 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'State compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State, and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act,'' approved May 26, 1913, and to add thereto a new section to be numbered 75*a*.

On motion of Senator Benson, Senate Bill No. 510 was passed on file.

Senate Bill No. 442—An Act to amend an Act entitled "An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,'' approved June 16, 1913, statutes of California of 1913, page 1429.

On motion of Senator Flaherty, Senate Bill No. 442 was passed on file.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, by adding to article VI of said Constitution a new section to be numbered section 6½, relating to the term of office of judges of the Superior Court.

SPECIAL ORDER.

Senator Finn moved that Senate Constitutional Amendment No. 2 be made a special order for Tuesday, April 6, 1915, at eleven o'clock a.m.

Motion carried.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 852—An Act to amend section 630*a* of the Penal Code of the State of California, relating to the regulation of the business of wholesale dealers in fish and game and providing for a record of the transactions therein.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 852 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Hans, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Perkitt, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Asembly.

Senate Bill No. 38—An Act to amend an Act known as "The Building and Loan Commission Act''—chapter 354, Laws of 1911, approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be known as and numbered section 9*a*, relating to the powers and duties of the Building and Loan Commissioner; fixing the grade and penalty for non-compliance with his orders; providing for the assistance of a peace officer to enforce his demands.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 38 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 84—An Act to amend the Civil Code of the State of California by adding thereto a new section, to be known and numbered 642*a*, relating to building and loan associations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 84 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Lyon, Maddux, Owens, Purkitt, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Thompson, the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 332—An Act to amend section 1779 of the Political Code of the State of California, relating to the establishment of post-graduate elementary school courses;

Also Senate Bill No. 342—An Act to establish a state board of embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 332 read first time and referred to Committee on Education.

Senate Bill No. 342 ordered to enrollment.

CONSIDERATION OF CONCURRENT RESOLUTION—OUT OF ORDER.

Senator Finn asked for, and was granted, unanimous consent to take up out of the regular order for consideration at this time, Assembly Concurrent Resolution No. 19.

ASSEMBLY CONCURRENT RESOLUTION NUMBER NINETEEN.

Approving five certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a special election held therein on the sixteenth day of March, 1915.

WHEREAS, The city and county of San Francisco, State of California, contains a population of over four hundred and sixteen thousand inhabitants, and has been ever since the eighth day of January, in the year one thousand nine hundred, and is now organized and acting under a freeholders' charter adopted under and by virtue of section 8 of article XI of the Constitution of the State of California, which charter was duly ratified by the qualified electors of said city and county at an election held for that purpose on the twenty-sixth day of May, one thousand eight hundred and ninety-eight, and approved by the Legislature of the State of California on the twenty-sixth day of January, one thousand eight hundred and ninety-nine (Statutes of 1899, page 241), and

WHEREAS, The legislative authority of said city and county namely, the board of supervisors thereof, duly proposed to the qualified electors of the city and county of San Francisco, thirty-six certain amendments to the charter of said city and county of San Francisco by the submission of thirty-six proposals, entitled as follows, to wit:

CHARTER AMENDMENT NUMBER ONE.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending sections 11 and 13 of chapter I of article III, relating to the limit of tax levy.

CHARTER AMENDMENT NUMBER TWO.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 3 of chapter III of article II, by adding a new paragraph thereto, relating to the use of the label of the Allied Printing Trades Council.

CHARTER AMENDMENT NUMBER THREE.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to chapter III of article II to be designated section 7, relating to award of contracts, for articles or materials manufactured, made or produced in the city and county of San Francisco and upon conditions fair to union labor.

CHARTER AMENDMENT NUMBER FOUR.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending article I by adding a new section to article I designated as section 1½, relating to the powers of the city and county in municipal affairs.

CHARTER AMENDMENT NUMBER FIVE.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 9 of article XII, relating to the limit of bonded indebtedness.

CHARTER AMENDMENT NUMBER SIX.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to chapter I of article III, to be designated section 17, relating to an extension of time for the payment of the first installment of taxes.

CHARTER AMENDMENT NUMBER SEVEN.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending sections 1 and 5 and adding new sections to be designated sections 1*a*, 1*b*, 1*c*, 1*d* and 1*e* to chapter III of article II, relating to contracts for material and supplies and the regulation thereof.

CHARTER AMENDMENT NUMBER EIGHT.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending subdivision 13 of section 1 of chapter II of article II, relating to the power of the board of supervisors to regulate the quality and quantity of lighting and other appliances in the streets and grounds of the city and county.

CHARTER AMENDMENT NUMBER NINE.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 2 of chapter III of article II, relating to an alternative proposition to do the official advertising in the "Municipal Record."

CHARTER AMENDMENT NUMBER TEN.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending sections 13 and 19 of chapter I of article II, relating to official publications for three days instead of five days.

CHARTER AMENDMENT NUMBER ELEVEN.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 11 of article XIII, relating to positions under the civil service provisions of the charter.

CHARTER AMENDMENT NUMBER TWELVE.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending sections 3, 8, 9 and 10 of article XIII, relating to appointments, promotions and discharge of civil service employes.

CHARTER AMENDMENT NUMBER THIRTEEN.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to chapter II of article II to be designated section 12, relating to pensions for city and county employes.

CHARTER AMENDMENT NUMBER FOURTEEN.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new chapter to article III to be designated chapter V relating to the creation and disposal of a relief fund for the unemployed.

CHARTER AMENDMENT NUMBER FIFTEEN.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 21 of chapter I of article VI, relating to progressive payments for contracts made with the City and County of San Francisco.

CHARTER AMENDMENT NUMBER SIXTEEN.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 33 of chapter II of article VI, relating to street improvements.

CHARTER AMENDMENT NUMBER SEVENTEEN.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 12 of chapter VI of article VI, and by adding a new section thereto to be numbered section 17 relating to the change of street grades.

CHARTER AMENDMENT NUMBER EIGHTEEN.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to article XVI designated as section 29½, relating to the issuing of bonds to the amount of one million dollars for the purpose of creating a "Revolving Fund" for street improvements.

CHARTER AMENDMENT NUMBER NINETEEN.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending subdivision 18 of section 1 of chapter II of article II, relating to appropriations for the celebration of holidays.

CHARTER AMENDMENT NUMBER TWENTY.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to chapter I of article III to be designated section 18, relating to the levy of a tax for publicity purposes.

CHARTER AMENDMENT NUMBER TWENTY-ONE.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 1 of chapter IV of article VII, relating to the superintendent of schools as a member of the board of education.

CHARTER AMENDMENT NUMBER TWENTY-TWO.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending sections 1, 2, 3, 4, and 5 of chapter III, sections 3 and 5 of chapter IV, sections 1, 2, 3, 4, 7, 8, and 10 of chapter V and repealing section 5 of chapter V of article XI, relating to the initiative, referendum and recall.

CHARTER AMENDMENT NUMBER TWENTY-THREE.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 3 of chapter VIII of article VIII, relating to the disposal of firearms by the police department.

CHARTER AMENDMENT NUMBER TWENTY-FOUR.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending subdivision 3 of section 1 of chapter III of article VIII, relating to the sale of intoxicating liquor in less quantities than two gallons.

CHARTER AMENDMENT NUMBER TWENTY-FIVE.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 11 of article XIV, relating to the tax levy for public parks.

CHARTER AMENDMENT NUMBER TWENTY-SIX.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 2 of chapter VI of article V, relating to an increase of salary of jail guards.

CHARTER AMENDMENT NUMBER TWENTY-SEVEN.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending chapter V of article VIII, relating to subordinate officers of the police department, abolishing the grade of corporal and increasing the number of lieutenants, detective sergeants and sergeants.

CHARTER AMENDMENT NUMBER TWENTY-EIGHT.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 1 of chapter VII of article IV, relating to the copyists in the recorder's office.

CHARTER AMENDMENT NUMBER TWENTY-NINE.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 1 of chapter VIII of article IX, relating to an increase of salary of hydrantmen and firemen on fire boats.

CHARTER AMENDMENT NUMBER THIRTY.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 1 of article X, relating to salaries for members of the Board of Health.

CHARTER AMENDMENT NUMBER THIRTY-ONE.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending sections 2 and 3 of chapter I of article XI, relating to the Board of Election Commissioners and the Registrar of Voters.

CHARTER AMENDMENT NUMBER THIRTY-TWO.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 1 of chapter I of article IV, relating to an increase of salary of the secretary to the mayor.

CHARTER AMENDMENT NUMBER THIRTY-THREE.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 3 of chapter I of article VI, relating to an increase of salary of the secretary of the Board of Public Works.

CHARTER AMENDMENT NUMBER THIRTY-FOUR.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by amending section 2 of article XIV *a*, relating to the term of office of the playground commissioners.

CHARTER AMENDMENT NUMBER THIRTY FIVE.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section to chapter II of article II to be designated section 11, relating to an exchange of land by said city and county with the Sutro Estate.

CHARTER AMENDMENT NUMBER THIRTY-SIX.

Describing and setting forth a proposal to the qualified electors of the city and county of San Francisco, State of California, to amend the charter of said city and county by adding a new section article XVI to be designated section 42, relating to the time when any increase of salary shall take effect.

And,

WHEREAS, Said thirty-six proposals aforementioned containing said proposed amendments to said charter were, in accordance with the provisions of section 8 of article XI of the Constitution of the State of California, published for one day after their passage in the "Daily Journal of Commerce," a daily newspaper of general circulation in the city and county of San Francisco and the official newspaper of said city and county; that said proposals were printed in convenient pamphlet form and until the date fixed for the election hereinafter described, an advertisement was published in a paper of general circulation in the city and county of San Francisco, the "Daily Journal of Commerce," that such copies could be had upon application therefor to the office of the board of supervisors, and

WHEREAS, The said legislative authority of said city and county did by ordinance No. 3120 (new series), of the board of supervisors, approved February 25, 1915, call a special election, to be held in the city and county of San Francisco on the sixteenth day of March, one thousand nine hundred and fifteen, and ordered placed upon the ballot at said election, the said thirty-six several proposals to amend the charter of the city and county of San Francisco, and

WHEREAS, Said special election was held in said city and county of San Francisco, on the sixteenth day of March, one thousand nine hundred and fifteen, which day was more than forty days and less than sixty days after said proposed charter amendments had been published for one day in the "Daily Journal of Commerce," newspaper, said special election having been held after the beginning of a regular session of the legislature, and before the final adjournment thereof; and,

WHEREAS, On the twenty-second day of March, one thousand nine hundred and fifteen, and thereafter at meetings duly convened in accordance with law, the board of election commissioners of said city and county duly and regularly canvassed the returns of said special election, and duly declared the results thereof, said board being by law authorized to conduct, manage and control the holding of said elections and all matters pertaining to such elections in said city and county; and

WHEREAS, At said special election so held on the sixteenth day of March, one thousand nine hundred and fifteen, five of said proposed amendments were ratified by a majority of the electors of said city and county voting thereon, to wit: Charter amendments numbered one, six, twenty-one, twenty-three, and thirty-six, and that all other amendments received less than a majority of the votes of the electors voting thereon and were not ratified; and,

WHEREAS, Thereafter, to wit, on the 25th day of March, one thousand nine hundred and fifteen, the said board of election commissioners duly filed in the clerk's office of the board of supervisors "Official statement of votes polled at the special election held in the city and county of San Francisco, State of California, on Tuesday, the sixteenth day of March, A. D. 1915, for charter amendments." and,

WHEREAS, The said five charter amendments so ratified by the electors of the city and county of San Francisco, are now submitted to the legislature of the State of California for approval or rejection as a whole without power of alteration or amendment in accordance with section 8 of article XI of the Constitution of the State of California, and are in words and figures as follows, to wit:

CHARTER AMENDMENT NUMBER ONE.

That sections 11 and 13 of chapter I of article III be amended to read as follows:

Section 11. On or before the third Monday in September of each year, the supervisors shall levy the amount of taxes for city and county purposes required to be levied upon all property not exempt from taxation. The amount should be sufficient to provide for the payment during the fiscal year of all demands upon the treasury authorized to be paid out of the same; but such levy, exclusive of the state taxes and the tax to pay the interest and maintain the sinking funds of the bonded indebtedness of the city and county, and exclusive of the tax to pay for the maintenance and improvement of the parks, squares and public grounds of the city and county shall not exceed the rate of one dollar on each one hundred dollars valuation of the property assessed. The supervisors in making the levy shall apportion the taxes to the several funds.

Section 13. The limitation in section 11 of this chapter upon the rate of taxes shall not apply in the case of any great necessity or emergency. In such case the limitation may be temporarily suspended and the rate of taxes be increased so as to enable the supervisors to provide for such necessity or emergency. No increase shall be made to provide for such necessity or emergency in the rate of taxes authorized to be levied under section 11 of this chapter, unless such increase be authorized by ordinance passed by the unanimous vote of the supervisors and approved by the mayor. The character of such necessity or emergency shall be recited in the ordinance authorizing such action, and be entered in the journal of the board.

Nor shall the limitation in section 11 of this chapter upon the rate of taxes apply in the case of taxes levied by ordinance passed by at least fifteen supervisors and approved by the mayor for any of the following purposes, to wit: To meet the cost of elections; to pay any demands, salaries, expenses or other obligations imposed upon the city and county of San Francisco by a legislative or constitutional enactment of the State of California or of the United States; to meet any increase in demands, salaries, expenses or other obligations imposed upon the city and county of San Francisco by any measure hereafter passed by direct vote of the people of the city and county of San Francisco; to meet the expense or cost of schools or of the school department; to meet the cost of construction and repair of streets, sewers or of buildings for the police, fire, health or school departments or detention home; to meet the cost of maintaining public libraries and of purchasing books therefor.

Provided, however, that the limitation of section 11 of this chapter upon the rate of taxes shall not be exceeded in any one fiscal year by more than 65 cents on each one hundred dollars valuation of the property assessed except in the case of a great necessity or emergency hereinabove mentioned or except for the purpose of meeting the cost of elections, or paying any demands, salaries, expenses or other obligations imposed upon the city and county of San Francisco by legislative or constitutional enactment of the State of California or of the United States, or for the purpose of meeting any increase in demands, salaries, expenses or other obligations imposed upon the city and county of San Francisco by any measure hereafter passed by direct vote of the people of the city and county of San Francisco, or to meet the cost of maintaining public libraries and the purchase of books therefor. Nothing in this section shall authorize the incurring of liabilities against the treasury not allowed by law, or which can not be paid out of the income and revenue provided, collected and paid into the proper fund as its proportion of the same for such fiscal year, or permit liabilities or indebtedness incurred in any one fiscal year to be a charge upon or paid out of the income or revenue of any other fiscal year.

CHARTER AMENDMENT NUMBER SIX.

That a new section be added to chapter I, article III, of the charter to be known as section 17 and to read as follows:

Section 17. The taxes levied for city and county purposes shall be payable at the times prescribed by general law and may be paid in installments and shall become delinquent at the times and in the manner as provided by general law, but the supervisors by an ordinance passed prior to the second Monday in October of any calendar year, may provide that the delinquent date of the first installment of such taxes for the then current fiscal year shall be postponed until the second Monday in January next, and when such an ordinance shall have been passed in any calendar year the first installment of taxes for the then current fiscal year shall not become delinquent until the second Monday in January next, and any notice published by the tax collector shall specify the delinquent date so postponed by ordinance of the board of supervisors.

CHARTER AMENDMENT NUMBER TWENTY-ONE.

That section 1 of chapter IV of article VII be amended to read as follows:

Section 1. The superintendent of schools of the city and county shall be elected by the qualified electors thereof at each gubernatorial election.

He shall be by virtue of his office a member of the board of education. He shall receive an annual salary of four thousand dollars.

CHARTER AMENDMENT NUMBER TWENTY-THREE.

That section 3 of chapter VIII of article VIII be amended to read as follows:

Section 3. All unclaimed property and money that has been in the custody of the property clerk for one year shall be sold at public auction (with the exception of firearms and other deadly weapons which must be destroyed by property clerk), after having been five times advertised in the official newspaper; and the proceeds of such sale shall be paid into the treasury to the credit of the police relief and pension fund. In no case shall such property be sold or disposed of until the necessity for the use thereof as evidence has ceased. The proceeds of property taken from insane persons shall not become part of such fund until after the expiration of three years from the time the same is paid into the treasury; but the commissioners and the chief of police shall, during such period, make diligent inquiry to ascertain the person or persons to whom the same should by right be payable.

CHARTER AMENDMENT NUMBER THIRTY-SIX.

That a new section be added to article XVI to be designated section 42 and to read as follows:

Section 42. Except as otherwise provided, all amendments to the charter submitted and adopted concurrently herewith, or that may be hereafter adopted, that increase the salary of any officer or employee shall not take effect until the end of the fiscal year in which such amendment is ratified by the Legislature of the State of California.

STATE OF CALIFORNIA,
City and County of San Francisco.} ss.

This is to certify that we, James Rolph, Jr., mayor of the city and county of San Francisco, and J. S. Dunnigan, clerk of the board of supervisors of said city and county, have compared the foregoing proposed and ratified amendments to the charter of the said city and county of San Francisco with original proposals, submitting the same to the electors of said city and county at a special election held on Tuesday, the sixteenth day of March, one thousand nine hundred and fifteen, and find that the foregoing is a full, true, correct and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendments to said charter are and each of them is true.

In witness whereof, we have hereunto set our hands and caused the same to be authenticated by the seal of said city and county of San Francisco, this twenty-sixth day of March, one thousand nine hundred and fifteen.

JAMES ROLPH,
Mayor of the City and County of San Francisco.
[SEAL]
J. S. DUNNIGAN,
Clerk of the Board of Supervisors of the City and County of San Francisco.

Now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate thereof concurring (a majority of all the members elected to each house voting therefor and concurring therein), That said amendments to the charter of the city and county of San Francisco, as proposed to and adopted and ratified by the electors of said city and county, and as hereinbefore fully set forth, be and the same are, and each of them is hereby approved as a whole without amendment or alteration, for and as amendments to, and as part of the charter of the city and county of San Francisco.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 19 adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Lyon, Maddux, Owens, Purkitt, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Assembly Concurrent Resolution No. 19 ordered transmitted to the Assembly.

RECESS.

At twelve o'clock and thirty minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RE-CONVENED.

At two o'clock p.m., the Senate re-convened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Minute Clerk Clifton E. Brooks at the desk.

REQUEST FOR INTRODUCTION OF BILLS.

Senator Cohn requested permission to introduce two Senate bills entitled:

"An Act making an appropriation for the construction of a cell building and wall and for other improvements at Folsom State Prison."

Also:

"An Act re-appropriating the money appropriated by an Act entitled 'An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison,' approved June 7, 1913, and making the same available for the construction of a cell building and wall and for other improvements at Folsom State Prison."

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined **Senate Bill No. 443—An Act to amend an Act entitled "An Act to regulate the** examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, by amending sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 17 and 18 and adding a new section thereto to be numbered 12½ relating to the practice of chiropody—and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined **Senate Bill No. 818—An Act to add a new section to the Penal Code to be known** as section 654*b* relating to the protection of the purchasers of real estate against fraud and deception—and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 177—An Act to amend sections 2153*a* and 2161 of the Political Code, relating to the government and management of State hospitals for the insane and other incompetent persons.

On motion of Senator Tyrrell, Senate Bill No. 177 was passed on file.

Assembly Bill No. 338—An Act to recognize and declare valid all proceedings in Anderson-Cottonwood Irrigation District.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 338 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Maddux, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 643—An Act validating the formation and organization, and determining the boundaries of the Pleasanton Township County Water District in the county of Alameda, State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 643 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Cogswell, Cohn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 555—An Act to amend section 4242 of the Political Code of the State of California, relating to salaries and fees of counties of the thirteenth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 555 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Cogswell, Cohn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1091—An Act to amend section 4251 of the Political Code, relating to the salaries and fees of officers of the counties of the twenty-second class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1091 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Cogswell, Cohn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

SECOND READING OF ASSEMBLY BILL.

Assembly Bill No. 269—An Act to amend section 86 of the Code of Civil Procedure of the State of California, relating to clerks of Justices' Courts and repealing all Acts inconsistent herewith.

Bill read second time, ordered engrossed, and on file for third reading.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 506—An Act to amend section 2453 of the Civil Code, relating to the notice necessary for termination of liability of a general partner for the acts of his copartners.

In the absence of the author, Senate Bill No. 506 was passed on file.

Senate Bill No. 1218—An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the state, county, city and county and city government in this State, except in certain schools, to validate certain acts, and to repeal all Acts in conflict herewith.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1218 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR STROBRIDGE IN THE CHAIR.

At two o'clock and twenty-five minutes p.m., Senator Strobridge of the Thirteenth District, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 744—An Act to provide for the protection of breeders and growers of live stock from theft, for registration of brands, butchers and slaughter-houses, and the inspection of live stock and the hides thereof.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Benson moved to refer to Senator Jones as a Special Committee of One, to amend Senate Bill No. 744 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5 of the title of the printed bill, as amended in the Senate March 25, 1915, strike out the period in said line and insert in lieu thereof a semicolon, and the following: "creating a live stock inspection board to administer the Act; and prescribing penalties for violation of the provisions thereof."

AMENDMENT NUMBER TWO.

On page 2, line 6 of the printed bill, strike out the word "and" at the end of said line and strike out all of lines 7 and 8 and line 9 up to and including the semicolon after the word "industry".

AMENDMENT NUMBER THREE.

On page 2, line 19 of the printed bill, strike out the word "clerical".

AMENDMENT NUMBER FOUR.

On page 2, line 20 of the printed bill, strike out the words "to keep the records properly".

AMENDMENT NUMBER FIVE.

On page 2, line 31 of the printed bill, after the word "appoint" insert the word "a" and strike out the letter "s" at the end of the word "inspectors".

AMENDMENT NUMBER SIX.

On page 3, line 13 of the printed bill, strike out the word "them" and insert in lieu thereof the word "him".

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, line 13, strike out the words "and such" also strike out all of line 14 and line 15 up to and including the word "principals" and in said line 15, after the word "and" strike out the word "the" and insert in lieu thereof the word "such".

AMENDMENT NUMBER EIGHT.

On page 3, line 16 of the printed bill, after the word "require" insert the word "a" and after the word "bond" on said line strike out the words "and security"; also after the word "of" on said line strike out the word "their" and insert in lieu thereof the word "his".

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, after the word "law" line 19, strike out all of said line; also strike out all of line 20 of said page.

AMENDMENT NUMBER TEN.

On page 3, line 21 of the printed bill, at the beginning of said line strike out the words "bond and" leaving the comma, and after the word "which" on said line strike out the words "said appointment".

AMENDMENT NUMBER ELEVEN.

On page 3, line 33 of the printed bill, after the word "inspector" insert the words "and deputy inspector".

AMENDMENT NUMBER TWELVE.

On page 3, line 37 of the printed bill, strike out all of said line up to and including the word "inspector" and insert in lieu thereof the word "and".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 1 of the printed bill, after the word "of" insert the word "not".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 6 of the printed bill, strike out the word "their" and insert in lieu thereof the word "his".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 15 of the printed bill, after the second comma insert the word "or"

AMENDMENT NUMBER SIXTEEN.

On page 4, line 17 of the printed bill, strike out the words "as deeds for"; also strike out all of line 18 of said page.

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 23 of the printed bill, strike out the words "at the request of the".

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 24 of the printed bill, strike out the following words: "person adopting the same".

AMENDMENT NUMBER NINETEEN.

On page 5, lines 6 and 7, after the word "same", line 6 of the printed bill, insert a period and strike out the remainder of said line; also strike out all of line 7.

AMENDMENT NUMBER TWENTY.

On page 5, line 21, of the printed bill, strike out the words "of course" and the last two commas on said line.

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 24 of the printed bill, strike out the comma and the words "as herein".

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 25, of the printed bill, strike out the words "provided for by this act" including the comma after the word "act".

AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 2, of the printed bill, after the word "July" insert the words "of the year 1916, and the first day of July of each year thereafter," and strike out the words "of each year" on said line.

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 3, of the printed bill, strike out the following: ", under oath,".

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 14, of the printed bill, strike out the comma after the word "owner" and insert in lieu thereof a period and strike out the words "and that the same" of said line 14; also strike out all of lines 15 to 20, inclusive, of said page.

AMENDMENT NUMBER TWENTY-SIX.

On page 7, of the printed bill, line 25, after the period, strike out the remainder of said line and all of lines 26, 27 and 28 of said page.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 7, line 29, of the printed bill, strike out the first word "The" and insert in lieu thereof the words "Any recorded" also strike out the following words of said line: "of the owner thereof who" and strike out all of line 30 and on line 31, strike out the word "animal".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 7, of the printed bill, line 33, after the comma strike out the remainder of said line and strike out all of line 34 and the word "act" and the comma on line 35 of said page 7.

AMENDMENT NUMBER TWENTY-NINE.

On page 8, of the printed bill, strike out all of sections 16 and 17, (lines 1 to 22 inclusive).

AMENDMENT NUMBER THIRTY.

On page 8, line 23, of the printed bill, strike out the figures "18" and insert in lieu thereof the figures "16" and change the section number of each succeeding section so as to read in numerical order accordingly.

AMENDMENT NUMBER THIRTY-ONE.

On page 9, line 28, of the printed bill, strike out the words "this Act" and insert the following in lieu thereof: "the provisions in this Act relative to marks and brands".

AMENDMENT NUMBER THIRTY-TWO.

On page 9, line 31 of the printed bill, strike out the period and insert in lieu thereof the following: ", or cows actually used for dairy purposes."

AMENDMENT NUMBER THIRTY-THREE.

On page 10, line 4, of the printed bill, strike out the following words "larceny of said animal" and insert in lieu thereof the following words "a misdemeanor".

AMENDMENT NUMBER THIRTY-FOUR.

On page 10, of the printed bill, strike out all of section 24, (lines 10 to 14, inclusive).

AMENDMENT NUMBER THIRTY-FIVE.

On page 11, line 26, of the printed bill, after the word "than" strike out all of the remainder of said line and strike out all of line 27, of said page and insert in lieu thereof the following words "three months."

AMENDMENT NUMBER THIRTY-SIX.

On page 12, of the printed bill, strike out all of lines 7 to 14, inclusive.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 12, lines 16 and 17, of the printed bill, strike out the following words, "make written application to the board therefor, and".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 12, line 21, of the printed bill, strike out the following: "; *provided*," and insert in lieu thereof a period.

AMENDMENT NUMBER THIRTY-NINE.

On page 12, line 22, of the printed bill, strike out the word "that" and change the letter "i" in the word "if" to a capital letter "I".

AMENDMENT NUMBER FORTY.

On page 12, line 31, of the printed bill, after the last comma insert the following words: "or who shall remove the hides from any cattle which shall have died from natural causes, or as the result of accident,".

AMENDMENT NUMBER FORTY-ONE.

On page 13, line 1, of the printed bill, strike out the word "said" and insert in lieu thereof the words "neat cattle".

AMENDMENT NUMBER FORTY-TWO

On page 13, line 2, of the printed bill, strike out the word "animals".

AMENDMENT NUMBER FORTY-THREE.

On page 13, lines 8 and 9, of the printed bill, strike out the following: ", or that such person is authorized to slaughter." Insert in lieu thereof a period.

AMENDMENT NUMBER FORTY-FOUR.

On page 13, line 14, of the printed bill, strike out the word "butchered" and insert in lieu thereof the word "slaughtered".

AMENDMENT NUMBER FORTY-FIVE.

On page 13, line 19, of the printed bill, strike out the word "butcher" and insert in lieu thereof the word "slaughterer" and in line 25 of said page 13 strike out the word "butcher" and insert in lieu thereof the word "slaughterer".

AMENDMENT NUMBER FORTY-SIX.

On page 13, line 32, of the printed bill, strike out the words "horned or".

AMENDMENT NUMBER FORTY-SEVEN.

On page 14, line 4, of the printed bill, strike out the words "butchering or" and strike out the word "horned" and insert in lieu thereof the word "neat".

AMENDMENT NUMBER FORTY-EIGHT.

On page 14, line 5, of the printed bill, strike out the words "and faithful".

AMENDMENT NUMBER FORTY-NINE.

On page 14 of the printed bill, strike out all of lines 20 to 28, inclusive.

AMENDMENT NUMBER FIFTY.

On page 14, line 30, of the printed bill, after the word "the" insert the word "live".

AMENDMENT NUMBER FIFTY-ONE.

On page 15 of the printed bill, line 4, after the word "law" strike out all of said line and insert in lieu thereof a period.

AMENDMENT NUMBER FIFTY-TWO.

On page 15 of the printed bill, strike out all of lines 5 to 25, inclusive.

AMENDMENT NUMBER FIFTY-THREE.

On page 17, line 8, of the printed bill, strike out the following words "live stock" and insert in lieu thereof the words "neat cattle, or the hides thereof".

AMENDMENT NUMBER FIFTY-FOUR.

On page 17, line 12, of the printed bill, strike out the words "live stock" and insert in lieu thereof the following words: "cattle, or hides".

AMENDMENT NUMBER FIFTY-FIVE.

On page 17, line 17, of the printed bill, strike out the words "five thousand" and insert in lieu thereof the following words "five hundred".

AMENDMENT NUMBER FIFTY-SIX.

On page 17 of the printed bill, strike out all of lines 24 to 37, inclusive.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 18 of the printed bill, strike out all of lines 1 to 4, inclusive.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 18, line 5, of the printed bill, at the beginning of the line, before the word "The" insert the following: "Sec. 37.".

AMENDMENT NUMBER FIFTY-NINE.

On page 18, of the printed bill, strike out all of lines 11 to 26, inclusive.

AMENDMENT NUMBER SIXTY.

On page 19, line 8, of the printed bill, strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]".

AMENDMENT NUMBER SIXTY-ONE.

On page 19, line 9, of the printed bill, strike out the words "[illegible]".

AMENDMENT NUMBER SIXTY-TWO.

On page 19, line 13, of the printed bill, after the word "[illegible]" insert the word "they".

AMENDMENT NUMBER SIXTY-THREE.

On page 19, line 26, of the printed bill, after said line add the following paragraph:

"Sec. 44. Any person, firm or corporation, violating any provision of this Act shall, unless otherwise specifically designated herein, be guilty of a misdemeanor, and shall be punished by a fine not to exceed five hundred dollars, or by imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 744, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read and, on motion of Senator Benson, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 428—An Act to amend section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 428 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Hans, Irwin, Jones, Kehoe, King, Lewis, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Sharkey, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1128—An Act to amend section 192 of the Penal Code defining manslaughter.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1128 refused passage by the following vote:

AYES—Senators Butler, Carr, Duncan, Finn, Kehoe, King, Maddux, Stuckenbruck, and Thompson—9.

NOES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Chandler, Cogswell, Cohn, Crowley, Flaherty, Hans, Irwin, Jones, Lewis, Lyon, Mott, Purkitt, Sharkey, Strobridge, Tyrrell, and Wolfe—22.

Senate Bill No. 129—An Act to amend section 715 of the Civil Code relating to restraints upon alienation.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 129 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Kehoe, King, Luce, Lyon, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 477—An Act to amend section 1111 of the Penal Code of the State of California, relating to corroboration of accomplices and definition thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 477 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Brown, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Irwin, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.
NOES—Senator Duncan—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Brown asked for, and was granted, unanimous consent to take up at this time out of the regular order, Senate Bill No. 102 for the purpose of amendment.

Senate Bill No. 102—An Act creating and establishing a commission for the investigating and gathering of data and statistics concerning the use of live animals for experimental purposes; providing for the appointment of said commission to be known as the "commission for the preservation of statistics of animal life," and prescribing the powers and duties of said commission and its members.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Brown moved to refer to Senator Mott as a Special Committee of One, to amend Senate Bill No. 102 as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 2 to 8 of the title of the printed bill, strike out all of said lines 2 to 8 inclusive and insert in lieu thereof the following: "Providing for the admission of humane officers to places where scientific experiments are performed upon living animals; for investigating such experimentation and securing evidence of violation of law; for prohibiting certain experiments on living animals in any elementary or secondary schools in this state; and prescribing penalties for the violation of the provisions hereof."

AMENDMENT NUMBER TWO.

On pages 1 and 2 of the printed bill, strike out all of lines 1 to 15 inclusive on page 1 and all of lines 1 to 34 inclusive on page 2 and insert in lieu thereof the following:

"SECTION 1. All humane officers in this State are hereby authorized and empowered to enter any and all places at any and all times where scientific experiments are practiced or performed upon living animals for the purpose of investigating the conduct of such experiments and securing evidence of any violation of law therein or thereat committed.

"SEC. 2. No person shall perform or permit the performance of any scientific or other experiment which involves any cutting or laceration of the flesh or tissue of any living animal in or for class instruction in any public elementary or secondary school in this state or in any private school of corresponding grade.

"SEC. 3. The words 'humane officer' as used in this Act shall be construed as referring to the officers recognized by section 607*f* of the Civil Code.

"SEC. 4. Any person violating any provisions of this Act shall be guilty of a misdemeanor."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 102, with instructions to amend, respectfully reports the same back, amended as per instructions.

MOTT, Committee.

Report read and, on motion of Senator Brown, adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 27—An Act to amend an Act entitled, "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding a new section to said Act, to be known as section 6*a*, relating to doing of public work by municipalities;

Also: Senate Bill No. 1018—An Act to amend section 1 of an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children, and of convicts in the state prisons," approved April 26, 1909, to include the inmates of the Whittier State School for Defective Persons within the scope of said Act;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 274—An Act to amend section 1316 of the Political Code of the State of California, relating to officers prohibited from practicing law—and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1221—An Act to amend section 411 of the Code of Civil Procedure, relating to service of summons.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1221 passed by the following vote:

AYES—Senators Ballard, Beban, Benson, Birdsall, Breed, Butler, Chandler, Cogswell, Cohn, Crowley, Flaherty, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 644—An Act to add to the Code of Civil Procedure a new section to be numbered section 749, relating to the recording of certified copies of judgments.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 644 passed by the following vote:

AYES—Senators Ballard, Beban, Benson, Birdsall, Breed, Butler, Chandler, Cogswell, Cohn, Crowley, Flaherty, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECALL OF BILL FROM ASSEMBLY.

Senator Breed moved that Assembly Bill No. 643 be recalled from the Assembly, for purpose of reconsideration.

Motion carried.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1042—An Act to amend section 3555 of the Political Code, relating to the judgment and costs of foreclosing the interests of purchasers of State lands.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1042 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Butler, Chandler, Cogswell, Cohn, Crowley, Flaherty, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1201—An Act to amend section 1989 of the Code of Civil Procedure of the State of California, relating to the attendance of a witness before a court, judge, justice or other officer, out of the county in which the witness resides.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1201 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Birdsall, Breed, Butler, Chandler, Cohn, Crowley, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 639—An Act to amend section 442 of the Code of Civil Procedure, relating to cross complaints.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 639 passed by the following vote:

AYES—Senators Ballard, Beban, Birdsall, Breed, Butler, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott,

Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 10—An Act to protect the health of persons employed in handling Portland cement, and to provide for the manner of packing the same.

On motion of Senator Flaherty, Senate Bill No. 10 was passed to the unfinished business file.

WITHDRAWAL OF BILL.

Senator Shearer asked for and was granted unanimous consent to withdraw Senate Bill No. 303.

Senate Bill No. 303 ordered withdrawn and stricken from the file.

THIRD READING OF SENATE BILLS—(RESUMED).

SENATE CONCURRENT RESOLUTION NUMBER SEVENTEEN.

Relative to free assays to be made by the college of mines of the University of California.

WHEREAS, The mining industry of the State of California is deserving of every legitimate aid and encouragement; and

WHEREAS, The State of California is aiding the agricultural and horticultural interests of the State through the University of California by making free soil analyses and in other ways; and

WHEREAS, The State University has a college of mines of deservedly excellent standing; therefore, be it

Resolved, That, in so far as the present finances and equipment of the college of mines of the University of California will permit, the said department make free assays of mineral samples sent in, when the same are accompanied by a statement that the said samples are taken from a non-operating or undeveloped property within the State of California, the location and description of the property being also given.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 17 adopted by the following vote:

AYES—Senators Ballard, Beban, Birdsall, Breed, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.
NOES—None.

Senate Concurrent Resolution No. 17 ordered to engrossment and transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At three o'clock and fifty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate chamber for this day was unanimously extended to Donald A. Breed, son of Senator A. H. Breed, of Piedmont.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 443—An Act to amend an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," (approved June 2, 1913) by amending sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 17 and 18 and adding a new section thereto to be numbered 12½, relating to the practice of chiropody.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Irwin moved to refer to Senator Brown as a Special Committee of One, to amend Senate Bill No. 443 as follows:

AMENDMENT NUMBER ONE.

By striking out of section 9, line 7, page 6, the words "approved by the board".

AMENDMENT NUMBER TWO.

By striking out of section 9, line 18, page 7, the words "approved by the board"

AMENDMENT NUMBER THREE.

By striking out of section 10, line 16, page 8, the words "approved by the board".

MOTION.

Senator Duncan moved that Senate Bills Nos. 443, 310 and 500 be re-committed to Committee on Public Health and Quarantine for the purpose of a public hearing.

POINT OF ORDER.

Senator Purkitt raised the point of order that "another motion was pending."

DECISION ON POINT OF ORDER.

The President ruled the point of order not well taken.

POINT OF ORDER.

Senator Tyrrell raised the point of order that "Senator Duncan's motion was out of order because a motion to refer Senate Bill No. 443 to a committee was pending."

DECISION ON POINT OF ORDER.

The President ruled the point of order well taken.

LEAVE OF ABSENCE.

Senator Rush asked for and was granted leave of absence for the rest of this legislative day, and Friday, April 2, 1915.

CONSIDERATION OF MOTION TO REFER—(RESUMED).

Question being on the motion of Senator Irwin to refer to a Special Committee of One to amend Senate Bill No. 443.

AYES AND NOES DEMANDED.

The ayes and noes were demanded by Senators Benedict, Brown, and Owens.

The roll was called and the motion to refer lost by the following vote:

AYES—Senators Ballard, Benedict, Brown, Butler, Carr, Cogswell, Duncan, Flint, Irwin, King, Owens, Purkitt, Shearer, and Stuckenbruck—14.

NOES—Senators Anderson, Beban, Benson, Birdsall, Breed, Chandler, Cohn, Crowley, Finn, Flaherty, Gerdes, Jones, Luce, Lyon, Maddux, Mott, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—22.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 443 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Carr, Chandler, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—25.

NOES—Senators Benedict, Brown, Butler, Cogswell, Duncan, Flint, Irwin, King, Owens, Purkitt, Shearer, and Stuckenbruck—12.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 17—Relative to free assays to be made by the College of Mines of the University of California—and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following messages from the Assembly were read, out of the regular order.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day has returned Assembly Bill No. 643—An Act validating the formation and organization, and determining the boundaries of the Pleasanton Township County Water District in the county of Alameda, State of California as requested by motion of Senate.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 405—An Act to amend sections 3209, 3215, 3216 and 3222 of the Political Code relating to weights and measures and the standards thereof;

Also: Assembly Bill No. 432—An Act to amend section 156 of the Code of Civil Procedure relating to qualifications of justices of Supreme Court and of the District Courts of Appeal;

Also: Assembly Bill No. 613—An Act making an appropriation to pay for auto truck and equipment therefor for the State Printing Office;

Also: Assembly Bill No. 667—An Act to amend section 4268 of the Political Code relating to counties of the thirty-ninth class;

Also: Assembly Bill No. 1046—An Act to add a new section to the Political Code, to be numbered section 3804*b*, relating to the cancellation of erroneous assessments.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 405 and 432 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 613 read first time, and referred to Committee on Finance.

Assembly Bill No. 667 read first time, and referred to Committee on County Government.

Assembly Bill No. 1046 read first time, and referred to Committee on Revenue and Taxation.

Also:

SACRAMENTO, April 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 346—An Act to amend section 1431 of the Political Code, to provide for payment of the traveling expenses of the Regents of the University of California;

Also: Senate Bill No. 438—An Act prohibiting employers of labor from interfering with the political activities of their employees and providing penalties for a violation hereof;

Also: Senate Bill No. 461—An Act to validate the formation of certain districts formed under the provisions of an Act entitled "An Act to provide for the formation, management and dissolution of county irrigation districts, for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof," approved June 13, 1913, and to validate the issuance and sale of certain bonds thereof;

Also: Senate Bill No. 846—An Act to amend section 1 of an Act entitled "An Act providing for vacations for certain employees of the State," approved March 15, 1909;

Also: Senate Bill No. 955—An Act to amend an Act entitled "An Act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903, by amending section 1 thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 346, 438, 461, 846 and 955 ordered to enrollment.

NOTICE OF MOTION TO RECONSIDER.

Senator Strobridge gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 643 was passed.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate the folowing reports of standing committees were received and read, out of the regular order.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 570—An Act prohibiting insurance companies and their agents from giving, and insured persons from receiving, a rebate of any portion of an insurance premium, and providing a penalty for violations of the provisions hereof;

Also: Senate Bill No. 572—An Act to amend section 633 of the Political Code, relating to the licensing of insurance agents;

Also: Senate Bill No. 573—An Act to add a new section to the Political Code to be numbered 633*a*, relating to the licensing of fire insurance brokers;

Also: Senate Bill No. 900—An Act to amend section 596 of the Political Code of the State of California relating to insurance business by authorized and unauth-

orized companies, prescribing penalties for violation thereof and declaring certain policies of insurance void:
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

BENEDICT, Chairman.

Senate Bills Nos. 570, 572, 573 and 900 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 683—An Act to amend section 634 of the Civil Code of the State of California relating to building and loan associations, and to their installment or full paid investment certificates and security for investment certificate liabilities of the same—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

HANS, Chairman.

Senate Bill No. 683 ordered on file for second reading.

ADJOURNMENT.

At six o'clock and twenty-five minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Friday, April 2, 1915.

The Senate met at ten o'clock a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

Quorum present.

PRAYER.

By invitation of the President, prayer was offered by the Rev. Chas. E. Farrar of Sacramento.

LEAVE OF ABSENCE.

Senator Hans was, on motion of Senator Tyrrell, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 1, 1915, the further reading was dispensed with, on motion of Senator Gerdes.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Donald A. Breed, son of Senator A. H. Breed, of Piedmont.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Duncan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge C. C. Antrim, of Forbestown.

PETITIONS.

The following petitions were read and ordered printed in the Journal:

RESOLUTION ADOPTED BY THE INLAND WATERWAYS ASSOCIATION OF CALIFORNIA, AT ITS ANNUAL MEETING.

WHEREAS, Early completion of the Sacramento River flood control project is necessary to insure the navigability of that river and the protection from floods of the Sacramento Valley and a portion of the San Joaquin Valley; and

WHEREAS, Intense cultivation and dense peopling of the rich interior valleys and the creation of a world's commerce for the State are in consequence largely dependent upon such project; and

WHEREAS, The State of California has formally adopted such project and pledged herself in effect to pay her agreed share of the cost thereof; and

WHEREAS, There has been recommended to the present Legislature on the budget an appropriation of $500,000 for the purpose; now, therefore, be it

Resolved, That the Inland Waterways Congress of California hereby renews its endorsement of the Sacramento River flood control project as of immediate importance to the State's welfare and development, and hereby approves the appropriation proposed as well as such further appropriations as may be necessary to fulfill the obligations of the State in connection therewith.

March 25, 1915.

Also:

RESOLUTION ADOPTED BY THE INLAND WATERWAYS ASSOCIATION OF CALIFORNIA, AT ITS ANNUAL MEETING

Resolved by the Inland Waterways Association, That we endorse the plan of the California Debris Commission for the reclamation of the great central valley of the State and that we recommend the appropriation by the State of $500,000 at this session of the Legislature to co-operate with the Federal Government in carrying out the proposed plan.

March 25, 1915.

Also:

By Senator Duncan:

RESOLUTIONS ADOPTED BY THE CITIZENS OF O'BANION'S CORNERS, SUTTER COUNTY, IN MASS MEETING ASSEMBLED.

To the Governor and Members of the Legislature of the State of California:

GENTLEMEN: WHEREAS, Important litigation between Sutter County and Reclamation District No. 1500 is now in progress involving property rights and private property of great value in this county; and

WHEREAS, Certain bills now introduced in the Legislature, if passed, would be unfair and work a great hardship to the people of this county by changing existing laws during the progress of this litigation, thus depriving us of our legal rights as they existed when we purchased and improved our lands; therefore, be it

Resolved, That we urge the Legislature of the State of California not to pass the following bills and constitutional amendment:

Senate Bill No. 631, Assembly Bill No. 759;
Senate Bill No. 634, Assembly Bill No. 831;
Senate Bill No. 660, Assembly Bill No. 766;
Senate Bill No. 661, Assembly Bill No. 764;
Senate iBll No. 662, Assembly Bill No. 765;
Senate Bill, No. 722, Assembly Bill No. 793;
Senate Bill No. 910, Assembly Bill No. 1151;
Senate Constitutional Amendment No. 34, Assembly Constitutional Amendment No. 30.

We would further represent that this locality is in the midst of a fruit and grain growing district and is a prosperous community which is rapidly being developed. At this point there is a church, school, store and blacksmith shop. If the Eastern By-pass levee is built as now proposed a break in the Feather River levee above Yuba City would create a permanent lake over this entire district and the depth of the water directly in front of the school house at O'Banion's Corners would be twelve feet.

We therefore petition you, the Governor and Legislature of the State of California, that you do not pass the above named bills and constitutional amendment.

The above is a true and correct copy of the resolutions adopted at a mass meeting of the citizens of O'Banion's Corners, Tuesday, March 30, 1915.

M. C. BAILEY, Chairman.

J. F. KIMBALL, Secretary.

Also:

By Senator Campbell:

HUNTINGTON BEACH, CALIFORNIA.

To the Legislature of California:

The undersigned, qualified electors of the State of California, hereby register our emphatic protest against the passage of the bill now before the Legislature, to extend the non-partisan feature of the election law to include all state offices, and hereby call upon you to secure the defeat of said measure.

W. H. SMITH, and 11 others.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended Senate Bill No. 302—An Act to amend section 3088 of the Civil Code relating to negotiable instruments;

Also: Senate Bill No. 427—An Act to add a new section to the Political Code to be numbered 1617*b*, relating to the employment of home teachers;

Also: Senate Bill No. 521—An Act to amend sections 2605 and 2607 of the Political Code of the State of California, relating to State Board of Harbor Commissioners for the bay of San Diego;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Breed, the Senate took up for consideration Assembly amendments to Senate Bill No. 302.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED TWO.

AMENDMENT NUMBER ONE.

In line 3 of the title, strike out the following: "of the State of California".

AMENDMENT NUMBER TWO.

On page 1, line 2, strike out the words "of the State of California".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 302?"

The roll was called, and Assembly amendments to Senate Bill No. 302 were concurred in by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—Senator Purkitt—1.

Senate Bill No. 302 ordered to enrollment.

On motion of Senator Thompson, the Senate took up for consideration Assembly amendments to Senate Bill No. 427.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED TWENTY-SEVEN.

AMENDMENT NUMBER ONE.

Page 1, line 4, strike out the words "town or city".

AMENDMENT NUMBER TWO.

On page 1, line 4, strike out the words "The Officers", and insert in lieu thereof the following: "Boards of School Trustees or City Boards of Education."

AMENDMENT NUMBER THREE.

On page 2, line 1, after the word "regular", insert the following: "Kindergarten primary.".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 427?"

The roll was called, and Assembly amendments to Senate Bill No. 427 were concurred in by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.
NOES—None.

Senate Bill No. 427 ordered to enrollment.

On motion of Senator Luce, the Senate took up for consideration Assembly amendment to Senate Bill No. 521.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED TWENTY-ONE

AMENDMENT NUMBER ONE.

On page 1, line 6, strike out the word "an", and insert in lieu thereof the following: "a".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 521?"

The roll was called, and Assembly amendment to Senate Bill No. 521 was concurred in by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—34.
NOES—None.

Senate Bill No. 521 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 610—An Act to provide for the establishment, government, and maintenance of city planning commissions within municipalities, prescribing their powers and duties;

Also: Senate Bill No. 611—An Act to amend sections 1 and 4 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 610 and 611 ordered on file for second reading.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Slater to introduce a bill entitled:

"An Act making an appropriation for the construction of curb and gutter around the Mission San Francisco Del Solano";

Also: The request of Senator Stuckenbruck to introduce a bill entitled:

"An Act making an appropriation to pay the claim of C. S. Baldwin against the State of California";

Also: The request of Senator Cohn to introduce a bill entitled:

"An Act re-appropriating the money appropriated by an Act entitled 'An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison,' approved June 7, 1913, and making the same available for the construction of a cell building and wall and for other improvements at Folsom State Prison";

Also: The request of Senator Cohn to introduce a bill entitled:

"An Act making an appropriation for the construction of a cell building and wall and for other improvements at Folsom State Prison";

Has had the same under consideration and respectfully reports the same back and recommends that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with the above report:

By Senator Slater: Senate Bill No. 1241—An Act making an appropriation for the construction of curb and gutter around the Mission San Francisco Del Solano.

Bill read first time, and referred to Committee on Finance.

By Senator Stuckenbruck: Senate Bill No. 1242—An Act making an appropriation to pay the claim of C. S. Baldwin against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Cohn: Senate Bill No. 1243—An Act making an appropriation for the construction of a cell building and wall and for other improvements at Folsom State Prison.

Bill read first time, and referred to Committee on Finance.

By Senator Cohn: Senate Bill No. 1244—An Act re-appropriating the money appropriated by an Act entitled "An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison," approved June 7, 1913, and making the same available for the construction of a cell building and wall and for other improvements at Folsom State Prison.

Bill read first time, and referred to Committee on Finance.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Brown, the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage was continued until the next legislative day.

MOTION.

Senator Crowley moved that the Senate be at recess this day from twelve o'clock m. until three o'clock p.m.

Motion carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 2, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 1101—An Act to amend section 2 of an Act entitled "An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems," approved June 13, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 1101 ordered on file for second reading.

RE-REFERENCE OF BILLS.

On motion of Senator Anderson, Senate Bill No. 767 was ordered re-referred to Committee on Judiciary.

On motion of Senator Tyrrell, Senate Bill No. 27 was ordered re-committed to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

On motion of Senator Finn, Senate Bill No. 55 was passed on file.

Senate Bill No. 1005—An Act to carry into effect the provisions of section 1*a* of article XIII of the Constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered 3613.

On motion of Senator Jones, Senate Bill No. 1005 was passed on file to retain its place.

SENATOR TYRRELL IN THE CHAIR.

THIRD READING OF SENATE BILLS—(RESUMED).

At ten o'clock and forty-five minutes a.m., Senator Tyrrell of the Sixteenth District, in the chair.

Senate Bill No. 274—An Act to amend section 4316 of the Political Code of the State of California, relating to officers prohibited from practicing law.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 274 was refused passage by the following vote:

AYES—Senators Brown, Butler, Carr, Chandler, Cogswell, Flint, Jones, Luce, and Thompson—9.

NOES—Senators Anderson, Ballard, Beban, Birdsall, Breed, Campbell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—27.

SENATOR STROBRIDGE IN THE CHAIR.

At eleven o'clock and fifty-five minutes a.m., Senator Strobridge of the Thirteenth District, in the chair.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate the following reports of standing committees were received and read, out of the regular order:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 2, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 508—An Act to add a new section to the Political Code to be numbered 4232*a*, providing for the compensation of grand jurors and trial jurors in the Superior Court in counties of the third class;

Also: Assembly Bill No. 216—An Act to amend section 4265 of the Political Code of the State of California relating to the compensation of officers of counties of the thirty-sixth class;

Also: Assembly Bill No. 566—An Act to amend section 4285 of the Political Code relating to the salaries and fees of officers of counties of the fifty-sixth class;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BREED, Chairman.

Assembly Bills Nos. 508, 216 and 566 ordered on file for second reading.

Also:

SACRAMENTO, April 2, 1915.

MR. PRESIDENT: Your Committee on County Government to which was referred Senate Bill No. 603—An Act to amend an Act entitled, "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and creation of ex officio boards of supervisors"—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BREED, Chairman.

Senate Bill No. 603 ordered on file for second reading

Also:

SACRAMENTO, April 2, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 216—An Act to add a new section to the Political Code to be numbered section 1620*a*, relating to county library compensation—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Education.

BREED, Chairman.

Senate Bill No. 216 ordered re-referred to Committee on Education.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 2, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1230—An Act to amend sections 4, 5 and 6 of an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911;

Also: Senate Bill No. 1045—An Act to amend section 394 of the Code of Civil Procedure of the State of California, relating to the place of trial of actions;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 1230 and 1045 ordered on file for second reading

Also:

SACRAMENTO, April 1, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do not pass as amended. Minority report: Do pass.

KEHOE, Chairman.

Senate Bill No. 74 ordered on file for second reading.

Also:

SACRAMENTO, April 2, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 693—An Act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law;

Also: Senate Bill No. 751—An Act to amend section 2287 of the Civil Code of the State of California, relating to appointment of trustees;

Also: Assembly Bill No. 74—An Act to add a new section to the Penal Code, known as section 930, relating to a foreman pro tem. for the grand jury;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 693 and 751 ordered on file for second reading.

Assembly Bill No. 74 ordered on file for second reading.

Also:

SACRAMENTO, April 2, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 547—An Act authorizing the use of convict labor on state highways, regulating the handling of such labor; authorizing extra good time allowance; and providing penalties for interference—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Roads and Highways.

KEHOE, Chairman.

Assembly Bill No. 547 ordered re-referred to Committee on Roads and Highways.

MESSAGES FROM THE ASSEMBLY (OUT OF ORDER).

On motion of Senator Kehoe, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 725—An Act to add two new sections to the Political Code to be numbered 1197*a* and 1197*b* respectively, relating to initiative, referendum and recall petitions.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 725 ordered to enrollment.

Also:

SACRAMENTO, April 2, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 63—An Act to add a new section to the Code of Civil Procedure to be numbered 1048½, relating to the consolidation of actions;

Also: Assembly Bill No. 363—An Act to repeal an Act entitled "An Act to increase the number of judges of the Superior Court of the county of Shasta, State of California, and for the appointment of such additional judge," approved March 20, 1905;

Also: Assembly Bill No. 373—An Act to add a new section to the Penal Code to be numbered 504*a*, relating to embezzlement, removal and disposal of leased property;

Also: Assembly Bill No. 1206—An Act to amend section 1426*n* of the Civil Code relating to fees for recording affidavits of labor or improvements on mining claims.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 63 and 373 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 363 read first time, and referred to Committee on County Government.

Assembly Bill No. 1306 read first time, and referred to Committee on Mines and Mining.

RECESS.

At twelve o'clock m., the Acting President declared the Senate at recess until three o'clock p.m.

RECONVENED.

At three o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Minute Clerk Clifton E. Brooks at the desk.

LEAVES OF ABSENCE.

Senators Maddux, Owens and Ballard were, on motion of Senator Campbell, granted leaves of absence for the balance of this day.

Senator Gerdes was, on motion of Senator Crowley, granted leave of absence for the balance of this day.

Senator Purkitt was, on motion of Senator Stuckenbruck, granted leave of absence for the balance of this day.

Senator Tyrrell was, on motion of Senator Strobridge, granted leave of absence for the balance of this day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Strobridge moved to reconsider the vote whereby Assembly Bill No. 643—An Act validating the formation and organization, and determining the boundaries of the Pleasanton Township County Water District in the county of Alameda, State of California, was passed.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Strobridge, the consideration of the motion to reconsider the vote whereby Assembly Bill No. 643 was passed was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Scott moved to reconsider the vote whereby Senate Bill No. 54—An Act to repeal an Act entitled "An Act providing for the removal of human remains from cemeteries in any city, or city and county in this State, and repealing all Acts in conflict therewith," approved April 24, 1911—was passed.

CONSIDERATION OF MOTION TO RECONSIDER (POSTPONED).

On motion of Senator Scott, the consideration of the motion to reconsider the vote whereby Senate Bill No. 54 was passed was continued until the next legislative day.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 769—An Act to authorize the Surveyor General of the State of California to consent to the provisions of the Act of Congress approved July 17, 1914, entitled "An Act to provide for agricultural entry of lands withdrawn, classified, or reported as containing phosphate nitrate, potash, oil, gas or asphaltic minerals."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 684—An Act to forbid managers, superintendents, foremen and other persons having authority from their respective employers to hire, employ, or direct the services of other persons in such employments, to demand or receive any fee, gift or other remuneration in consideration of any such hiring, employment or permission to continue to perform work or services in such employment; and to provide for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics.

Bill read second time, and ordered on file for third reading.

Assembly Bill 172—An Act to protect bear, and forbidding the use of steel traps, etc., in their pursuit.

COMMITTEE AMENDMENT.

During second reading of bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 15, page 1 of the printed bill, as amended in Assembly March 12, 1915, strike out the words "October 1" and insert in lieu thereof the words "September 30".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1505—An Act granting certain tide lands and submerged lands of the State of California to the city of Redondo Beach upon certain trusts and conditions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 854—An Act legalizing and validating the formation and organization of Marin Municipal Water District in the county of Marin, State of California; declaring the same created, fixing, defining and establishing the boundaries thereof, etc.

Bill read second time, and ordered on file for third reading.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent to take up out of the regular order the second reading of Senate bills.

Senate Bill No. 1219—An Act granting to the city of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Eureka, and regulating the management, use and control thereof.

Bill read second time, ordered engrossed, and on file for third reading

Senate Bill No. 268—An Act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1203—An Act to add a new section to the Penal Code, to be numbered section 653*f*, relating to the restricting of the number of individuals who may learn a trade.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 500—An Act to amend sections 1, 8, 9, 10, 11, 14 and 17 of an Act entitled: "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat disease, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, said amendments relating to the Board of Examiners, and to the requirements of applicants for examination, and to the requirements of schools, and to the revocation of licenses and to the regulation of practice.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 950—An Act to amend an Act entitled "An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assesments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, by amending section 1 of said Act, and making the description more certain, amending section 6 of said Act in reference to the certifying and depositing of a certified copy of assessment, amending section 7 of said Act in reference to the lien of said assessment, and also amending the said section 7 in regard to the collection of the assessments, issuance of warrants and the payment of all moneys that may be collected into the county treasury of Yolo County.

In the absence of the author, Senate Bill No. 950 was passed on file.

Senate Bill No. 951—An Act approving, confirming and declaring valid the creation, formation and organization of reclamation district No. 108, created by that certain Act of the legislature of the State of California entitled "An Act legalizing the consolidation and re-organization of reclamation district No. 729 with reclamation district No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith," approved April 23, 1913, and all Acts and proceedings of said district and the board of trustees thereof, and also more clearly defining the exterior boundaries of said district.

In the absence of the author, Senate Bill No. 951 was passed on file.

Senate Bill No. 1105—An Act authorizing the sale of certain property belonging to the State of California, and located in what is known as Reclamation District 1600 in Yolo County.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1236—An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of education.

On motion of Senator Irwin, Senate Bill No. 1236 was passed on file.

Senate Bill No. 208—An Act to amend section 6 of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the title, add the letter 's" to the word "section".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the title, insert after the word "six" a comma (,) and the words "eight and ten".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, add the following sections to the bill:

"SEC. 2. Section 8 of the above entitled Act is hereby amended to read as follows:

Sec. 8. The county free library shall be under the general supervision of the board of supervisors, which shall have power to make general rules and regulations regarding the policy of the county free library, to establish, upon the recommendation of the county librarian, branches and stations throughout the county and may locate said branches and stations in incorporated cities and towns wherever deemed advisable, to determine the number and kind of employees of such library, and to appoint and dismiss such employees upon the recommendation of the county librarian.

Such employees shall not be removed except for cause, and in case any such removal be made upon the ground that the services of such employees are no longer required, such removed employees shall have the first right to be restored to such employment when such services are again required, but the board of supervisors may, at the time of appointing any employee, and upon the recommendation of the county librarian, enter into an agreement that such employee be employed for a definite time only. The county librarian may accept as apprentices, without compensation, candidates possessing personal qualifications satisfactory to him and may dismiss the same at any time if in his judgment their work is not satisfactory to him.

SEC. 3. Section 10 of the above entitled Act is hereby amended to read as follows:

SEC. 10. The State Librarian shall from time to time, either personally or by one of his assistants, visit the county free libraries and inquire into their condition. The actual and necessary expenses of such visits shall be paid out of the State Library Fund. The State Librarian shall annually call a convention of county librarians, to assemble at such time and place as he shall deem most convenient, for the discussion of questions pertaining to the supervision and administration of the county free libraries, the laws relating thereto, and such other subjects affecting the welfare and interest of the county free libraries as shall properly be brought before it. It is hereby made the duty of all the county librarians to attend and take part in the proceedings of such convention. The actual and necessary expenses of the county librarians attending the convention shall be paid out of the county free library fund."

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, after line 9, of the printed bill, insert the following paragraph:

"(*c*) The commission may fix the maximum number of persons to be employed under the licenses provided for in subdivisions (*a*) and (*b*) of this section in any occupation, trade, industry or establishment in which a minimem wage has been established."

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 452—An Act to amend sections 1768 and 1770 of the Political Code of the State of California, relating to the nomination, appointment and organization of county boards of education.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the title, strike out the word "nomination,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, strike out the word "the", and all of lines 6, 7, 8, 9, 10, 11, 12, 13 and 14, and on page 2, strike out lines 1 to 26, inclusive, and insert in lieu thereof the following:

"(*a*) The county superintendent of schools;

(*b*) Three members appointed by the board of supervisors;

(*c*) One member appointed by the superintendent of schools.

2. In counties having fifty teachers or more employed in school districts not having city superintendents or supervising principals, the member appointed by the Superintendent of Schools as hereinbefore provided shall be known and designated as assistant superintendent of schools.

3. A majority of the members of the board of education, including the member appointed by the superintendent of schools, shall be experienced teachers, holding not lower than grammar school certificates in full force and effect.

The members of the county board of education serving at the time this law shall take effect, shall serve for the full term for which they were appointed.

At their last regular meeting preceding the first day of July, 1916, the board of supervisors shall appoint one person, and the county superintendent of schools shall appoint one person to serve on said board of education for a period of two years; and thereafter, each and every even-numbered year, the board of supervisors and the county superintendent of schools shall each appoint one person to serve on said board of education for the period of two years. At their first regular meeting preceding the first day of July, 1917, the board of supervisors shall appoint two persons to serve on said board of education for a period of two years; and thereafter, each and every odd-numbered year, the board of supervisors shall appoint two persons to serve on said board of education for a period of two years; *provided*, that in all counties in which there are one or more high schools, at least one of the members appointed by the board of supervisors shall hold a secondary school certificate."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, strike out all of lines 4, 5, 6, 7, 8 and 9, and insert in lieu thereof the following:

"7. The assistant superintendent shall be under the direction of the county superintendent of schools and shall devote his full time to the supervision of the schools of the county; *provided*, that during such time as the schools are not in session he shall perform such other duties as may be assigned to him by the county superintendent of schools."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, strike out all of line 37, and on page 4, strike out all of lines 1, 2 and 3, and line 4 strike out all the words to and including the period following the word "schools," and insert in lieu thereof the following: "The assistant superintendent shall receive a salary, to be fixed by the board of supervisors, of not less than twelve hundred dollars nor more than twenty-five hundred dollars per year."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 16, strike out the word "supervising".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 17, strike out the word "members" and in lieu thereof insert the following: "the assistant superintendent while supervising the schools of the county."

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 642—An Act to add a new section to the Civil Code, to be numbered section 320*a*, relating to waiver of notice of meeting by directors of corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 89—An Act to amend an Act entitled "An Act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire the property of the State of California located on the water front of San Francisco, California," approved March 25, 1901, and all Acts or parts of Acts amendatory thereof, by amending section 2 thereof, said amendment relating to the aggregate amount of such insurance and the cost thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1216—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of, motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act; and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make appropriations therefor; and to repeal all Acts or parts of Acts in conflict with this Act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the words "an act", insert the following: "to create a motor vehicle department, to define the authority, powers and duties thereof, to provide for officers and employees thereof, to fix their salaries and compensations; to make appropriations and provide funds for the support and expenditures thereof;".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out all of line 11 commencing with the word "who" and all of lines 12, 13 and 14, and line 15 down to and including the word "vehicles;", and insert in lieu thereof the following: "who operates an automobile in the transportation of persons and who receives any compensation for such service in wages, commission or otherwise, paid directly or indirectly, or who, as owner or employee, operates an automobile carrying passengers for hire; *provided, however*, that this definition shall not include manufacturers' agents, proprietors of garages and dealers, salesmen, mechanics, or demonstrators of automobiles in the ordinary course of their business;".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4 of the printed bill, strike out all of line 13 after the word "mean", and insert in lieu thereof the following: "the Motor Vehicle Department of California, acting".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 34, of the printed bill, strike out the words "public service corporations", and insert in lieu thereof the following: "such corporations as are taxed solely for state purposes under the provisions of the Constitution of this State and such self-propelling vehicles as are used neither for the conveyance of persons for hire, pleasure, or business, nor for the transportation of freight,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5 of the printed bill, strike out all of line 27 after "owner," and in line 28 the words "as the case may be,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 7, of the printed bill, in line 3, after the word "operated" change semi colon to comma, and insert thereafter the following: "including the necessary number plates;".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, of the printed bill, strike out all of line 6, after the semicolon and all of lines 7, 8, 9, 10 and 11, and in line 12 the words "this act, one dollar;", and the words "to a manufac-" in line 17, all of line 18, and all of line 19, except the words "fifty cents".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, of the printed bill, in line 14, after the word "illegible," insert the following: "or which may be required for use on motorcycles owned by or under the control of a manufacturer of or dealer in automobiles,".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 7, of the printed bill, in line 35, change the period to a comma and insert thereafter the following: "and, upon demand, shall return the registration number plate to the department."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 8, of the printed bill, strike out all of line 12, after the period and all of lines 13 to 24 inclusive, and the words "this act." in line 25.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 8, of the printed bill, in line 26, after the word "name," insert the following: "or removes such automobile from the state,".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 8, of the printed bill, strike out the word "that" at the end of line 29 and all of lines 30, 31, 32, 33, 34 and 35, and insert in lieu thereof the words "that any such".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 8, of the printed bill, in line 36, strike out the words "except upon a certificate filed" and insert in lieu thereof the words "upon a certificate filed by the department".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 8, of the printed bill, in line 37, strike out the words "and signed by" and on page 9, of the printed bill, in line 1, strike out the words "the state department of engineering."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 9, of the printed bill, in line 2, strike out the word "said".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 9, of the printed bill, strike out all of line 15, after the word "such" and all of line 16, to and including the period and insert in lieu thereof the following: "seal or disc to be changed as to design or color or both from year to year."

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 9, of the printed bill, strike out all of lines 27 to 35, inclusive.

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 10, of the printed bill, in line 16, strike out the period and insert the following: ": *provided*, that whenever a manufacturer or dealer shall maintain a branch or sub-agency he shall apply for a separate registration for such branch or sub-agency and shall pay therefor the fee provided in section 7 of this act for the registration of motor vehicles owned by or under the control of a manufacturer or dealer."

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 10, of the printed bill, in line 27, strike out the word "county" and insert in lieu thereof the word "country".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 12, line 37 of the printed bill, strike out the words "at the left,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 14, line 2 of the printed bill, strike out the words "within the state" and insert in lieu thereof the following: "or town or on any public highway where the territory contiguous thereto is closely built up".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 14, line 28 of the printed bill, strike out the word "when" and insert in lieu thereof the word "unless".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 14, line 29 of the printed bill, strike out the word "not".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 14, line 30 of the printed bill, after the word "yards" insert the following: "ahead and in all cases while crossing an intersecting highway".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 16, lines 22 and 23 of the printed bill, strike out the words "cars operated in any city, town or village in this state," and insert in lieu thereof the following: "car while passengers are alighting from or boarding same,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 16, line 22 of the printed bill, after the word "passing" insert the word "any".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 16, line 24 of the printed bill, after the word "of" insert the word "such".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 16, line 25 of the printed bill, strike out the following: "alighting from or boarding such car".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 18 of the printed bill, strike out all of line 37 and the words "by the constitution of this state," in line 1 on page 19, and insert in lieu thereof the following:

"(*d*) Limitations as to rate of speed herein fixed shall be exclusive of all other limitations fixed by any law of this State, or of any political subdivision thereof, and".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 20, line 31 of the printed bill, strike out the words "definite period, suspend or revoke" and insert in lieu thereof the following: "period of not to exceed thirty days, suspend".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 20 of the printed bill, in line 33, strike out all after the word "act" and all of lines 34, 35 and 36, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 23 of the printed bill, in line 6, strike out the words "seal or disc" and insert in lieu thereof the word "device".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 23 of the printed bill, in line 10, strike out the words "seal or disc" and insert in lieu thereof the word "device".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 26, of the printed bill, in line 20, strike out the words "any and all" and insert in lieu thereof the following: "All fines collected in any police court, city justice's court or recorder's court, maintained and the salaries of the officers of which are paid by the city in which such court is held, in case of a conviction for violation of any of the provisions of this Act following arrests by any municipal officer of such city and all forfeitures following such arrest shall belong to the municipalities of the county in which such city is situated. When collected such fines and forfeitures shall be paid into the county treasury and thereafter by the supervisors of such county, at quarterly intervals, be apportioned to such municipalities according to population ascertained in the manner provided by law. Money received by municipalities under this section shall be expended solely in the construction, improvement and maintenance of streets, bridges and culverts within the city limits along routes directly connecting interurban public highways entering such city. Any and all other".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 27, of the printed bill, strike out all of lines 9 to 29, inclusive, and insert in lieu thereof the following:

"SEC. 37. There is hereby created a department to be known as the Motor Vehicle Department of California. The chief officer shall be known as the superintendent and shall be appointed by the Governor and shall hold office at the pleasure of the Governor. He shall within fifteen days from the time of notice of his appointment take and subscribe to the constitutional oath of office and file the same in the office of the Secretary of State and execute to the people of the State a bond in the penal sum of ten thousand dollars with corporate security or two or more sureties, to be approved by the Governor of the State, for the faithful discharge of the duties of his office. He shall receive an annual salary of three thousand dollars to be paid monthly upon a warrant of the Controller. He shall have the power to appoint one chief clerk at an annual salary of twenty-one hundred dollars, two deputy superintendents at an annual salary of eighteen hundred dollars each, one cashier at an annual salary of twenty-one hundred dollars, two deputy cashiers at an annual salary of eighteen hundred dollars each, one rate clerk at an annual salary of fifteen hundred dollars, one bookkeeper at an annual salary of fifteen hundred dollars, one filing clerk at an annual salary of thirteen hundred and eighty dollars, one shipping clerk at an annual salary of twelve hundred dollars, one clerk and stenographer at an annual salary of twelve hundred dollars, four clerks and stenographers at an annual salary of ten hundred and twenty dollars each, four stenographers at an annual salary of nine hundred and sixty dollars each, three messengers at an annual salary of four hundred and eighty dollars each, two inspectors at an annual salary of twenty-one hundred dollars each, and with the approval of the Board of Control such additional employees as the proper and economical conduct of the business of the department may demand, and to fix and prescribe their compensation and term of employment. The cashier and the deputy cashiers shall execute to the people of the State a bond in the penal sum of five thousand dollars each with corporate securities or two or more sureties, to be approved by the Governor. So much of the Motor Vehicle Fund hereby created as may be necessary is hereby appropriated to be expended by the department in the payment of rebates as provided for in section 8 of this Act and such refunds as shall be authorized by the Board of Control, in payment of the salaries and compensation of the employees herein provided for, and in the purchase of the necessary stationery, books and postage, and for printing, ruling and other work performed and materials used by the State Printing Office in the accomplishment of the purposes of this Act, and for the printing by the State Printing Office of one hundred and fifty thousand copies of this Act, and for such traveling expenses equipment rentals and other expenditures as may be necessary for the proper and economical conduct and maintenance of the department. The copies of this Act herein provided for shall be distributed on demand, without charge, by the department. The salaries herein provided for shall be payable monthly, and the expenditures authorized by this Act shall be made upon the certificate of the head of the department, audited by the Board of Control, and the warrant of the State Controller. Such material, supplies and equipment as have been purchased incident to the registration of motor vehicles and licensing the operators thereof under the provisions of the Motor Vehicle Act approved May 31, 1913, are hereby transferred to the department.

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 28, of the printed bill, in line 12, strike out the words "State Controller" and insert in lieu thereof the words "Board of Control".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 29, of the printed bill, after the word "to" in line 22, insert the following: "the creation and conduct of the Motor Vehicle Department,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1231—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes."

approved March 31, 1897, by amending section 19 thereof relating to elections held in such districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 125—An Act to provide for the planting, improving, care and maintenance of parkings and parkways in the public streets, boulevards and highways of incorporated cities.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1224—An Act to amend section 16 of an Act entitled the "Bank Act" of the State of California, approved March 1, 1909, approved as amended April 21, 1911, approved as amended May 31, 1913.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 81—An Act to amend that certain Act of the legislature of the State of California entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as subsequently amended, by adding a new section thereto, to be numbered section 146, relating to trusts and dispensing with the deposit of securities in certain instances.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1210—An Act to amend section 103 of the Code of Civil Procedure, relating to justices' courts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 13, page 1, after the word "city" strike out the word "or town"

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 14, after the word "be" strike out the word "seven" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 15, after the comma following the word "peace" strike out the following: "one of whom must be a woman,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 16, before the words "of the" strike out the words "or town"

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 1, after word "city" strike out the words "or town".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 3, before the words "of the" strike out the words "or town".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 5, after the word "cities" strike out the words "or towns".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 6, after the word "cities" strike out the words "or towns".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 13, after the word "city" strike out the words "or town".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 17, after the word "city" strike out the words "or town".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 24, after the word "city" strike out the words "or town".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, lines 25 and 26, after the words "three thousand" strike out the words "six hundred".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 27, after the word "city" strike out the words "or town".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 29, after the word "city" strike out the words "or town".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 2, line 31, after the word "city" strike out the words "or town".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 2, lines 33 and 34, after the word "city" strike out the words "or town".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 36, after the word "city" strike out the words "or town".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 1, after the word "city" strike out the words "or town".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 3, line 4, after the word "city" strike out the words "or town".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 3, line 7, after the word "cities" strike out the words "or towns".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 9, after the word "city" strike out the words "or town".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 10, after the word "city" strike out the words "or town".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 3, lines 11 and 12, after the word "city" strike out the words "or town".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1206—An Act to amend sections 28 and 35 of an Act entitled "An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such district," approved March 20, 1903.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 683—An Act to amend section 634 of the Civil Code of the State of California, relating to building and loan associations, and to their installment or full paid investment certificates and security for investment certificate liabilities of the same.

Bill read second time, ordered engrossed, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate the following reports of standing committees were received and read, out of the regular order:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 2, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 188—An Act creating a department of agriculture and creating the office of Secretary of Agriculture; defining his powers and duties and fixing his salary; providing for the reorganization and consolidation of various departments and the administration of said departments under one head to be known as the Department of Agriculture, and defining the powers and duties of its officers—has had the same under consideration, and respectfully recommends that it do pass as amended and be re-referred to Committee on Finance.

KING, Chairman.

Senate Bill No. 188 ordered re-referred to Committee on Finance.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 2, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1211—An Act to amend section 2319 of the Political Code of the State of California in relation to the establishment of quarantine against infectious plant diseases—has had the same under consideration, and respectfully recommends that it do pass.

BUTLER, Chairman.

Assembly Bill No. 1211 ordered on file for second reading.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 570—An Act prohibiting insurance companies and their agents from giving, and insured persons from receiving, a rebate of any portion of an insurance premium, and providing a penalty for violations of the provisions hereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title of the printed bill by striking out everything therein after the words "An Act", and insert in lieu thereof the following: "To add a new section to the Political Code to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or the acceptance of rebates on insurance or surety bonds and providing penalty therefor and for the revoking of the license of any agent or broker violating the same, and prescribing the powers and duties of the insurance commissioner in relation thereto."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out everything in the printed bill following the enacting clause, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Political Code of the State of California to be numbered 633*b* and to read as follows:

"633*b*. No insurance or surety company or society, nor any agent, shall insure any risk in this State, nor shall any agent or broker assist in arranging any such insurance, the policy or contract for which does not contain a true and correct statement of the premium consideration paid or to be paid therefor, and of the risk covered for such premium consideration: *provided, however*, that if the insurance be of a character where the exact premium is only determinable upon the expiration of the policy or contract, such policy or contract must contain a true and correct statement of the basis and rates upon which the said final premium or consideration is to be determined and paid, and of the risk covered for such premium consideration.

"This section shall not be construed to prohibit the use of covering notes to temporarily bind insurance or surety bonds pending the issuance of the policy or contract; *provided*, that for every such covering note so used, within ninety days thereafter a policy or contract shall be issued in lieu thereof, including within its terms the identical insurance protected under said covering note and the premium consideration paid or to be paid therefor.

"No insurance or surety company or society, by itself or by any other party, and no agent, or insurance broker, personally or by any other party, shall offer, promise, allow, give, set off, or pay, directly or indirectly, as an inducement to insurance on any risk in this State, now or hereafter to be written, any rebate of or part of the premium payable on the policy or contract of insurance or surety bond, or of the agent's or broker's commission thereon; nor shall any such company, or society, agent, or broker, personally or otherwise, offer, promise, allow, give, set off, or pay, directly or indirectly as an inducement to such insurance, any earnings, profits, dividends, or other benefit, founded, arising, accruing, or to accrue on such insurance or surety bond, or therefrom, or any other valuable consideration which is not clearly specified, promised, or provided for in the policy or contract of insurance; nor shall any such company or society, agent, or broker, personally or otherwise, offer, promise, give, sell or purchase as an inducement to insurance, or in connection therewith, any stocks, securities or property or any dividends or profits accruing or to accrue thereon, nor, except as specified in the policy or contract, offer, promise or give any other thing of value whatsoever as an inducement to insurance; *provided, however*, that nothing in this section shall be construed to prevent a mutual fire insurance company from returning any portion of the premium as a dividend, at the expiration of the term covered by such premium.

"In the event that any insurance or surety company shall appoint as its agent a person, firm or corporation (not actively and regularly engaged in the insurance business) whose property it shall insure, or for whom it may furnish bonds; or shall appoint as its agent any employee of such insured person, firm or corporation; or shall appoint as its agent another firm or corporation in which said insured person, firm or corporation shall have a substantial interest; or shall appoint as its agent an employee of any such other firm or corporation, it shall be unlawful, as contrary to this section, for such insurance company to pay such agent, or for such agent to receive, any commission, brokerage, or other emolument, on any insurance on such property so insured.

"Nothing in this section shall be construed to prohibit any insurance or surety company or society or agent for such company or society from paying commission to another company, society or agent, or to an insurance broker, nor shall this section be construed to prohibit any marine insurance company, agent, or broker from allowing any insured, such usual discount as it sanctioned by custom amongst marine insurers as being additional to the agent's or broker's commission, but this exemption shall in no wise operate to relieve marine insurance in any other respect from the full operation of this section.

"No insured person, nor applicant for insurance or surety bond, shall knowingly receive or accept, or agree to receive or accept, directly or indirectly, any rebate of premium or part thereof, or agent's or broker's commission thereon or part thereof payable on the policy or surety bond or on any policy of insurance or surety bond, or any special favor or advantage in the dividend or other benefit to accrue thereon; nor shall any such person, or applicant for insurance or surety bond receive anything of value as inducement to insurance or in connection therewith, which is not clearly specified, promised or provided for in the policy or contract of insurance or surety bond. This section, except as hereinbefore specifically provided, shall not be construed to prevent any insurance company from paying to another insurance company or to an agent or broker, or to prevent any insurance or surety company or such an agent or broker from receiving a commission in respect to any policy under which it itself or he himself is insured.

"Nothing in this section shall be so construed as to prohibit any company issuing non-participating life insurance from paying bonuses to policy holders or otherwise abating their premiums, in whole or in part out of surplus accumulated from non-participating insurance; nor to prohibit any company transacting industrial insurance on the weekly payment plan from returning to policy holders who have made premium payment for a period of at least one year directly to the company at its home or district offices, a percentage of the premium which the company would have paid for the weekly collection of such premiums; nor to prohibit any life insurance company doing business in this State from issuing policies of life or endowment insurance with or without annuities at rates less than the usual rates of premiums for such policies insuring members of organizations or employees of any employer who through their secretary or employer may take out insurance in an aggregate of not less than fifty members and pay their premiums through such secretary or employer. This section shall not be construed to prevent any life insurance company paying, or contract-holders receiving special compensations, or allowing and receiving credits already agreed upon in contracts now in force.

"No person shall be excused from testifying or from producing any books, papers, contracts, agreements or documents at the trial or hearing of any person or company, association or society charged with violating any provisions of this section, on the ground that such testimony or evidence may tend to incriminate himself, but no person shall be prosecuted for any act concerning which he shall be compelled so to testify or produce evidence, documentary or otherwise, except for perjury committed in so testifying.

"Any officer of any insurance or surety company or society, agent, broker or other person, who violates any of the provisions of this section, shall be guilty of a misdemeanor. The Insurance Commissioner shall also have authority, in his discretion, to revoke the license issued to any agent or broker on its being proven to him, after a hearing, that such agent or broker has knowingly and wilfully violated any of the provisions of this section.

"Every insurance company or society shall be charged with full responsibility to exercise reasonable diligence for the observance of this section by its agents and brokers.

"Nothing in this act shall apply to, or in any way affect title insurance business, fraternal benefit societies, or county mutual fire insurance companies."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 572—An Act to amend section 633 of the Political Code, relating to the licensing of insurance agents.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title by striking out everything after the word "code" in the second line of the title and insert in lieu thereof the following: "concerning the licensing of insurance and surety agents; providing for the revoking of such licenses and providing a penalty for a violation thereof."

Amendment adopted.

AMENDMENT NUMBER TWO.

Beginning with line 3, page 1 of the printed bill, strike out everything in the printed bill and insert in lieu thereof the following:

"633. No person, firm or corporation, shall within this State act as the agent of any insurance or surety company or society until such person, firm or corporation shall have first obtained a license from the Insurance Commissioner authorizing him or it so to act.

"Any person, firm or corporation duly appointed and authorized by an insurance or surety company or society to solicit applications for insurance or surety bonds, and effect insurance or surety bonds in the name of such company, shall be an agent within the meaning of this section. The Insurance Commissioner shall upon written notice from any insurance or surety company or society, authorized to transact business in this State, of its appointment of any person, firm or corporation, to act as its agent and upon payment of the fee provided for in section 605 of the Political Code, and upon being satisfied that the appointee is a suitable person, firm or corporation qualified so to act, and intends to hold himself or itself out in good faith as an insurance or surety agent, and that said appointment does not conflict with and will not be used to circumvent the enforcement of any of the insurance laws of this State, issue to such person, firm or corporation a license in such form as may be prescribed by the insurance department. Before a license is issued, such appointee shall be required to file with the Insurance Commissioner (upon a form to be prescribed and furnished by the insurance department) an application in writing showing the applicant's full name and address, the name of the company for which the applicant is to act as agent, the applicant's experience in the insurance business, and if the applicant is engaged in any business other than insurance, the nature of such other business. The Insurance Commissioner may also require such additional information regarding such other business or businesses, or upon any other matters, as he may deem necessary to enable him to pass upon the fitness of said applicant to be licensed as an insurance or surety agent. The Insurance Commissioner may also require, if the applicant be a firm, the names of the partners comprising the firm, or if a corporation, the names of the officers and principal stockholders and the amount of the capital. The statement and answers furnished by the applicant to the Insurance Commissioner shall be verified under oath.

"The Insurance Commissioner may at any time after the granting of any license, for cause shown, and after a hearing, determine any person, firm or corporation so appointed, or any person, firm or corporation theretofore appointed as agent, to be unsuitable to act as such agent, and shall thereupon revoke such license and notify both the company and the agent of such revocation.

"It shall be the duty of the Insurance Commissioner to withhold any license applied for, or revoke any license issued to any person, firm or corporation, or to his or their employees, when he is satisfied that the applicant has wilfully misstated any material fact in his application or that the principal use of such license is to effect insurance upon the property or liability of such person or party, or to obtain surety bonds on their own behalf or to circumvent the enforcement of the anti-rebate law.

"If at any time the Insurance Commissioner declines to issue a license as agent to an applicant therefor who has complied with the requirements of this section or revokes the license theretofore granted to any agent, such applicant or agent may commence an action against the Insurance Commissioner for the purpose of reviewing the facts and the law pertinent to the controversy, and for the purpose of obtaining relief, or cancelling the act of the Insurance Commissioner. In any such action the court shall have full power to investigate all the facts *de novo* without regard to the determinations previously made by the Insurance Commissioner. All of the provisions of the Code of Civil Procedure relating to pleadings, proofs, trials and appeals, shall be applicable to such actions.

"Unless revoked by the Commissioner, or unless the company by written notice to the Commissioner cancels the agent's authority to act for it, such license and any other license issued to an agent, or any renewal thereof, shall expire on the first day of July next after its issue. Any license issued and in force when this section takes effect, or thereafter issued, may in the discretion of the Insurance Commissioner be renewed for a succeeding year by a renewal certificate without the commissioner requiring the detailed information required by this section.

"Any person, firm or corporation, who shall act or offer to act or assume to act as an insurance or surety agent unless licensed by the Insurance Commissioner as provided in this section, or after such license granted to him or it has been revoked, shall be guilty of a misdemeanor, but any policy issued on an application, thus procured, shall bind the insurance company if otherwise valid; *provided*, that nothing herein contained shall be construed to apply, refer to, or affect agents of county mutual fire insurance companies, or to in any way affect such county mutuals, nor shall this section apply to or in any way affect title insurance business or fraternal benefit societies."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 573 An Act to add a new section to the Political Code, to be numbered 633*a*, relating to the licensing of fire insurance brokers.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title by striking out everything in line 2, of the title, following the comma after the letter "a" and insert in lieu thereof the words: "concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the Insurance Commissioner, and providing a penalty for a violation thereof."

Amendment adopted.

AMENDMENT NUMBER TWO.

Beginning with line 4, page 1, of the printed bill, strike out everything in the printed bill and insert in lieu thereof the following:

"633*a*. No person, firm or corporation shall within this State act as an insurance broker until such person, firm or corporation shall have first obtained a license from the Insurance Commissioner authorizing him or it so to act.

"Any person, firm or corporation, (other than an insurance or surety company or society, or agent of such company or society, or salaried employee acting on behalf of such company or society or agent, or a medical examiner for a life insurance company or society), who, for compensation acts or aids in any manner in negotiating contracts of insurance or surety bonds or reinsurance or placing risks, or effecting insurance or reinsurance for a party other than himself or itself, shall be an insurance broker within the meaning of this section.

"The Insurance Commissioner shall upon the payment of a fee of ten dollars ($10), and upon being satisfied that the appointee is a suitable person, firm or corporation, trustworthy and qualified to transact an insurance brokerage business, and intends to hold himself or itself out in good faith as an insurance broker, and that said appointment does not conflict with and will not be used to circumvent the enforcement of any of the insurance laws of this State, issue to such person, firm or corporation a license to act as an insurance broker, to negotiate contracts of insurance, or surety bonds, or reinsurance, or place risks, or effect insurance or surety bonds or reinsurance, with any insurance or surety company or society authorized to transact such business within this State, or with its agents.

"The applicant for such license shall file with the Insurance Commissioner (upon a form to be prescribed and furnished by the insurance department) an application in writing showing the applicant's full name and address, the applicant's experience in the insurance business, and if the applicant is engaged in any business other than insurance the nature of such other business. The Insurance Commissioner may also require such additional information regarding such other business or businesses, or upon any other matters, as he may deem necessary to enable him to pass upon the fitness of said applicant to be licensed as an insurance broker. The Insurance Commissioner may also require, if the applicant be a firm, the names of the partners comprising the firm, or if a corporation, the names of the officers and principal stockholders and the amount of capital. The statement and answers furnished by the applicant to the Insurance Commissioner shall be verified under oath.

"An insurance broker's license so issued shall remain in force until July first of any year after the date of the issuance thereof, unless sooner revoked by the Insurance Commissioner. Such broker's license issued on the application as hereinbefore provided may in the discretion of the Insurance Commissioner be renewed upon expiration for a succeeding year upon the payment of a fee of ten dollars ($10) without requiring anew the details required in the original application.

"The Insurance Commissioner may at any time after the granting of a broker's license, for cause shown, and after a hearing, determine that the licensee has not complied with the insurance laws, or is not trustworthy or competent, or is not holding himself out and actually carrying on business as an insurance broker or is not a suitable person, firm or corporation to act as such insurance broker, and he shall thereupon revoke the license of such broker and notify him that his license has been revoked, and shall publish a notice of the revocation of said broker's license in such manner as he deems proper for the protection of the public. It shall be the duty of the commissioner to withhold any license applied for or revoke any license issued to any person, firm or corporation, when he is satisfied that such license is being used to circumvent the enforcement of the anti-rebate law.

"If at any time the Insurance Commissioner revokes the license theretofore granted to a broker, such broker may commence an action against the Insurance

Commissioner for the purpose of reviewing the facts and the law pertinent to the controversy, and for the purpose of obtaining relief, or cancelling the act of the Insurance Commissioner. In any such action the court shall have full power to investigate all the facts *de novo* without regard to the determination previously made by the Insurance Commissioner. All of the provisions of the Code of Civil Procedure relating to pleadings, proofs, trials and appeals, shall be applicable to such actions.

"The Insurance Commissioner may upon application issue to non-resident insurance brokers a license to transact insurance in this State subject to the same qualifications, requirements, restrictions and fees as provided for resident brokers.

"Any person, firm or corporation, who shall act or offer to act or assume to act as an insurance broker, unless licensed by the Insurance Commissioner as provided in this section, or after such license granted to him or it has been revoked, shall be guilty of a misdemeanor, but the policy issued on an application thus procured, shall bind the insurance company, if otherwise valid.

"Nothing in this section shall apply to or in any way affect title insurance business, fraternal benefit societies or county mutual fire insurance companies."

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 960—An Act to amend section 596 of the Political Code of the State of California, relating to insurance business by authorized and unauthorized companies, prescribing penalties for violation thereof and declaring certain policies of insurance void.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title of the printed bill by striking out everything in the title following the words "Political Code" and insert in lieu thereof the following: "concerning certificate of authority to insurance companies; prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof."

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 2, section 1, page 1, of the printed bill, strike out the words "of the State of California."

Amendment adopted.

AMENDMENT NUMBER THREE.

Beginning with the word "next" following the word "July" in line 9, page 1, of the printed bill, strike out everything in the printed bill following said word "July" in the said line No. 9, and insert in lieu thereof the following: "after its issuance unless sooner revoked. No certificate of authority shall be granted or renewed to any company in arrears to the State, or to any county, city and county, city or town in the State, for fees, licenses, taxes, assessments, fines, or penalties, accrued on business previously transacted in the State, nor while said company is otherwise in default for failure to comply with any of the laws of this State regarding the governmental control of such company by the State.

"No person, firm or corporation shall in this State act as agent, in any transaction of insurance on property located in this State, for any insurance company not authorized to transact such insurance in this State.

"No person, firm or corporation within this State shall solicit, negotiate or effect any insurance of the kinds described in section 594 (marine insurance and insurance on the property of railroads or other common carriers excepted) on any property located in this State with companies not authorized to transact such business in this State, except by and through a surplus line broker upon the terms and conditions hereinafter stated.

"When and only when the total amount of insurance (of kinds hereinbefore prohibited from being placed with unauthorized companies) desired on any property located within the State can not be procured from companies authorized to transact such kinds of insurance within the State, such remaining part of the insurance as can not be procured from such authorized companies, or not less than seventy-five

(75) per cent of them, may be procured from unauthorized companies by a surplus line broker, and by no other person.

"The Insurance Commissioner may issue a license authorizing any person, firm or corporation applying therefor, who is trustworthy and is competent to transact an insurance brokerage business in such manner as to safeguard the interest of the assured, to act as a surplus line broker from its date until the first day of July succeeding on the following conditions:

"(*a*) Payment in advance to the Insurance Commissioner of a fee of twenty-five dollars ($25.00).

"(*b*) Delivery to the Insurance Commissioner of a bond to the State of California in the sum of five thousand dollars ($5000.00) with sureties having the qualifications mentioned in sections 1056 and 1057 of the Code of Civil Procedure, conditioned that said licensee will fully and faithfully comply with the requirements of section 596 of the Political Code.

"The following are the duties of a surplus line broker with which he is required to comply:

"1. To maintain in good faith an office in this State.

"2. To keep in said office a complete book of record of the business transacted by him (under his license as a surplus line broker) with unauthorized companies showing: The dates of such insurance going into effect, the names of the insurers and of the insured, the gross premium payable therefor, the terms, character of insurance and location of the insured property. Such book of record shall also contain statements in the same detail of all such insurance canceled, or on which premiums have been increased or reduced and the amounts of additional or of return premiums thereon. Such books are to be open at all times for the inspection of, and examination by, the Insurance Commissioner or any one appointed by him for said purpose.

"Before any insurance as hereinbefore provided may be so procured or placed by a surplus line broker under authority of his license with unauthorized companies, such broker shall satisfy himself that the insurance has been offered to at least seventy-five (75%) per cent of all companies in the State authorized to transact such insurance and that the amount placed by him with unauthorized companies is only such part of the insurance as can not be procured from such authorized companies, or seventy-five (75%) per cent of them.

"Whenever required so to do by the Insurance Commissioner, such surplus line broker shall furnish to said commissioner a list of the authorized companies comprising at least seventy-five (75%) per cent thereof to whom such insurance was offered and from whom the entire amount of insurance desired was not obtainable.

"The surplus line broker shall within one week or as soon thereafter as practicable after receipt by him of the complete information as to with what companies and at what rate the insurance has been placed, file with the Insurance Commissioner a true report showing the names of the insured and of the insurers, the character of the insurance, location of the property, gross premium payable therefor and the date such insurance takes effect and the terms thereof. As soon as practicable after any such insurance has been canceled, or any premium thereon has been increased or reduced, such surplus line broker shall file with the Insurance Commissioner a report thereof in the same detail as required in the case of the report above referred to.

"On or before the first day of March of each year the surplus line broker shall file with the Insurance Commissioner a sworn statement of all business transacted under his license during the last preceding calendar year ending December 31st. Such statement shall contain true accounts of the gross amount of insurance procured from and placed with unauthorized companies during the calendar year, the gross premium charged therefor, including additional insurance premiums, the gross amount of all insurance canceled during said year, and the gross return premium thereon. Such statement shall also include any additional premiums charged, and the gross premium returned during said calendar year on insurance previously affected.

"All such reports and statements shall be made on blanks to be furnished to the surplus line broker by the Insurance Commissioner on application therefor.

"Every surplus line broker shall on or before the first day of April of each year pay to the Insurance Commissioner for the use of the State of California a tax of three (3) per cent upon the amount of gross premiums upon all insurance placed under authority of such license, less three (3) per cent of all return premiums on policies canceled, or upon which premiums have been reduced during the year ending December 31st last preceding.

"Any surplus line broker who wilfully fails or refuses to report to the Insurance Commissioner any insurance on property located within this State placed under his name with unauthorized companies, or who shall by wilful omission from the records required to be maintained by him for such purpose, attempt to evade the payment of taxes on any such insurance, shall upon conviction thereof in addition to being required to pay the tax thereon, be further penalized by a fine of not exceeding one hundred (100) dollars for each offense and the Insurance Commissioner shall further forthwith revoke the license of any such surplus line broker. The Insurance Commissioner shall also revoke the license of any surplus line broker who wilfully fails or refuses to perform any of the other duties hereinbefore specified as required of said broker.

"If in the opinion of the Insurance Commissioner the solvency of any surety on a bond hereby required has become impaired or doubtful, he shall notify the surplus line broker in writing, and unless within ten (10) days after receipt of such notice the solvency of such surety is proved to the satisfaction of the Insurance Commissioner, or a new bond is substituted therefor, said Insurance Commissioner shall revoke the license of the surplus line broker. The removal of the office of the surplus line broker from this State, or the removal therefrom of his accounts of his business as such, or the closing of his said office for a period of more than twenty (20) consecutive days, shall constitute a termination of the authority of said surplus line broker, and shall be tantamount to an express revocation of his license, whether or not the Insurance Commissioner thereafter revokes the same. No new license shall be issued to any surplus line broker whose license has been revoked for any reason other than the insufficiency of his sureties, within the period of one year after such revocation, and until all indebtedness of said surplus line broker, on former business, has been paid to said Insurance Commissioner. Every insured for whom insurance has been effected with unauthorized companies shall produce for examination by the Insurance Commissioner, whenever requested by him, in writing so to do, all policies, contracts, and other documents evidencing such insurance and disclose to him the true amount of the gross premiums paid or agreed to be paid therefor, or upon refusal so to do, he shall forfeit to the State of California, the sum of two hundred (200) dollars for each refusal. All policies and other contracts of insurance issued without full compliance by all parties concerned with the laws of this State, shall be null and void."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 222—An Act to amend section 848 of the Code of Civil Procedure of the State of California, relating to service of summons in the Justice's Court.

On motion of Senator Scott, Senate Bill No. 222 was passed on file.

Senate Bill No. 975—An Act to amend section 628*a* of the Penal Code of the State of California, relating to the protection of fish.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 975 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flint, Irwin, Jones, Kehoe, King, Luce, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 517—An Act granting municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railroad, canal, ditch or flume.

On motion of Senator Crowley, Senate Bill No. 517 was passed on file; to retain its place.

Senate Bill No. 944—An Act authorizing the board of trustees of Whittier State School to maintain a department for the care and training of defective persons at the Whittier State School and to provide for the commitment of defective persons thereto.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 944 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—26.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

SENATOR MOTT IN THE CHAIR.

At three o'clock and fifty minutes p.m., Senator Mott of the Twenty-fifth District, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 783—An Act to amend section 681 of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes.

On motion of Senator Flaherty, Senate Bill No. 783 was passed on file.

Senate Bill No. 612—An Act to amend section 2 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 612 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Flint, Irwin, Jones, Kehoe, King, Luce, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—25.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Senate Bill No. 339—An Act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof.

On motion of Senator Jones, Senate Bill No. 339 was passed on file.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

On motion of Senator Jones, Senate Bill No. 720 was passed; to retain its place on file.

Senate Bill No. 988—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 988 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, King, Luce, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 2 of article IX of the Constitution of the said State, relating to the election and salary of a Superintendent of Public Instruction and also by repealing section 10 of article XXII of said constitution, relating to the term of officers first elected under the constitution and also to the election and term of office of the successors of such officers and also to the election of judicial officers and the Superintendent of Public Instruction.

On motion of Senator Jones, Senate Constitutional Amendment No. 12 was passed, to retain its place on file.

Senate Bill No. 510—An Act to amend sections 2, 12, 13 15, 16, 17, 19, 20 22, 24, 25, 26, 29, 30, 31, 32, 33, 34, 36, 37, 46, 47, 57, 71, 72 75, 76, 77 and 81 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death, irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'state compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State, and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913, and to add thereto a new section to be numbered 75*a*.

On motion of Senator Jones, Senate Bill No. 510 was passed on file.

Senate Bill No. 865—An Act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 of an Act entitled "An Act to provide for the organization control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Read third time.

MOTION TO REFER.

Senator Anderson moved that Senate Bill No. 865 be re-referred to Committee on Education.

The question being on motion to re-refer.

The roll was called, and motion to re-refer lost by the following vote:

AYES—Senators Anderson, Kehoe, King, Luce, Mott, Slater, Strobridge, Stuckenbruck, and Thompson—9.

NOES—Senators Beban, Benedict, Birdsall, Butler, Campbell, Cohn, Crowley, Finn, Flint, Irwin, Scott, and Shearer—12.

On motion of Senator Scott, Senate Bill No. 865 was passed on file.

Senate Bill No. 220—An Act to provide against the publishing or circulating of an advertisement, in any form, containing any assertion, representation or statement of fact which is untrue, deceptive or misleading.

On motion of Senator Scott, Senate Bill No. 220 was passed on file.

Senate Bill No. 741—An Act to add a new section to the Penal Code of the State of California, to be numbered section 628*h*, relating to the protection of fish.

In the absence of the author, Senate Bill No. 741 was passed on file.

Senate Bill No. 743—An Act to amend section 626*j* of the Penal Code of the State of California, relating to the protection of game.

In the absence of the author, Senate Bill No. 743 was passed on file.

Senate Bill No. 1059—An Act to amend an Act entitled "An Act to establish a board of parole commissioners for the parole of and government of paroled prisoners, and repealing an Act to amend an Act entitled 'An Act to establish a board of parole commissioners for the parole of, and government of paroled prisoners,' approved March 23, 1893," approved June 16, 1913, by adding thereto section 1½, relating to the granting of paroles and the forfeiture of credits for the violation thereof or of a law of the State or any rule or regulation of the prison, or the Board of Prison Directors or of the Board of Parole Commissioners.

In the absence of the author, Senate Bill No. 1059 was passed on file.

Senate Bill No. 442—An Act to amend an Act entitled "An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorpoarted cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, statutes of California of 1913, page 1429.

On motion of Senator Finn, Senate Bill No. 442 was passed on file.

Senate Bill No. 409—An Act to regulate bakeries, to provide for inspection, regulation and control thereof by the Commissioner of the Bureau of Labor Statistics; and prohibiting the operation of bakeries without sanitary certificates as herein provided.

In the absence of the author, Senate Bill No. 409 was passed on file.

Senate Bill No. 818—An Act to add a new section to the Penal Code, to be known as section 654*b*, relating to the protection of the purchasers of real estate against fraud and deception.

In the absence of the author, Senate Bill No. 818 was passed on file.

Senate Bill No. 142—An Act to create the office of public defender; to provide for the appointment of such officers, and prescribing their duties and compensation.

On motion of Senator Carr, Senate Bill No. 142 was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At four o'clock and twenty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 506—An Act to amend section 2453 of the Civil Code, relating to the notice necessary for termination of liability of a general partner for the acts of his copartners.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 506 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Brown, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Jones, Kehoe, King, Luce, Mott, Scott, Shearer, Slater, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1018—An Act to amend section 1 of an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children and the Whittier State School for Defective Persons, and of convicts in the state prisons," approved April 26, 1909.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1018 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Butler, Campbell, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, King, Luce, Mott, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CAMPBELL IN THE CHAIR.

At four o'clock and twenty-three minutes p.m., Senator Campbell of the Seventeenth District, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 669—An Act to amend section 3 of an Act entitled "An Act to define investment companies, investment brokers, and agents, to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of commissioner of corporations, and making an appropriation therefor, approved May 28, 1913.

In the absence of the author, Senate Bill No. 669 was passed on file.

Senate Bill No. 239—An Act creating a board of retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, and the Sonoma State Home; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said board of retirement.

In the absence of the author, Senate Bill No. 239 was passed on file.

Senate Bill No. 1222—An Act to regulate the sale of agricultural lime, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1222 passed by the following vote:

AYES—Senators Anderson, Behan, Benedict, Birdsall, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, King, Luce, Mott, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 2, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 43—An Act to amend section 1238 of the Code of Civil Procedure relating to the public uses on behalf of which the right of eminent domain may be exercised;

Also: Senate Bill No. 301—An Act amending section 9 of an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act," approved March 20, 1903;

Also: Senate Bill No. 836—An Act to add a new section to the Penal Code of the State of California, to be numbered section 628*i*, relating to the protection of fish;

Also: Senate Bill No. 830—An Act to amend section 633 of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Concurrent Resolution No. 4—Relative to approving eleven certain amendments to the charter of the city of Petaluma, county of Sonoma, State of California, voted for and ratified by the qualified electors of the said city of Petaluma at a general municipal election held therein for that purpose on the tenth day of June, 1913;

Also: Senate Bill No. 45—An Act declaring the wagon road extending from the western end of the Lake Tahoe State Wagon Road to the eastern limits of the city of Placerville to be a state highway;

Also: Senate Bill No. 588—An Act to amend an Act entitled "An Act to prevent the sale of intoxicating liquors to persons addicted to the inordinate use of intoxicating liquors," approved March 19, 1889;

Also: Senate Bill No. 98—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 319—An Act validating the formation and organization, and determining the boundaries of Alameda County Water District in the county of Alameda, State of California;

Also: Senate Bill No. 753—An Act to recognize and declare valid all proceedings in Oakdale Irrigation District;

And reports that the same have been correctly enrolled, and were presented to the Governor on this second day of April, 1915, at 3 o'clock p.m.

LUCE, Vice Chairman.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of the standing committee was received and read (out of the regular order):

ON CIVIL SERVICE.

SENATE CHAMBER, SACRAMENTO, April 2, 1915.

MR. PRESIDENT: Your Committee on Civil Service, to which was referred Senate Bill No. 1166—An Act to amend an Act entitled "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor," approved June 16, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

GERDES, Chairman.

Senate Bill No. 1166 ordered on file for second reading.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 707—An Act to amend section 3866 of the Political Code, relating to settlements of county treasurers with the State.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 707 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, King, Mott, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Finn, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Finn, Senate Bill No. 60 was passed on file.

Senate Bill No. 221—An Act to amend section 171 of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases.

On motion of Senator Scott, Senate Bill No. 221 was passed on file.

Senate Bill No. 109—An Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as: "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same, and known as an Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, approved March 12, 1885, approved March 23, 1901."

On motion of Senator Benedict, Senate Bill No. 109 was passed on file.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Senator Thompson asked for and was granted unanimous consent to take up out of the regular order the third reading of Assembly bills.

Assembly Bill No. 177—An Act to amend sections 2153*a* and 2161 of the Political Code, relating to the government and management of state hospitals for the insane and other incompetent persons.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 177 passed by the following vote:

Ayes—Senators Anderson, Beban, Benedict, Birdsall, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 269—An Act to amend section 86 of the Code of Civil Procedure of the State of California, relating to clerks of Justices' Courts and repealing all Acts inconsistent herewith.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 269 passed by the following vote:

Ayes—Senators Anderson, Beban, Benedict, Birdsall, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, King, Lyon, Mott, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At four o'clock and thirty-five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

CONSIDERATION OF BILLS—(OUT OF ORDER).

Senator Kehoe asked for, and was granted, unanimous consent for the second reading at this time out of the regular order, of Senate bills previously reported from committee on this legislative day.

Senate Bill No. 610—An Act to provide for the establishment, government, and maintenance of city planning commissions within municipalities, and prescribing their powers and duties.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3, on page 1, of the printed bill, strike out all after the comma to the word "by" in line 5.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, strike out all of lines from line 7 to line 16, inclusive.

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 2, on page 2, after the comma after the word "members" insert the following: "to be appointed by the mayor or other executive head of the municipality, by and with the consent of the legislative body thereof,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 3, on page 2, strike out all after the semicolon to the word "the" in line 6 and insert in lieu thereof "and in addition thereto,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 9, on page 2, after the word "shall" insert "also in addition thereto,"

Amendment adopted.

AMENDMENT NUMBER SIX.

In line 12, on page 2, after the word "commission" insert the word "so".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

In line 22, on page 2, strike out the word "commission" and insert in lieu thereof "said legislative body".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

In line 37, on page 2, strike out the colon and insert in lieu thereof the following: ", except as otherwise provided by law:".

Amendment adopted.

AMENDMENT NUMBER NINE.

In line 1, on page 3, after the word "to", strike out the words "provide for regulating" and insert in lieu thereof the following: "recommend to the proper officers of the municipality plans for the regulation of".

Amendment adopted.

AMENDMENT NUMBER TEN.

In line 5, on page 3, after the word "in" insert the words "respect to".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

In line 5, on page 3, strike out the word "provide" and insert in lieu thereof the following: "recommend to the proper officers of the municipality,".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

In line 12, on page 3, strike out all after the word "to" and all of lines 13, 14, 15, 16 and 17 and insert in lieu thereof the following: "recommend to the proper officers of the municipality the plats of subdivisions of lands. Every such map or plat shall, prior to its final approval or disapproval by the proper officers of the municipality be submitted to said commission for its recommendations thereon to such officers."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

In line 21, on page 3, strike out the words "its discretion or by" and insert in lieu thereon the word "the".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

In line 30, on page 3, after the period insert the following: "Said commission may, at its discretion, prepare such maps or plans as aforesaid for the purpose of making recommendations in connection therewith to the proper officers of such municipality having charge, superintendence or control of the matters set forth in such recommendations."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

In line 5, on page 4, strike out all after the second period and all of line 6, and the word "all" in line 7, and insert in lieu thereof the following: "Any officer or department whose duty it is to prepare".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

In line 14, on page 4, strike out the semicolon and the words "also all" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

In line 15, on page 4, strike out the period and all after the period; strike out all of lines 16, 17, 18, 19, 20 and 21 and insert in lieu thereof the following: ", shall, prior to the submission to the proper board or officer of the municipality, of the ordinance or resolution required to be adopted before such proceedings are instituted, give notice to the commission of the pendency before the officers or department of proceedings with reference to any of the above matters."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 611—An Act to amend sections 1 and 4 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the period after the figures 1907 in the last line of the title and insert in lieu thereof the following: ", as amended June 11, 1913."

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 36, on page 2, of the printed bill, after the word "submitted" insert the following: "by the governing body thereof".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 1, on page 3, strike out the semicolon and the word "if" and insert in lieu thereof the following: ", or, if there be no city planning commission, to the city engineer, if such there be. Said city planning commission or city engineer shall report thereon to the said governing body within ten days after receipt of said map or plat. If".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In lines 3 and 4, on page 3, after the word "submit" insert the following: "by the county board of supervisors".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 4, on page 3, after the second comma insert the following: "or to such city engineer as above provided,".

Amendment adopted.

AMENDMENT NUMBER SIX.

In line 9, on page 3, after the period after the word "municipality", in lines 8 and 9 insert the following: "Said governing body shall thereupon submit a report thereon, with its suggestions and recommendations, to the said county board of supervisors."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

In line 9, on page 3, after the comma after the word "body", insert the following: "or county board of supervisors,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

In line 10, on page 3, after the comma after the word "commission," insert the following: "or the city engineer, as the case may be,".

Amendment adopted.

AMENDMENT NUMBER NINE.

In line 12, on page 3, after the period after the word "*provided*" insert the following: "in the event of the failure, refusal or neglect of said city planning commission or city engineer to so report within said ten days to the said governing body it shall then be the duty of said commission or city engineer to forthwith transmit said map or plat to said governing body for its action thereon. In the event of the failure, refusal or neglect of said governing body to so report to said county board of supervisors within twenty days after said county board has so filed said map or plat with said city planning commission or city engineer, it shall then be the duty of said governing body to forthwith transmit said map or plat to said county board of supervisors, for its action thereon."

Amendment adopted.

AMENDMENT NUMBER TEN.

In line 12, on page 3, after the word "the" insert the word "said"; after the word "body" in the same line insert the following: "or board of supervisors".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

In line 16, on page 3, after the word "body" insert the words "or board of supervisors".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

In line 19, on page 3, strike out the semicolon and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

In line 23, on page 3, after the word "body" insert the words "or board of supervisors".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1101—An Act to amend section 2 of an Act entitled "An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems," approved June 13, 1913.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out all after the word "utility", and insert in lieu thereof the following: "or municipality other than a municipality having a department of public health or a public health officer,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, of the printed bill, strike out the syllable "ration".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, after the word "camp," insert the following: "excepting within a municipality having a department of public health or a public health officer,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 2, of the printed bill, after the word "utility", strike out the comma and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 3, of the printed bill, strike out all after the word "municipality", and insert in lieu thereof the following: "other than a municipality having a department of public health or a public health officer,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 14, of the printed bill, strike out all after the second "or".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 15, of the printed bill, strike out the words "corporation, or".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 17, of the printed bill, after the words "public utility", strike out the comma and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 18, of the printed bill, strike out the words "or other body, institution or corporation".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 20, of the printed bill, strike out the figures "1914", and insert in lieu thereof "1916".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 27, of the printed bill, after the period add "Nothing in this section shall be construed as giving the State Board of Health any jurisdiction or control over the water supply of any city or municipality having a department of public health or a public health officer."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Assembly Bill No. 508—An Act to add a new section to the Political Code to be numbered 4232*a*, providing for the compensation of grand jurors and trial jurors in the Superior Court in counties of the third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 216—An Act to amend section 4265 of the Political Code of the State of California relating to the compensation of officers of counties of the thirty-sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 566—An Act to amend section 4285 of the Political Code relating to the salaries and fees of officers of counties of the fifty-sixth class.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 603—An Act to amend an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and creation of ex officio boards of supervisors" (enacted March 20, 1909; amended March 23, 1911).

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 8 of the title, as the same appears in the printed bill, strike out the word "enacted" and insert in lieu thereof the word "approved".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 9 of the title, as it appears in the printed bill, add after the figures "1911" the following: "and June 4, 1913".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 1, page 1 of the printed bill, strike out the words "the above entitled" and insert in lieu thereof the following: "An Act entitled 'An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and creation of ex officio boards of supervisors,' approved March 20, 1909, amended March 23, 1911, and June 4, 1913."

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 4, page 1 of the printed bill, strike out the comma after the word "more"; also the word "to", and insert after the word "village" the following: "presented at a regular meeting of".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 7, page 1 of the printed bill, between the words "the" and "boundaries" insert the words "name and".

Amendment adopted.

AMENDMENT NUMBER SIX.

Strike out the last three words in line 8, page 1 of the printed bill; also all of lines 9 and 10, page 1 of the printed bill.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

In line 11, page 1 of the printed bill, strike out the word "thereupon" and substitute for the word "time" the following: "day and hour".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

In line 12, page 1 of the printed bill, substitute "twenty-five" for the word "twenty-one".

Amendment adopted.

AMENDMENT NUMBER NINE.

In line 4, page 2 of the printed bill, between the words "the" and "formation" insert the word "proposed".

Amendment adopted.

AMENDMENT NUMBER TEN.

In line 8, page 2 of the printed bill, strike all beginning with the word "briefly" down to and including the word "improvement" in line 9, page 2, and insert in lieu thereof the following: "of interested parties".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

In line 9, page 2 of the printed bill, strike out the word "exterior" and insert after the second "the" the word "proposed".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

In lines 10, 11 and 12, page 2 of the printed bill, strike out the following: "to be benefited by such improvement and to be taxed to provide for such improvement" and "map and plans and specifications".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

In line 18, page 2 of the printed bill, strike out the word "ten" and substitute "seven".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

In line 4, page 3 of the printed bill, strike out the words "shall not" and insert after the word "but" the following: "said board shall not extend the boundaries of said district, nor shall".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3 of the printed bill, strike out all beginning with the word "neither" in line 9 down to and including the first word of line 25.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3 of the printed bill, strike out all beginning with the word "or" in line 27 down to and including the word "overruled" in line 31 and insert in lieu of the words stricken out the following: "or the boundaries of the proposed district be defined and established with modifications".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

In line 3, page 4 of the printed bill, strike out the words "the above entitled" and insert in lieu thereof the word "said".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1230—An Act to amend sections 4, 5 and 6 of an Act entitled, "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, lines 8 and 9, of the printed bill, strike out after the word "damages", the following: "occasioned by such modification, amendment or repeal. The" and insert the following: "occasioned by such modifications, amendments, or repeal; *provided, however*, that said common council may insert in any such lease stipulations providing either for the payment by the city to the said lessee at the expiration of said lease of the reasonable value of the improvements made on said leased property by said lessee or for the renewal of said lease for a further term not exceeding twenty-five years at the option of the city of San Diego. The".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1045—An Act to amend section 394 of the Code of Civil Procedure of the State of California, relating to the place of trial of actions.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, line 4, after the word "action" insert the words "or proceeding".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, after the word "action" insert the words "or proceeding".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 8, after the word "action" insert the words "or proceeding".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 11, after the word "action" insert the words "or proceeding".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 11, after the words "of the" insert the word "said".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 16, strike out the period following the word "city" and all the rest of the line; also all of line 16 and insert in lieu thereof a comma and the following: "and other than that in which the defendant resides or is doing business or is situated".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, strike out all of lines 1, 2, 3, 4, 5, 6, 7, 8, and down to and including the period following the word "situated" in line 9.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 9, after the word "action" insert the words "or proceeding".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 13, after the word "action" insert the words "or proceeding".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 14, before the word "defendant" insert the word "said".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 16, strike out the period and insert in lieu thereof a comma and the following: "or is situated, and other than the plaintiff county, or city and county, or county in which such plaintiff city is situated, and other than the defendant county, or city and county, or county in which such defendant city is situated. In any action or proceeding, the parties thereto may, by stipulation in writing, made in open court, and entered in the minutes, agree upon any county, or city and county, for the place of trial thereof."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 17, after the word "action" insert the words "or proceeding".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, after the word "list" strike out the rest of the line and all of lines 13 and 14, and insert in lieu thereof the following: "propound the following questions to said person:".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, strike out all of lines 19 and 20.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, strike out all of lines 1 and 2.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 3, before the word "Have" strike out the figure "4" and insert in lieu thereof the figure "2".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 6, before the word "If" strike out the figure "5" and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 16, after the comma following the word "propounded" strike out the words "or if he is" and all of lines 17, 18, 19 and down to and including the comma after the word "him" in line 20.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 693—An Act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 751—An Act to amend section 2287 of the Civil Code of the State of California relating to appointment of trustees.

Bill read second time, ordered engrossed, and on file for third reading.

Assembly Bill No. 74—An Act to add a new section to the Penal Code, known as section 930, relating to a foreman pro tem. for the Grand Jury.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1211—An Act to amend section 2319*c* of the Political Code of the State of California in relation to the establishment of quarantine against infectious plant diseases.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1176—An Act to regulate the placing of cards in all packages or wrappers inclosing manufactured food products before being sold or offered for sale which are composed in part of butter shipped or imported into the State of California from any point or place outside of the United States and fixing penalties for the violation of the same or of any of the provisions thereof.

In the absence of the author, Senate Bill No. 1176 was passed on file.

ADJOURNMENT.

At four o'clock and fifty minutes p.m., on motion of Senator Wolfe, the President pro tem. declared the Senate adjourned until Monday, April 5, 1915, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Monday, April 5, 1915.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

LEAVES OF ABSENCE.

Senator Tyrrell was, on motion of Senator Breed, granted leave of absence for this morning.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Hans was, on motion of Senator Breed, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 2, 1915, the further reading was dispensed with, on motion of Senator Rush.

PETITION.

The following petition was read and ordered printed in the Journal:

To the Legislature of the State of California:

We, the undersigned citizens of the State of California, do respectfully request your honorable body to vote for and pass Assembly Joint Resolution No. 19, which memorializes the Congress of the United States to prohibit the further selling and shipment of all goods to the warring nations of Europe and especially the shipment of arms or munitions, to the end that the war cease for lack of sinews to sustain it.

ALBERT F. PRIEGER, and 51 others.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 2, 1915

MR. PRESIDENT: Your Committee on Judiciary to which was referred Senate Bill No. 229—An Act to add a new section to the Code of Civil Procedure to be numbered 1020 relating to the service of summons in actions for divorce or annulment of marriage;

Also: Senate Bill No. 230—An Act to add a new section to the Civil Code to be numbered 128*a*, providing for the service of summons and complaint on the district attorney in actions for divorce or annulment of marriage, and conditioning the courts' jurisdiction thereon;

Also: Senate Bill No. 231—An Act to add a new section to the Political Code, to be numbered 4153*a*, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and to authorize the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eight, ninth and tenth classes, and providing for their compensation;

Has had the same under consideration, and respectfully reports the same back and recommends that they do not pass.

KEHOE, Chairman.

Senate Bills Nos. 229, 230 and 231 ordered on file for second reading.

Also:

SACRAMENTO, April 2, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 927—An Act relating to the deposit of moneys and assets held by bonded fiduciaries providing for agreements between surety and fiduciary as to place of deposit of such funds and assets;

Also: Senate Bill No. 62—An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of sureties thereon, terms and conditions thereof and prescribing the penalties for the violation of any of the provisions thereof;

Also: Assembly Bill No. 292—An Act to amend section 640 of the Penal Code of the State of California relating to telegraph and telephone lines and messages;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 927 and 62 ordered on file for second reading.

Assembly Bill No. 292 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 2, 1915

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 984—An Act to amend sections nine and ten of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass as amended, and be re-referred to Committee on Finance.

LYON, Chairman.

Senate Bill No. 984 ordered re-referred to Committee on Finance.

CONSIDERATION OF MOTION TO RECONSIDER.

On motion of Senator Strobridge, the Senate took up consideration of his motion to reconsider the vote whereby Assembly Bill No. 643 was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Wolfe—34.

NOES—None.

BILL RECOMMITTED.

On motion of Senator Strobridge, Assembly Bill No. 643 was ordered recommitted to Committee in Irrigation.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Brown, the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage was continued until the next legislative day.

REQUEST FOR INTRODUCTION OF BILL.

Senator Brown requested permission to introduce a Senate bill entitled:

"An Act to amend section 47 of an Act entitled 'An Act to define and regulate the business of banking,' approved March 1, 1909, as amended by Acts approved February 6, 1911, April 21, 1911, December 18, 1911, December 24, 1911, and May 6, 1913."

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file, to retain its place.

Senate Bill No. 1005—An Act to carry into effect the provisions of section 1*a* of article XIII of the Constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered 3613.

On motion of Senator Jones, Senate Bill No. 1005 was passed on file, to retain its place.

Senate Bill No. 222—An Act to amend section 848 of the Code of Civil Procedure of the State of California, relating to service of summons in the Justice's Court.

On motion of Senator Scott, Senate Bill No. 222 was ordered to the file of Unfinished Business.

Senate Bill No. 517—An Act granting municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railroad, canal, ditch or flume.

On motion of Senator Crowley, Senate Bill No. 517 was passed on file, to retain its place.

Senate Bill No. 783—An Act to amend section 681 of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes.

On motion of Senator Finn, Senate Bill No. 783 was passed on file.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

On motion of Senator Jones, Senate Bill No. 720 was passed on file, to retain its place.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 2 of article IX of the Constitution of the said State, relating to the election and salary of a Superintendent of Public Instruction and also by repealing section 10 of article XXII of said Constitution, relating to the term of officers first elected under the Constitution and also to the election and term of office of the successors of such officers and also to the election of judicial officers and the Superintendent of Public Instruction.

On motion of Senator Jones, Senate Constitutional Amendment No. 12 was passed on file, to retain its place.

Senate Bill No. 510—An Act to amend sections 2, 12, 13, 15, 16, 17, 19, 20, 22, 24, 25, 26, 29, 30, 31, 32, 33, 34, 36, 37, 46, 47, 57, 71, 72, 75, 76, 77 and 81 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a "state compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State, and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties in providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913, and to add thereto a new section to be numbered 75*a*.

On motion of Senator Benson, Senate Bill No. 510 was passed on file, to retain its place.

Senate Bill No. 865—An Act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 865 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Thompson, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 220—An Act to provide against the publishing or circulating of an advertisement, in any form, containing any assertion, representation or statement of fact which is untrue, deceptive or misleading.

On motion of Senator Scott, Senate Bill No. 220 was ordered to the file of Unfinished Business.

Senate Bill No. 741—An Act to add a new section to the Penal Code of the State of California, to be numbered section 628*h*, relating to the protection of fish.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 741 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Thompson, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 743—An Act to amend section 626*j* of the Penal Code of the State of California, relating to the protection of game.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 743 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Thompson, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 2, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 744—An Act to provide for the protection of breeders and growers of live stock from theft, for registration of marks and brands, butchers and slaughter houses, and the inspection of live stock and the hides thereof; creating a live stock inspection board to administer the act; and prescribing penalties for violation of the provisions thereof;

Also: Senate Bill No. 102—An Act providing for the admission of humane officers to places where scientific experiments are performed upon living animals; for investigating such experimentation and securing evidence of violation of law; for prohibiting certain experiments on living animals in any elementary or secondary schools in this State; and prescribing penalties for the violation of the provisions hereof;

And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 5, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1219—An Act granting to the city of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Eureka, and regulating the management, use and control thereof;

Also: Senate Bill No. 268—An Act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law;

Also: Senate Bill No. 1203—An Act to add a new section to the Penal Code to be numbered section 653*f*, relating to the restricting of the number of individuals who may learn a trade;

Also Senate Bill No. 500—An Act to amend sections 1, 8, 9, 10, 11, 14 and 17 of an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat disease, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled, 'An Act tor the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, said amendments relating to the Board of Examiners, and to the requirements of applicants for examination, and to the requirements of schools, and to the revocation of licenses and to the regulation of practice;

Also: Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a Board of Examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act, entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act, or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act;

Also: Senate Bill No. 1105—An Act authorizing the sale of certain property belonging to the State of California, and located in what is known as Reclamation District 1600 in Yolo County;

Also: Senate Bill No. 642—An Act to add a new section to the Civil Code, to be numbered section 320*a*, relating to waiver of notice of meeting by directors of corporations;

Also: Senate Bill No. 89—An Act to amend an Act entitled, "An Act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire the property of the State of California located on the water front of San Francisco, California," approved March 25, 1901, and all Acts or parts of Acts amendatory thereof, by amending section 2 thereof, said amendment relating to the aggregate amount of such insurance and the cost thereof;

Also: Senate Bill No. 1231—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section 19 thereof, relating to elections held in such districts;

Also: Senate Bill No. 125—An Act to provide for the planting, improving, care and maintenance of parkings and parkways in the public streets, boulevards and highways of incorporated cities;

Also: Senate Bill No. 1224—An Act to amend section 16 of an Act entitled the "Bank Act" of the State of California, approved March 1, 1909, approved as amended April 21, 1911, approved as amended May 31, 1913;

Also: Senate Bill No. 81—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as subsequently amended, by adding a new section thereto to be numbered section 146, relating to trusts and dispensing with the deposit of securities in certain instances;

Also: Senate Bill No. 1206—An Act to amend sections 28 and 35 of an Act entitled, "An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such district," approved March 20, 1903.

Also: Senate Bill No. 683—An Act to amend section 634 of the Civil Code of the State of California, relating to building and loan associations, and to their installment or full paid investment certificates and security for investment certificate liabilities of the same;

Also: Senate Bill No. 693—An Act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law;

Also: Senate Bill No. 751—An Act to amend section 2287 of the Civil Code of the State of California, relating to appointment of trustees;

Also: Senate Bill No. 208—An Act to amend sections 6, 8 and 10 of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California and repealing 'An Act entitled "An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act,'" approved February 25, 1911;

Also: Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12;

Also: Senate Bill No. 452—An Act to amend sections 1768 and 1770 of the Political Code of the State of California, relating to the appointment and organization of county boards of education;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1059—An Act to amend an Act entitled "An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners, and repealing an Act to amend an Act entitled 'An Act to establish a Board of Parole Commissioners for the parole of, and government of paroled prisoners,' approved March 23, 1893," approved June 16, 1913, by adding thereto section 1½, relating to the granting of paroles and the forfeiture of credits for the violation thereof or of a law of the State or any rule or regulation of the prison, or the Board of Prison Directors or of the Board of Parole Commissioners.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1059 passed by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Thompson, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CARR IN THE CHAIR.

At eleven o'clock and thirty-five minutes a.m., Senator Carr of the Thirty-sixth District, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 442—An Act to amend an Act entitled "An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, Statutes of California of 1913, page 1429.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 442 passed by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Lyon, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 409—An Act to regulate bakeries; to provide for inspection, regulation and control thereof by the State Board of Health and providing for the enforcement thereof and making certain acts or omissions a misdemeanor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 409 passed by the following vote:

AYES—Senators Ballard, Benson, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, and Wolfe—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 818—An Act to add a new section to the Penal Code, to be known as section 654*b*, relating to the protection of the purchasers of real estate against fraud and deception.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 818 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Shearer, Strobridge, Thompson, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 744—An Act to provide for the protection of breeders and growers of live stock from theft, for registration of brands, butchers and slaughter-houses, and the inspection of live stock and the hides thereof; creating a live stock inspection board to administer the act; and prescribing penalties for violation of the provisions thereof.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 744 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Shearer, Slater, and Strobridge—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 142—An Act to create the office of public defender; to provide for the appointment of such officers, and prescribing their duties and compensation.

Read third time.

On motion of Senator Lyon, Senate Bill No. 142 was passed on file.

Senate Bill No. 669—An Act to amend section 3 of an Act entitled "An Act to define investment companies, investment brokers, and agents, to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of commissioner of corporations, and making an appropriation therefor, approved May 28, 1913.

By order of the Acting President, Senate Bill No. 669 was passed on file.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Truman Mitchell, of Oakland.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 109—An Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as: "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same, and known as an Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, approved March 12, 1885, approved March 23, 1901."

Read third time.

RECESS.

At twelve o'clock and twenty-five minutes p.m., on motion of Senator Campbell, the Acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 684—An Act to forbid managers, superintendents, foremen and other persons having authority from their respective employers to hire, employ, or direct the services of other persons in such employments, to demand or receive any fee, gift or other remuneration in consideration of any such hiring, employment or permission to continue to perform work or services in such employment; and to provide for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 684 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Gerdes, Irwin, Kehoe, King, Lyon, Maddux, Mott, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 172—An Act to protect bear, and forbidding the use of steel traps, etc., in their pursuit.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 172 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1505—An Act granting certain tide lands and submerged lands of the State of California to the city of Redondo Beach upon certain trusts and conditions.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1505 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Duncan, Flaherty, Irwin, Kehoe, King, Lyon, Maddux, Mott, Owens, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

NOES—Senators Chandler and Jones—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 854—An Act legalizing and validating the formation and organization of Marin Municipal Water District in the county of Marin, State of California; declaring the same created, fixing, defining and establishing the boundaries thereof, etc.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 854 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 508—An Act to add a new section to the Political Code to be numbered 4232*a*, providing for the compensation of grand jurors and trial jurors in the superior court in counties of the third class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 508 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flaherty, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 216—An Act to amend section 4265 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-sixth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 216 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 566—An Act to amend section 4285 of the Political Code, relating to the salaries and fees of officers of counties of the fifty-sixth class.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 566 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 74—An Act to add a new section to the Penal Code, known as section 930, relating to a foreman pro tem. for the grand jury

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 74 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1211—An Act to amend section 2319*c* of the Political Code of the State of California in relation to the establishment of quarantine against infectious plant diseases.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1211 passed by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Ballard, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. J. Lewis of Los Angeles.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following messages from the Assembly were read, out of the regular order.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 727—An Act to add a new section to the Penal Code to be known as section 64*b* prohibiting misrepresentation or fraud in initiative, referendum or recall petitions, and prescribing a penalty therefor—and respectfully ask that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. Stern, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Chandler, the Senate took up for consideration Assembly amendments to Senate Bill No. 727.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED TWENTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 1, line 2, strike out "of the State of California".

AMENDMENT NUMBER TWO.

Also from the title, lines 2 and 3, strike out the words "of the State of California".

AMENDMENT NUMBER THREE.

On page 1, line 12, strike out the comma between "to" and "any".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 727?"

The roll was called, and Assembly amendments to Senate Bill No. 727 were concurred in by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

Noes—None.

Also:

SACRAMENTO, April 5, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 422—An Act to amend section 1544 of the Political Code of the State of California, relating to the annual report of the Superintendent of Schools.

L. B. MALLORY, Chief Clerk of Assembly.
By M. Stern, Assistant Clerk.

Senate Bill No. 422 ordered to enrollment.

Also:

SACRAMENTO, April 5, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 850—An Act to amend the Penal Code by adding thereto two new sections to be known and numbered as section 349*b* and section 349*c*, relating to labor unions;

Also: Assembly Bill No. 876—An Act to amend section 4253 of the Political Code, relating to the compensation of officers in counties of the twenty-fourth class;

Also: Assembly Bill No. 1184—An Act to amend section 397 of the Penal Code, relating to the sale of intoxicating liquors to habitual drunkards or Indians;

Also: Assembly Bill No. 1455—An Act authorizing any city, city and county, county, town, municipality or other political subdivision to acquire certain liens or property offered for sale for the non-payment of certain assessments;

Also: Adopted Assembly Joint Resolution No. 9—Relative to the maintenance of a siren by the United States lighthouse service of Alcatraz Island and asking for its discontinuance and the substitution of some noiseless but equally effective arrangement.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 850 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 876 read first time, and referred to Committee on County Government.

Assembly Bill No. 1184 read first time, and referred to Committee on Public Morals.

Assembly Bill No. 1455 read first time, and referred to Committee on Municipal Corporations.

Assembly Joint Resolution No. 9 read first time, and referred to Committee on Federal Relations.

Also:

SACRAMENTO, April 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 22—An Act declaring all buildings and places nuisances, wherein or upon which any spirituous, vinous, malt or other alcoholic liquor is unlawfully sold, served or given away, or which are used for the purpose of unlawfully selling, serving or giving away such liquors; and providing for the abatement of such nuisances;

Also: Assembly Bill No. 339—An Act to amend an Act entitled "An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisiton or construction by said districts of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved December 24, 1911, by amending sections 4, 5, 7, 9, 10, 13, 14 and 24 of said Act, and by adding a new section to said Act to be designated as section 14½, relating to the Auditor;

Also: Assembly Bill No. 861—An Act to amend section 589 of the Political Code, relating to the annual salary of the Insurance Commissioner and Deputy Insurance Commissioner;

Also: Assembly Bill No. 1334—An Act to amend section 4261 of the Political Code, relating to the salaries and fees of officers in counties of the thirty-second class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 22 read first time, and referred to Committee on Public Morals.

Assembly Bill No. 339 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 861 read first time, and referred to Committee on Finance.

Assembly Bill No. 1334 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, April 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1477—An Act to provide for work in and upon highways, streets, avenues, lanes, alleys, courts, places and sidewalks in counties, and upon property and rights of way owned by counties, and for establishing and changing the grade of the same, and providing for the issuance and payment of improvement bonds to represent certain assessments for the cost thereof;

Also: Assembly Bill No. 1304—An Act to prevent deception in the manufacture, packing and sale of raisins, and providing a penalty for the violation thereof;

Also: Assembly Bill No. 166—An Act to restrict fishing within seven hundred and fifty feet of any pier, wharf, jetty or breakwater in Fish and Game District No. 19 of the State of California;

Also: Assembly Bill No. 912—An Act to amend section 4267 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1477 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1304 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 166 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 912 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, April 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 18—Relative to the approval on the part of the Legislature of certain amendments to the charter of the city of San Diego, California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 18 ordered to enrollment.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

The further consideration of Senate Bill No. 109 was resumed.

Senate Bill No. 109—An Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as: "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same, and known as an Act to insure the better education of practitioners of dental surgery and to regulate the practice of dentistry in the State of California, approved March 12, 1885, approved March 23, 1901."

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 109 refused passage by the following vote:

AYES—Senators Ballard, Brown, Butler, Kehoe, Rush, and Stuckenbruck—6.

NOES—Senators Anderson, Benson, Birdsall, Breed, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Jones, Luce, Lyon, Maddux, Mott, Owens, Shearer, Slater, Thompson, Tyrrell, and Wolfe—23.

CONSIDERATION OF ASSEMBLY BILL—(OUT OF ORDER).

Senator Cohn asked for and was granted unanimous consent to take up for consideration Assembly Bill No. 769 out of the regular order.

An Act to authorize the Surveyor General of the State of California to consent to the provisions of the Act of Congress approved July 17, 1914, entitled "An Act to provide for agricultural entry of lands withdrawn, classified, or reported as containing phosphate, nitrate, potash, oil, gas or asphaltic minerals."

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 769 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 239—An Act creating a board of retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, and the Sonoma State Home; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said board of retirement.

Read third time.

On motion of Senator Rush, Senate Bill No. 239 was passed on file.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Finn, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Finn, Senate Bill No. 60 was passed on file.

Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

On motion of Senator Finn, Senate Bill No. 55 was passed on file.

Senate Bill No. 1219—An Act granting to the city of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Eureka, and regulating the management, use and control thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1219 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Brown, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—26.

NOES—Senators Chandler, and Jones—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1203—An Act to add a new section to the Penal Code, to be numbered section 653*f*, relating to the restricting of the number of individuals who may learn a trade.

On motion of Senator Owens, Senate Bill No. 1203 was passed on file.

Senate Bill No. 500—An Act to amend sections 1, 8, 9, 10, 11, 14 and 17 of an Act entitled: "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat disease, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, said amendments relating to the Board of Examiners, and to the requirements of applicants for examination, and to the requirements of schools, and to the revocation of licenses and to the regulation of practice.

By order of the President, Senate Bill No. 500 was passed on file.

Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act.

By order of the President, Senate Bill No. 310 was passed on file.

Senate Bill No. 1105—An Act authorizing the sale of certain property belonging to the State of California, and located in what is known as Reclamation District 1600 in Yolo County.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1105 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Mott, Owens, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 452—An Act to amend sections 1768 and 1770 of the Political Code of the State of California, relating to the nomination, appointment and organization of county boards of education.

On motion of Senator Anderson, Senate Bill No. 452 was passed on file.

Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12.

Read third time.

On motion of Senator Lyon, Senate Bill No. 954 was passed on file.

Senate Bill No. 642—An Act to add a new section to the Civil Code, to be numbered section 320*a*, relating to waiver of notice of meeting by directors of corporations.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 642 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 89—An Act to amend an Act entitled "An Act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire the property of the State of California located on the water front of San Francisco, California," approved March 25, 1901, and all Acts or parts of Acts amendatory thereof, by amending section 2 thereof, said amendment relating to the aggregate amount of such insurance and the cost thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 89 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 208—An Act to amend sections 6, 8 and 10 of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California and repealing 'An Act entitled "An Act to prevent county library systems," approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act,' " approved February 25, 1911.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 208 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 125—An Act to provide for the planting, improving, care and maintenance of parkings and parkways in the public streets, boulevards and highways of incorporated cities.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 125 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1224—An Act to amend section 16 of an Act entitled the "Bank Act" of the State of California, approved March 1, 1909, approved as amended April 21, 1911, approved as amended May 31, 1913.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1224 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Thompson, Tyrrell, and Wolfe—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 5, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1216—An Act to create a motor vehicle department, to define the authority, powers and duties thereof; to provide for officers and employees thereof; to fix their salaries and compensations; to make appropriations and provide funds for the support and expenditures thereof; to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act, and to make appropriations therefor; and to repeal all Acts or parts of Acts in conflict with this Act;

Also: Senate Bill No. 1210—An Act to amend section 103 of the Code of Civil Procedure relating to Justices' Courts;

Also: Senate Bill No. 570—An Act to add a new section to the Political Code to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or the acceptance of rebates on insurance or surety bonds and providing penalty therefor and for the revoking of the license of any agent or broker violating the same, and prescribing the powers and duties of the insurance commissioner in relation thereto;

Also: Senate Bill No. 573—An Act to add a new section to the Political Code to be numbered 633*a*, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the insurance commissioner, and providing penalties for a violation thereof;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 81—An Act to amend that certain Act of the legislature of the State of California entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as subsequently amended, by adding a new section thereto, to be numbered section 146, relating to trusts and dispensing with the deposit of securities in certain instances.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 81 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR TYRRELL IN THE CHAIR.

At three o'clock and thirty-five minutes p.m., Senator Tyrrell of the Sixteenth District, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1210—An Act to amend section 103 of the Code of Civil Procedure, relating to Justices' Courts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1210 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1206—An Act to amend sections 28 and 35 of an Act entitled "An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such district," approved March 20, 1903.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1206 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Lyon, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 570—An Act to add a new section to the Political Code to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or the acceptance of rebates on insurance or surety bonds and providing penalty therefor and for the revoking of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto.

By order of the Acting President, Senate Bill No. 570 was passed on file.

Senate Bill No. 572—An Act to amend section 633 of the Political Code, concerning the licensing of insurance and surety agents; providing for the revoking of such licenses and providing a penalty for violation thereof.

By order of the Acting President, Senate Bill No. 572 was passed on file.

Senate Bill No. 683—An Act to amend section 634 of the Civil Code of the State of California, relating to building and loan associations, and to their installment or full paid investment certificates and security for investment certificate liabilities of the same.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 683 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 339—An Act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 339 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Campbell, Carr, Chandler, Cohn, Finn, Flaherty, Flint, Jones, King, Luce, Lyon, Maddux, Mott, Rush, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—23.

NOES—Senators Ballard, Brown, Cegswell, Irwin, Purkitt, Shearer, and Stuckenbruck,—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 693—An Act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 693 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Campbell, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, King, Lyon, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—Senators Luce, and Maddux—2.

Title read and approved.

Bill ordered transmitted to the Asembly.

Senate Bill No. 751—An Act to amend section 2287 of the Civil Code of the State of California, relating to appointment of trustees.

On motion of Senator Maddux, Senate Bill No. 751 was passed on file.

Senate Bill No. 1231—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section 19 thereof, relating to elections held in such districts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1231 passed by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Breed, Brown, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for the balance of this legislative day.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Scott, the consideration of the motion to reconsider the vote whereby Senate Bill No. 54 was passed was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate the following reports of standing committees were received and read, out of the regular order:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 5, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 936—An Act to provide for visual instruction in the public schools of the State under the supervision of the State Board of Education and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended and be re-referred to Committee on Finance.

ANDERSON, Chairman.

Senate Bill No. 936 ordered re-referred to Committee on Finance.

ON REVISION AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 5, 1915.

MR. PRESIDENT: Your Committee on Revision and Printing, to which was referred Senate Bill No. 966—An Act to amend section 531 of the Political Code, relating to the duties of the Superintendent of State Printing—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

SLATER, Chairman.

Senate Bill No. 966 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 5, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 363—An Act to repeal an Act entitled "An Act to increase the number of judges of the Superior Court of the county of Shasta, State of California, and for the appointment of such additional Judge," approved March 20, 1905—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Assembly Bill No. 363 ordered on file for second reading.

Also:

SACRAMENTO, April 5, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 524—An Act to amend section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BREED, Chairman.

Senate Bill No. 524 ordered on file for second reading.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 221—An Act to amend section 171 of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases.

On motion of Senator Scott, Senate Bill No. 221 was ordered to the file of Unfinished Business.

Senate Bill No. 268—An Act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 268 passed by the following vote:

AYES—Senators Anderson, Birdsall, Breed, Brown, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

SECOND READING OF SENATE BILLS.

Senate Bill No. 950—An Act to amend an Act entitled "An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, by amending section 1 of said Act, and making the description more certain, amending section 6 of said Act in reference to the certifying and depositing of a certified copy of assessment, amending section 7 of said Act in reference to the lien of said assessment, and also amending the said section 7 in regard to the collection of the assessments, issuance of warrants and the payment of all moneys that may be collected into the county treasury of Yolo County.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 13, line 28, of the printed bill, after the period in said line, insert the following: "All sums so paid must be placed by the said respective treasurers to the credit of the drainage district, and at the end of said thirty days, the said treasurer of Colusa County shall transmit to the said treasurer of Yolo County all moneys collected by him, and the latter shall place the same to the credit of said drainage district, and the same shall be paid out by said treasurer of Yolo County upon warrants issued by the Board of Commissioners of the drainage district. All warrants that may be paid upon assessments to the treasurer of said Colusa County, at the end of said thirty days, shall be endorsed by him as being received upon assessments, and shall be transmitted by him to the treasurer of the county of Yolo, and the latter shall cancel the same, and, likewise, all warrants that may have been paid to him upon the said assessments during the said period of thirty days."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 13, line 28, of the printed bill, after the comma, insert the following: "unless otherwise ordered by the Board of Drainage Commissioners,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 17, line 16, of the printed bill, at the end of said line after the period, insert the following: "That on the first Monday of each month the county treasurer of Colusa County shall transmit to the county treasurer of Yolo County all moneys that may be in his hands to the credit of Knight's Landing Ridge Drainage District arising from any source, and, likewise, all warrants that may be delivered in payment of any assessment, and all such moneys shall thereupon be placed to the credit of said district by said county treasurer of Yolo County."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 951—An Act approving, confirming and declaring valid the creation, formation and organization of Reclamation District No. 108, created by that certain Act of the legislature of the State of California entitled "An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith," approved April 23, 1913, and all Acts and proceedings of said district and the board of trustees thereof, and also more clearly defining the exterior boundaries of said district.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 30, of the printed bill, strike out the letter and figures "n. 04′" and insert in lieu thereof the following: "north 0° 4′".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 8, line 12, of the printed bill, after the semicolon after the word "line", insert the following: "thence east along the township line to the right or west bank of the Sacramento River".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1236—An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of education.

On motion of Senator Irwin, Senate Bill No. 1236 was passed on file.

Senate Bill No. 1166—An Act to amend an Act entitled "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, after the word "amend" in said line, insert the following: "Sections 1 to 26 inclusive of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On pages 1 to 21 of the printed bill, strike out all of lines 1 to 8 inclusive on page 1 and also all of pages 2 to 21 inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1 of an Act entitled 'An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a state civil service commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor,' approved June 16, 1913, is hereby amended to read as follows:

"Section 1. *First.* The term "commission" as used in this Act means the "State Civil Service Commission" herein created, and the term "commissioner' as used in this Act means one of the three members of that commission, all unless such terms are plainly used with some other meaning.

"*Second.* The terms "position" and "positions" as used in this Act include all officers and employments under state authority, whether there be any salary or other compensation or emolument connected therewith, except offices held by elective officers as such and also except the militia and all offices and employments as now or hereafter provided by virtue of or under article VIII of the Constitution of the State, and except county and township offices and employments, unless specifically included herein.

"*Third.* The term "appointing power" as used in this Act includes all persons whether acting singly or in conjunction with others in any way whatsoever, either by nomination or confirmation or as a board or commission or otherwise, in selecting any one to hold any position as that term is so used in this Act.

"*Fourth.* The term "appointment" as used in this Act includes all means of selecting and employing any one to hold any position as that term is so used in this Act.

"SEC. 2. Section 2 of said Act is hereby amended to read as follows:

"Sec. 2. There is hereby created a commission known as the "State Civil Service Commission" which shall consist of three commissioners but which may continue to act after being fully constituted if there is not more than one vacancy in such commission. The commission shall be first constituted by three commissioners appointed for terms ending July 1, 1914, July 1, 1916, and July 1, 1917, respectively, and the succeeding terms shall each be for a period of four years. The Governor shall appoint all commissioners including those who fill unexpired terms. Any commissioner may be removed by concurrent resolution of both houses of the Legislature adopted by a two-thirds vote of each house. The commissioners shall each receive a salary of three thousand dollars per annum; the commissioners shall also be paid necessary traveling expenses incurred in the performance of their duties. The total and items of all expenditures and obligations made, authorized and incurred by the commission shall not exceed the sums appropriated therefor by law.

"SEC. 3. Section 3 of said Act is hereby amended to read as follows:

"Sec. 3. The commission shall employ a chief examiner and secretary, which offices may be combined, and such other employees as it may deem necessary or proper to carry out the purposes of this Act. Their compensation shall be fixed by the commission, and they may be paid necessary traveling expenses incurred in the discharge of their duties. The duties of the chief examiner, secretary and other employees shall be prescribed by the commission, subject to the provisions of this Act. It shall be the duty of the secretary to keep the minutes of the meetings of the commission and perform such other services as may be assigned him by the commission. The commission may select suitable persons to assist in examinations under its direction. The compensation of such assistants shall not exceed five dollars per day, except in case of special and expert examiners employed in the preparation of questions and rating of candidates; and when the persons so selected are in the official service of the State it shall be deemed a part of their official duty to serve as such assistants without additional compensation.

"SEC. 4. Section 4 of said Act is hereby amended to read as follows:

"Sec. 4. The commission is authorized to secure in Sacramento suitable and convenient rooms and accommodations and cause the same to be furnished, heated and lighted, for carrying on the work of the commission and the commission may order the necessary stationery, postage stamps, and official seal and other articles to be supplied, and the necessary printing to be done for its official use.

"SEC. 5. Section 5 of said Act is hereby amended to read as follows:

"Sec. 5. The commission shall:

"*First*—Classify positions to be held under State authority in accordance with the provisions of this Act and in accordance with the duties attached to such positions. The commission shall grade all positions within each class with respect to salaries, to the end that like salaries shall be paid for like duties. Such classes and grades may from time to time be amended, added to, consolidated or abolished by the commission, but persons holding positions under the original classification or grade shall not be affected thereby.

"*Second*—Hold examinations to determine the merit, efficiency and fitness of applicants for positions, and prepare properly classified eligible lists from applicants so examined. All questions for examination shall be prepared under the supervision of the commission or chief examiner and delivered to the examining board or to the candidates by one of the commissioners or chief examiner or by an examiner specially designated to perform such service.

"*Third*—Enforce the provisions of this Act and prescribe, and enforce suitable rules and regulations for carrying the same into effect and from time to time amend and repeal the same.

"*Fourth*—Keep minutes of its own proceedings, and records of its examinations and other official actions.

"*Fifth*—Records of individual efficiency of holders of positions in performing their duties shall be established in all offices and places of employment affected by this Act. Such records shall be made by the appointing power, unless otherwise directed by the commission, and under and in accordance with such rules and regulations as the commission may prescribe, and a copy of such records shall be filed with the commission.

"*Sixth*—Make a biennial report to the Governor for transmission to the Legislature, showing the action of the commission including all the rules and regulations adopted by it during such period and those that are in force at the time of making such report, information as to exempted positions as required by this Act and the effects of this Act and of all proceedings under it and any suggestions the commission or any commissioner may deem practical for the more effectual accomplishment of the purposes of this Act.

"*Seventh*—Meet at Sacramento as often as the needs of the public service may require, and at such other places as the commission may designate. A majority of the members of the commission shall constitute a quorum.

"*Eighth*—Pass upon the qualifications of all persons desiring to become county librarians. The examinations therefor shall be qualifying examinations. The appointing power must make selection of a county librarian from the list of persons who have satisfactorily passed these examinations, but shall not be restricted to a selection from the three highest thereon. Persons who have qualified for the position of county librarian under the provisions of section 6 of an Act entitled 'An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled "An Act to provide county library systems," approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act,' approved February 25, 1911, shall be deemed to have qualified under the provisions of this Act.

"SEC. 6. Section 6 of said Act is hereby amended to read as follows:

"Sec. 6. It shall be the duty of all persons subject to the authority of the State in that behalf (including all state officers and employees and all state institutions of every kind and character) to aid in all proper ways in carrying into effect the provisions of this Act and the rules and regulations prescribed from time to time thereunder and especially, at the request of the commission, to allow the commission the reasonable use of public buildings and to heat and light the same for the purpose of making examinations of applicants.

"SEC. 7. Section 7 of said Act is hereby amended to read as follows:

"Sec. 7. The appointing power in all cases not excepted or exempted under the provisions of this Act, or by virtue of the provisions of the Constitution of the State, or expressly exempted by law from the provisions of this Act, shall fill positions by appointment, including cases of transfers, reinstatements, promotions and reductions, in strict accordance with the provisions of this act and the rules and regulations prescribed from time to time hereunder, and not otherwise. Except only and to the extent that the appointing power otherwise requests as hereinafter provided, the positions held in the following specified classes are excepted from such method of appointment:

"*First*—Appointees of the Legislature and one person holding a position having a confidential relation, whether as secretary or clerk or stenographer to each such appointee.

"*Second*—Appointees of the Governor and one person holding a position having a confidential relation whether as secretary or clerk or stenographer to each such appointee.

"*Third*—The chief deputy of and also one person holding a position having a confidential relation whether as secretary or clerk or stenographer to an elective officer.

"*Fourth*—The secretary or executive officer, or both, and also the attorney and one stenographer of any board or commission appointed by the Legislature or Governor or elected by the electors, and all stenographers in the superior and appellate courts.

"*Fifth*—The assistant and deputies of the Attorney General and all special attorneys for boards and officers.

"*Sixth*—The members of the appointing board of and any chief in any legislative reference or counsel bureau and one person holding a confidential relation to each such chief.

"*Seventh*—One warden for each of the state prisons.

"*Eighth*—One superintendent for each of the state reformatories, state hospitals or other state charitable or correctional institutions; also the parole officers for the state prisons, Preston School of Industry and Whittier State School.

"*Ninth*—Persons employed by the University of California and the state normal schools, and the teaching force of the elementary, secondary, trades and technical schools.

"*Tenth*—Persons engaged in work done by co-operation between state and federal governments.

"*Eleventh*—The state librarian, the chief deputy or assistant state librarian and also one person holding a position having a confidential relation to the state librarian, and appointees under provisions for court, law, teachers', school and county libraries, unless specially included by statute.

"*Twelfth*—The secretary, chief accountant and children's agents of the State Board of Control.

"*Thirteenth*—The employees of the State Railroad Commission.

"*Fourteenth*—Superintendents, chiefs, and heads of departments.

"Any vacancy in any position in any of the above specified fourteen excepted classes may be filled at any time by the appointing power in the manner provided by this Act, in which case the person appointed shall hold, during the tenure of office of said appointing power, such position under the tenure of good behavior and subject to the provisions of this Act as if that position had not been so excepted but upon such appointee ceasing to hold such position that position shall be open as in such excepted class. Upon such appointee ceasing to hold such office by reason of the termination of the tenure of office of said appointing power, said appointee shall be restored to place upon the eligible lists in accordance with such rules and regulations as the commission may prescribe in that behalf. Any position subject to the provisions of this Act may be declared exempted by resolution passed by concurrence of the three commissioners. Such resolution shall state separately the reasons for each exemption. Not more than one appointment shall be made to or under any position covered by such resolution unless permission to appoint a different number is given therein. Any exception thus made may be terminated at any time by resolution of the commission. Appointments to exempted positions shall be reported immediately to the commission. The names of each exempted position and the names of the incumbent and the reason for each exemption shall be stated in the biennial reports of the commission.

"SEC. 8. Section 8 of said Act is hereby amended to read as follows:

"Sec. 8. Within three months after the commission is constituted, it shall make rules for the classification of positions to be held under State authority to be provided by this Act, and, subject to the provisions of this Act, such rules shall govern appointments, transfers, reinstatements, promotions, reductions and removals, and examination of applicants, and the commission may amend such rules from time to time. Such rules shall be printed for public distribution.

"SEC. 9. Section 9 of said Act is hereby amended to read as follows:

"Sec. 9. Subject to the special provisions in this Act as to county librarians appointments shall be made to all positions that are not filled by promotion, reinstatement, transfer or reduction, under the provisions of this Act and the rules in pursuance thereof, by the appointing power. Said appointing power shall notify the commission of any vacancy to be filled, stating the duties of the position, and may specify sex as the needs of the position require. The commission shall, except in the case of positions in the mechanical trades and occupations and laborers' positions, then certify to the appointing power the names and addresses of the three persons standing highest on the eligible list for the class or grade to which the position belongs; but in case there be less than three on such eligible list, the commission shall certify the number thereon; and the appointing power shall fill the position by the appointment of one of the persons certified by the commission therefor. The term of eligibility shall be fixed for each eligible list at not less than one year. In the case of positions in the mechanical trades and occupations and laborers' positions, the commission shall certify to the appointing power the name and address of the person standing highest on the eligible list for the class and grade to which the position belongs.

"Appointments shall be made from the eligible list most nearly appropriate for the position to be filled, and a new list shall be created for a stated position or a group of positions only when there is no appropriate list existing from which appointment may be made. No person shall be appointed under any title not appropriate to the duties to be performed, and no person shall be assigned to perform the duties of any other position than that which he legally holds, except by consent of the commission.

All appointments shall be for a probationary period to be fixed by the commission but not to exceed six months. Unless such appointee shall have been dismissed within such probationary period by the appointing power, for reasons stated in writing and filed with the commission, his appointment shall become permanent subject to the provisions of this Act as to removals, suspensions and changes. Discharged probationers may by a majority vote of the commission be restored to the list of eligibles for certification to any position within their class other than the one from which they were rejected.

"SEC. 10. Section 10 of said Act is hereby amended to read as follows:

"Sec. 10. The examinations shall be practical in their character, and shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the positions they seek. Applicants for positions in the mechanical trades and occupations and for laborers' positions may in the discretion of the commission, be rated solely on experience and physical qualifications which may be determined by such evidence and in such manner as the commission may direct; and such applicants may be submitted to such further tests as the commission may require. The commission shall prepare lists of preliminary requirements and subjects of examinations for the several positions, and shall publish its rules and regulations and such information and advertise such examinations in such manner as the nature of the examination may require. The commission shall require an applicant to file in its office, in accordance with its rules and regulations, a reasonable length of time before the date of examination, a formal application filled out in his own handwriting. Blank forms of such applications shall be furnished by said commission without charge to all persons requesting the same. Any officer authorized to administer oaths shall take the affidavits required on applications for employment in the classified service without charge.

"The commission may require in connection with applications, including laborers, such certificates of citizens, public officers or others having knowledge of the applicant, as the good of the service may require. The commission may refuse to examine, or after examination to certify as eligible, any one who is found to lack any of the established preliminary requirements for the examination or position for which he applies; or who is physically so disabled as to be rendered unfit to perform the duties of the position to which he seeks appointment, or who is addicted to the habitual use of intoxicating beverages to excess; or who has been guilty of a crime or of infamous or notoriously disgraceful conduct; or who has been dismissed from the public service for delinquency or misconduct; or who has intentionally made a false statement of any material facts, or practiced, or attempted to practice, any deception or fraud in his application, in his examination, or in securing his eligibility. Any person appointed to a position under the provisions of this Act who has secured his place on the eligible list through fraud shall be removed by the commission from his position and shall not thereafter be eligible for examination for any position under the provisions of this Act except by unanimous permission of the commission. When the position to be filled involves fiduciary responsibility, the appointing power may require the appointee to furnish a reasonable bond or other security, and shall notify the commission of the amount and necessary details thereof.

"Whenever a person shall have occupied a position in the state service for over one year, whether on account of being exempted from the operations of this Act by resolution of the commission, because of professional technical skill or other requirement, or because no eligible lists were available from which to fill such position, the commission may upon the written petition of the appointing power setting forth in detail the reasons therefor, give a qualifying examination to such person to determine his ability to fill such position satisfactorily, which examination may in the judgment of the commission be restricted to such person alone. Such qualifying examination may not be given except where the appointing power specially requests the same for the good of the service and except there be no eligible list from which to fill such position and except such person may not have failed to pass an examination to provide an eligible list from which such position may be filled.

"SEC. 11. Section 11 of said Act is hereby amended to read as follows:

"Sec. 11. When there is no eligible list from which a position may be filled, the appointing power may, with the consent of the commission, fill such position by temporary appointment, and such temporary appointment shall not continue for a longer period than three months, nor shall successive temporary appointments be made to the same position under this section without the previous consent of the commission, and in no case shall any person hold a position under such successive temporary appointments for a longer period than six months without the unanimous consent of the commission.

"SEC. 12. Section 12 of said Act is hereby amended to read as follows:

"Sec. 12. The commission shall establish rules and regulations under which emergency appointments may be made when those on the eligible lists are not immediately available, and for the time for which such emergency appointments shall be valid; and may fix a different time for different counties or cities and counties of the State.

"SEC. 13. Section 13 of said Act is hereby amended to read as follows:

"Sec. 13. Vacancies in positions shall be filled, so far as practicable, by promotion from among persons holding positions in a lower grade of the department, office or institution in which the vacancy exists. Promotions shall be based upon merit and competition and upon the superior qualifications of the person promoted as shown by his records of efficiency, or upon competitive examination, or upon both such records of efficiency and examination. For the purposes of this section an increase in the salary or other compensation of any person holding an office or position within the scope of the rules and regulations in force hereunder beyond the limit fixed for the grade in which such office and position is classified, shall be deemed a promotion. The commission may authorize the transfer of any person legally holding a position in one class or grade to a position in another class or grade, and may provide for the reinstatement within one year of persons separated from positions without fault or delinquency on their part, if within that time there is need for their services, and may restore such person to the eligible register, or to a reinstatement list by majority vote of the commission.

"SEC. 14. Section 14 of said Act is hereby amended to read as follows:

"Sec. 14. The tenure of every one holding a position under the provisions of this Act shall be during good behavior, but any such person may be removed for any of the following causes:

"(*a*) Incompetence, inefficiency, or neglect of official duties.

"(*b*) Dishonesty, intemperance, immoral conduct, insubordination, discourteous treatment of the public or of fellow employees, a violation of the provisions of this Act or of the rules or regulations of the commission or any other failure of good behavior. The appointing power that could fill such positions under the provisions of this Act if vacant may remove for such cause and such removal shall be effective when written notice of the same shall have been filed with the commission. The persons so removed may be restored to the eligible or reappointment list by majority vote of the commission for certification to any position other than the one from which they were rejected.

"SEC. 15. Section 15 of said Act is hereby amended to read as follows:

"Sec. 15. The commission may provide by rule for separate lists of eligibles for departments, institutions, or localities.

"SEC. 16. Section 16 of said Act is hereby amended to read as follows:

"Sec. 16. It shall be the duty of each appointing power to report to the commission forthwith upon each appointment the name of the appointee, the title or character of the position, the date of the commencement of such service, and the salary or compensation therefor, and to report from time to time, and upon the date of official action in, or knowledge of each case, any separation of the person from the position, or other changes, and such other information as the commission may require in order to keep the roster hereinafter mentioned. The commission shall keep in its office an official roster of all persons holding positions under the provisions of this act and shall enter thereon the name of each and every person who has been appointed to, promoted, reduced, transferred, reinstated or removed from or left any position. The official roster shall show opposite, or in connection with, each name, the date of appointment, promotion, reduction, transfer or reinstatement, the compensation of the position, the date of commencement of service and change in or separation from position and when and why and how there was such change or separation. The names of all persons holding positions at the time of the taking effect of this Act which if vacant would be filled under the provisions of this Act shall be certified to the commission by the appointing power that could then so fill such position if vacant, and such names shall be entered in said roster, and thereupon shall be deemed appointed under the provisions of this Act and persons holding such positions at the time of the taking effect of this Act, who have served in such positions a less period than one year shall be deemed to be serving the probationary period, and those who have served one year or more shall be deemed permanent appointees.

"SEC. 17. Section 17 of said Act is hereby amended to read as follows:

"Sec. 17. It shall be unlawful for the Controller or other fiscal officer of the State to draw, sign, issue, or authorize the drawing, signing, or issuing of any warrant on the Treasurer or other disbursing officer of the State for the payment of, or for the Treasurer or other disbursing officer to pay any salary or compensation to any one holding any position under the provisions of this Act unless the estimate, pay roll or account for such salary or compensation, containing the name of person to be paid, shall bear the certificate of the commission that the persons named in such estimate, pay roll or account are holding positions as provided by this Act and the rules and regulations prescribed thereunder. Any sums paid contrary to the provisions of this section may be recovered from any one making such appointment in violation of the provisions of this Act and of the rules and regulations prescribed thereunder or from any officer signing, or countersigning, or authorizing the signing or countersigning of any warrant for the payment of the same, and from the sureties on his official bond in an action in any court of competent jurisdiction of this State maintained by a citizen resident therein, who is assessed for and is liable to pay, or within one year before the commencement of such action has paid, a tax therein. All moneys recovered in any action brought under the provisions of this section must, when collected, be paid into the treasury of the State, except that the plaintiff in any such action shall be entitled to receive for his own use the taxable costs of such action.

"SEC. 18. Section 18 of said Act is hereby amended to read as follows:

"Sec. 18. Any commissioner or examiner, or any person who shall wilfully by himself or in co-operation with one or more persons, defeat, deceive or obstruct any person in respect of his or her right of examination or registration, according to any rules or regulations prescribed pursuant to the provisions of this Act, or who shall wilfully and falsely mark, grade, estimate, or report upon the examination or proper standing of any person examined, registered, or certified, pursuant to the provisions of this Act, or aid in so doing, or who shall wilfully make any false representation concerning the same, or concerning the person examined, or who shall wilfully furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, registered, or certified, or to be examined, registered, or certified, or who shall personate any other person, or permit or aid in any manner any other person to personate him, in connection with any examination or registration or application or request to be examined or registered shall be deemed guilty of misdemeanor.

"SEC. 19. Section 19 of said Act is hereby amended to read as follows:

"Sec. 19. No officer, agent, clerk or employee under the government of the State shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, contribution or political service, whether voluntary or involuntary, for any political purpose whatever, from any one on the eligible lists or holding any position under the provisions of this Act. Every officer, agent, clerk or employee under the government of the State who may have charge or control in any building, office, or room occupied for any purpose of said government is hereby authorized to prohibit the entry of any person, and he shall not permit any person to enter the same, for the purpose of therein making, collecting, receiving or giving notice of any political assessment, subscription or contribution, and no person shall enter, or remain in any said building, office or room, or send or direct any letter or other notice thereto, for the purpose of giving notice of, demanding, or collecting a political assessment, subscription or contribution, nor shall any person therein give notice of, demand, collect or receive, any such assessment, subscription or contribution contrary to the provisions of this section.

"SEC. 20. Section 20 of said Act is hereby amended to read as follows:

"Sec. 20. No one, while holding any public office, or in nomination for, or while seeking a nomination or appointment for, any public office, shall use or promise to use, whether directly or indirectly, any official authority or influence (whether then possessed or merely anticipated) in the way of conferring upon any person, or in order to secure or aid any person in securing any position under the provisions of this Act, either in nomination, confirmation, promotion, or increase in salary, or as to any change in any such position, upon a consideration or condition that the vote or political influence or action of the last named person or any other, shall be given or used in behalf of any candidate, officer or party, or upon any other corrupt condition or consideration. And no one, being a public officer, or in nomination for, or while seeking nomination or appointment for, any public office or having or claiming to have any authority or influence (whether then possessed or merely anticipated) for the securing or holding of or as to affecting any position under the provisions of this Act, shall use, or promise or threaten to use, any such authority or influence, directly or indirectly, in order to coerce or persuade the vote or political action of any person on the eligible lists or holding any position under the provisions of this Act.

"SEC. 21. Section 21 of said Act is hereby amended to read as follows:

"Sec. 21. No salary, compensation or other emolument shall be paid to any one appointed to or retained in any position in violation of this Act. Any officer approving or paying such salary shall be liable for such sum on his official bond. Whenever the commission shall notify the auditing officer that any position has been filled in violation of this Act or any of the rules and regulations thereunder, no demand for the salary or compensation or other emolument of such position shall be approved or paid except upon the order of a court of competent jurisdiction.

"SEC. 22. Section 22 of said Act is hereby amended to read as follows:

"Sec. 22. Any person acting in good faith in accepting appointment or employment contrary to the provisions of this Act or of the rules and regulations prescribed thereunder, shall be paid by the appointing power the compensation promised by or on behalf of the appointing power or in case no compensation is so promised then the actual value of any service rendered and the expense incurred in good faith under such attempted appointment or employment, and shall have a cause of action against the appointing power for such sum or sums and for the costs of action. No public officer shall be reimbursed by the State or any of its instrumentalities for any sum so paid or recovered in such action.

"SEC. 23. Section 23 of said Act is hereby amended to read as follows:

"Sec. 23. No recommendation or question or inquiry under the authority of this Act shall relate to the political or religious opinions or affiliations of any person, and no appointment or change in or removal from any position under the provisions of this Act shall be in any manner affected or influenced by such opinions or affiliations.

"SEC. 24. Section 24 of said Act is hereby amended to read as follows:

"Sec. 24. Any person wilfully violating any of the provisions of this Act shall be guilty of a misdemeanor.

"SEC. 25. Section 25 of said Act is hereby amended to read as follows:

"Sec. 25. All Acts and parts of Acts inconsistent with this Act are hereby repealed in so far as they are inconsistent with the provisions of this Act.

"SEC. 26. Section 26 of said Act is hereby amended to read as follows:

"Sec. 26. All persons holding positions which are made subject to the provisions of this Act by the amendments hereto shall be deemed appointed pursuant to the provisions of this Act at the time it goes into effect; those serving for one year or more shall be deemed permanent appointees; those serving for less than one year shall be deemed probationers. This Act shall not be construed as defeating the rights of any person, appointed, or certified, or standing upon any eligible list, under the provisions of the Act above mentioned, approved June 16, 1913, of which this Act is amendatory, until the powers herein conferred upon the commission inconsistent with any such rights have been exercised by the commission; but this Act is cumulative and a continuation, except where expressly inconsistent, of the powers, duties and rights conferred in said Act of June 16, 1913."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 5, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 715—An Act to amend section 485 of the Civil Code of the State of California, relating to damages in certain cases—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Senator Kehoe as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, after the word "on" strike out the words "either or".

AMENDMENT NUMBER TWO.

On page 1, line 8, after the comma following the word "road" insert the following: "except where the same runs through or upon public land".

KEHOE, Chairman.

ADJOURNMENT.

At four o'clock and thirty minutes p.m., on motion of Senator Gerdes, the Acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Tuesday, April 6, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry L. Stark.

LEAVE OF ABSENCE.

Senator Hans was, on motion of Senator Tyrrell, granted leave of absence for this day.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Duncan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. A. Schapp of Woodland.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 5, 1915, the further reading was dispensed with, on motion of Senator Rush.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 5, 1915

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 152—An Act to amend section 4244 of the Political Code of the State of California relating to salaries and fees of officers in counties of the fifteenth class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BREED, Chairman.

Senate Bill No. 152 ordered on file for second reading.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 5, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Brown to introduce a bill entitled "An Act to amend section 47 of an Act entitled 'An Act to define and regulate the business of banking', approved March 1, 1909, as amended by acts approved February 6, 1911, April 21, 1911, December 18, 1911, December 24, 1911, and May 6, 1913"—has had the same under consideration and respectfully reports the same back and recommends that such request be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with the above report:

By Senator Brown:

Senate Bill No. 1245—An Act to amend section 47 of an Act entitled

"An Act to define and regulate the business of banking," approved March 1, 1909, as amended by Acts approved February 6, 1911, April 21, 1911, December 18, 1911, December 24, 1911, and May 6, 1913.

Bill read first time, and referred to Committee on Banking.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 547—An Act authorizing the use of convict labor on state highways; regulating the handling of such labor; authorizing extra good time allowance; and providing penalties for interference;

Also: Assembly Bill No. 745—An Act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on state roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and for the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on state roads and highways, providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this Act;

Also: Assembly Bill No. 748—An Act to amend the Penal Code by adding a new section thereto to be numbered section 588c, concerning the injury, defacement or removal of monuments or stakes placed, erected or used by the State Department of Engineering, its officers or employees on or along any state road or highway or in connection with state road or highway work, and prescribing penalty for the violation of such section;

Also: Assembly Bill No. 1192—An Act to amend section 588 of the Penal Code, relating to malicious injuries to any state or other public highway or bridge or any private way laid out by authority of law, or bridge upon any such highway or private way;

Has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass.

BIRDSALL, Chairman.

Assembly Bills Nos. 547, 745, 748 and 1192 ordered on file for second reading.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 604—An Act to amend sections 2, 8, 11 and 13 of "An Act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof; for the construction therein or thereon of sidewalks, sewers, manholes, bridges, cesspools, gutters, tunnels, curbing, and crosswalks; for the issue of bonds representing the costs and expenses thereof; for a special fund derived in part from the county road fund and in part by special assessment upon a district, and for the establishment of such districts (approved March 21, 1907, as subsequently amended)" has had the same under consideration, and respectfully reports the same back and recommends that the same do pass as amended.

BIRDSALL, Chairman.

Senate Bill No. 604 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 761—An Act to provide for the establishment and maintenance by fire insurance companies of guaranty surplus funds and special reserve funds and thereby limiting liability—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BENEDICT, Chairman.

Senate Bill No. 761 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 662—An Act amending an Act entitled "An Act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and electric power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume," approved April 10, 1911—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Assembly Bill No. 662 ordered on file for second reading.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 884—An Act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 884 ordered on file for second reading.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Brown, the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage was continued until the next legislative day.

RESOLUTION—(OUT OF ORDER).

By consent of the Senate, the following resolution was offered, out of the regular order:

By Senator Breed:

Resolved, That C. Olivier be transferred from the position of Gatekeeper at $3.00 per day to the position of Cloakroom Clerk at $4.00 per day.

Senator Breed moved the adoption of the foregoing resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Irwin, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Also:

By Senator Breed:

Resolved, That the following named person be and he is hereby appointed to the respective position set opposite his name, the compensation set opposite his name being payable weekly, and the Controller is hereby directed to draw his warrants for the said respective amounts and the Treasurer is directed to pay the same:

Leroy Joseph, Committee Clerk______________________$4 00 per day

Senator Breed moved the adoption of the foregoing resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

REPORTS OF STANDING COMMITTEES (RESUMED).

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 314—An Act to amend section 2189 of the Political Code, relating to the discharge of patients from state hospitals;

Also: Senate Bill No. 315—An Act to amend section 2192 of the Political Code, relating to the commitment of incompetents other than insane persons;

Also: Assembly Bill No. 671—An Act to amend sections 2152, 2154 and 2156 of the Political Code and to add a new section to said Political Code, to be known and designated as section 2153*b*, all relating to the government and management of state hospitals for the insane, feeble-minded and other incompetent persons, and to the care, training and education of insane, feeble-minded and other incompetent persons; Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CROWLEY, Chairman.

Senate Bills Nos. 314 and 315 ordered on file for second reading.

Assembly Bill No. 671 ordered on file for second reading.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. 1041—An Act to amend the Political Code by amending section 2141 thereof, relating to the power of the State Commission in Lunacy and the salaries and wages of officers and employees of state hospitals—has had the same under consideration, and respectfully reports the same back and recommends that it do pass and be re-referred to Committee on Finance.

CROWLEY, Chairman.

Senate Bill No. 1041 ordered re-referred to Committee on Finance.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 5, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 723—An Act amending an Act entitled, "An Act establishing a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, by amending section 2 thereof, relating to the duties of the chief of the Legislative Counsel Bureau;

Also: Senate Bill No. 726—An Act to add a new section to the Penal Code to be numbered 50*a* making it a felony to sign to any initiative, referendum, or recall or nominating petition a fictitious name or the name of another and prescribing the penalty therefor;

Also: Senate Bill No. 342—An Act to establish a State Board of Embalmers, defining the duties thereof, providing for the better protection of life and health, preventing the spread of contagious disease, regulating the practice of embalming in connection with the care and disposition of the dead and providing penalties for the violation thereof;

Also: Senate Bill No. 346—An Act to amend section 1431 of the Political Code, to provide for payment of the traveling expenses of the regents of the University of California;

Also: Senate Bill No. 438—An Act prohibiting employers of labor from interfering with the political activities of their employees and providing penalties for a violation hereof;

Also: Senate Bill No. 461—An Act to validate the formation of certain districts formed under the provisions of an Act entitled "An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof," approved June 13, 1913, and to validate the issuance and sale of certain bonds thereof;

And report that the same have been correctly enrolled, and presented the same to the Governor on this 5th day of April, 1915, at 3 o'clock p.m.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 5, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 572—An Act to amend section 633 of the Political Code, relating to the licensing of insurance agents;

Also: Senate Bill No. 900—An Act to amend section 596 of the Political Code concerning certificate of authority to insurance companies; prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof;

Also; Senate Bill No. 611—An Act to amend sections 1 and 4 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended June 11, 1913;

Also: Senate Bill No. 1101—An Act to amend section 2 of an Act entitled "An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems," approved June 13, 1913;

Also: Senate Bill No. 603—An Act to amend an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and creation of ex officio boards of supervisors," approved March 20, 1909; amended March 23, 1911, and June 4, 1913;

Also: Senate Bill No. 1230—An Act to amend sections 4, 5, and 6 of an Act, entitled, "An Act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911;

Also: Senate Bill No. 1045—An Act to amend section 394 of the Code of Civil Procedure of the State of California, relating to the place of trial of actions;

Also: Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure relative to summoning jurors to complete a panel and the duties of the officers summoning the same;

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 5—Relative to memorializing the Congress of the United States to initiate proceedings therein for the submission to the several states of an amendment to the Constitution of the United States giving Congress power to enact a uniform divorce law;

Also: Senate Joint Resolution No. 11—Relative to the dredging and improvement of the Mokelumne River;

Also: Senate Joint Resolution No. 13—Relative to co-operative agricultural extension work between the United States Department of Agriculture and the University of California;

Has had the same under consideration, and respectfully reports same back and recommends that they be adopted.

RUSH, Chairman.

Senate Joint Resolutions Nos. 5, 11 and 13 ordered on file.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 108—An Act prescribing the minimum wage to be paid for labor upon all work performed for and in the interest of the State of California by contract, and providing a penalty for the violation thereof;

Also: Assembly Bill No. 747—An Act to amend the Penal Code by adding a new section thereto to be numbered section 588*b*, concerning the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of notices, or the extinguishment, removal, injury or destruction of warning lights or lanterns on a state road or highway, and prescribing a penalty for the violation of such section.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 108 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 747 read first time, and referred to Committee on Roads and Highways.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1170—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof"; which became a law under the constitutional provision without the Governor's approval, February 25, 1901, as subsequently amended, by amending section 2 and section 3 thereof, relating to the proceedings for the calling of an election therefor and by adding a new section thereto to be numbered section 12½, relating to the consolidation of elections.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 1170 ordered to enrollment.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 36—An Act to amend section fifty-nine of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 715—An Act to amend section 485 of the Civil Code of the State of California, relating to damages in certain cases.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 5, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 715—An Act to amend section 485 of the Civil Code of the State of California, relating to damages in certain cases—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Senator Kehoe as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, after the word "on" strike out the words "either or".

AMENDMENT NUMBER TWO.

On page 1, line 8, after the comma following the word "road" insert the following: "except where the same runs through or upon public land".

KEHOE, Chairman.

Report adopted.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the President appointed Senator Kehoe a Special Committee of One to amend Senate Bill No. 715 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 715, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Stuckenbruck, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 1005—An Act to carry into effect the provisions of section 1*a* of article XIII of the Constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered 3613.

On motion of Senator Jones, Senate Bill No. 1005 was passed on file, to retain its place.

Senate Bill No. 102—An Act providing for the admission of humane officers to places where scientific experiments are performed upon living animals; for investigating such experimentation and securing evidence of violation of law; for prohibiting certain experiments on living animals in any elementary or secondary schools in this state; and prescribing penalties for the violation of the provisions hereof.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 102 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Rush, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—30.

NOES—Senator Chandler—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 517—An Act granting municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railroad, canal, ditch or flume.

On motion of Senator Crowley, Senate Bill No. 517 was passed on file.

Senate Bill No. 783—An Act to amend section 681 of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes.

On motion of Senator Finn, Senate Bill No. 783 was passed on file.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

On motion of Senator Jones, Senate Bill No. 720 was passed on file, to retain its place.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 2 of article IX of the constitution of the said State, relating to the election and salary of a Superintendent of Public Instruction and also by repealing section 10 of article XXII of said constitution, relating to the term of officers first elected under the constitution and also to the election and term of office of the successors of such officers and also to the election of judicial officers and the Superintendent of Public Instruction.

On motion of Senator Jones, Senate Constitutional Amendment No. 12 was passed on file, to retain its place.

Senate Bill No. 510—An Act to amend sections 2, 12, 13, 15, 16, 17, 19, 20, 22, 24, 25, 26, 29, 30, 31, 32, 33, 34, 36, 37, 46, 47, 57, 71, 72, 75, 76, 77 and 81 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability and creating a 'State Compensation Insurance Fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State, and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents, and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an Industrial Accident Commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913, and to add thereto a new section to be numbered 75*a*.

On motion of Senator Benson, Senate Bill No. 510 was passed on file, to retain its place.

Senate Bill No. 669—An Act to amend section 3 of an Act entitled "An Act to define investment companies, investment brokers, and agents, to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of Commissioner of Corporations, and making an appropriation therefor, approved May 28, 1913.

In the absence of the author, Senate Bill No. 669 was passed on file.

Senate Bill No. 239—An Act creating a board of retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, and the Sonoma State Home; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said board of retirement.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading, Senator Finn moved to refer to Senator Rush as a Special Committee of One to amend Senate Bill No. 239 as follows:

AMENDMENT NUMBER ONE.

On line 6, page 1 of the title of said Act, strike out the word "and" after the word "pital".

AMENDMENT NUMBER TWO.

On line 6, page 1 of the title of said Act, after the word "Home" strike out the semicolon, and insert in lieu thereof a comma and the words "State Prison at Folsom and State Prison at San Quentin;".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 239, with instructions to amend, respectfully reports the same back, amended as per instructions.

RUSH, Committee.

Report read and, on motion of Senator Finn, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Finn, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Finn, Senate Bill No. 60 was passed on file.

Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

Read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading, Senator Finn moved to refer to Senator Flaherty as a Special Committee of One to amend Senate Bill No. 55 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3 of the amended bill, strike out the word "two" and insert in lieu thereof the word "three".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 55, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLAHERTY, Committee.

Report read and, on motion of Senator Finn, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 1263—An Act to add a new section to the Penal Code, to be numbered section 653*f*, relating to the restricting of the number of individuals who may learn a trade.

Read third time.

SPECIAL ORDER RESET.

On motion of Senator Finn, the consideration of Senate Constitutional Amendment No. 2, heretofore set as a special order for this time, was reset as a special order for consideration immediately following the consideration of the file of Assembly bills, this legislative day.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., Senator Thompson asked for and was granted unanimous consent that the hour of recess be extended until twelve o'clock and thirty-five minutes p.m.

CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED THREE—(RESUMED).

Senate Bill No. 1203—An Act to add a new section to the Penal Code, to be numbered section 653*f*, relating to the restricting of the number of individuals who may learn a trade.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1203 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Flint, Irwin, King, Maddux, Mott, Owens, Purkitt, Shearer, Strobridge, Stuckenbruck, Thompson, and Tyrrell—23.

NOES—Senators Beban, Benson, Carr, Crowley, Duncan, Finn, Flaherty, Gerdes, Jones, Kehoe, Luce, Lyon, Rush, Scott, Slater, and Wolfe—16.

NOTICE OF MOTION TO RECONSIDER.

Senator Tyrrell gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1203 was passed.

RECESS.

At twelve o'clock and thirty-five minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RE-CONVENED.

At two o'clock p.m., the Senate re-convened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Birdsall asked for and was granted unanimous consent to take up for consideration out of the regular order for the purpose of amendment, Senate Bill No. 1216—An Act to create a motor vehicle department, to define the authority powers and duties thereof, to provide for officers and employees thereof, to fix their salaries and compensations; to make appropriations and provide funds for the support and expenditures thereof; to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act, and to make appropriations therefor; and to repeal all Acts or parts of Acts in conflict with this Act.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading, Senator Birdsall moved to refer to Senator Cogswell as a Special Committee of One to amend Senate Bill No. 1216 as follows:

AMENDMENT NUMBER ONE.

On page 1, strike out lines 2 to 6, inclusive, of the title of the printed bill and insert in lieu thereof the following: "to regulate".

AMENDMENT NUMBER TWO.

On page 1, line 13, of the title of the printed bill, insert the word "motor" between the words "a" and "vehicle".

AMENDMENT NUMBER THREE.

On page 1, line 17, of the title of the printed bill, insert the word "motor" between the words "for" and "vehicles".

AMENDMENT NUMBER FOUR.

Strike out the last line of the title on page 1 of the printed bill and insert in lieu thereof the following: "to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this Act, and to".

AMENDMENT NUMBER FIVE.

On page 2, line 1, of the printed bill, strike out the word "appropriations" in said line and insert in lieu thereof the word "appropriation".

AMENDMENT NUMBER SIX.

On page 4 of the printed bill, strike out all of line 32 after the word "salaries" in said line and insert in lieu thereof the following: "expenses and refunds incident to the".

AMENDMENT NUMBER SEVEN.

On page 6 of the printed bill, strike out all of lines 33 to 37, inclusive, and on page 7, strike out all of lines 1 to 5, inclusive, and insert in lieu thereof the following: "for horsepower rating or for electric motor vehicles; for every such vehicle weighing four thousand pounds and over and less than six thousand pounds unladen, ten dollars in addition to the fees provided herein for horsepower rating or for electric motor vehicles; for every such vehicle weighing six thousand pounds and over and less than ten thousand pounds unladen, fifteen dollars in addition to the fees provided herein for horsepower rating or for electric motor vehicles; for every such vehicle weighing ten thousand pounds and over unladen, twenty dollars in addition to the fees provided herein for horsepower rating or for electric motor vehicles; for the registration of every electric motor vehicle, five dollars; for the"

AMENDMENT NUMBER EIGHT.

On page 7, line 21, of the printed bill, after the word "illegible." in said line, strike out the words "and for every seal or disc furnished,".

AMENDMENT NUMBER NINE.

On page 8, line 17, of the printed bill, strike out the word "remove" in said line and insert in lieu thereof the word "removes".

AMENDMENT NUMBER TEN.

On page 8, line 34, of the printed bill, after "tration," insert the words "transportation prepaid,".

AMENDMENT NUMBER ELEVEN.

On page 16, line 37, of the printed bill, after the word "or" in said line, strike out the word "the" and insert in lieu thereof the word "any".

AMENDMENT NUMBER TWELVE.

On page 18, line 12, of the printed bill, strike out the word "such" in said line and insert in lieu thereof the words "a designated".

AMENDMENT NUMBER THIRTEEN.

On page 28, line 6, of the printed bill, strike out all after the period and all of lines 7 to 20, inclusive, and line 21 to and including the word "for", and insert in lieu thereof the following: "There shall be printed one hundred fifty thousand copies of this act, which".

AMENDMENT NUMBER FOURTEEN.

On page 28, line 30, of the printed bill, after the period add the following: "So much of the motor vehicle fund hereby created as may be necessary is hereby appropriated to be expended by the department in carrying out the provisions of this Act; *provided, however*, that there shall not be expended for such purposes in any one year more than one hundred fifty thousand dollars."

AMENDMENT NUMBER FIFTEEN.

On page 28, line 34, of the printed bill, strike out the word "five" and insert in lieu thereof the word "ten".

AMENDMENT NUMBER SIXTEEN.

On page 29 of the printed bill, strike out all of line 5 after the comma and the word "to" at the beginning of line 6, and insert in lieu thereof the word "shall".

AMENDMENT NUMBER SEVENTEEN.

On page 29, line 13, of the printed bill, strike out the word "department" in said line and insert in lieu thereof the following: "state department of engineering".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1216, with instructions to amend, respectfully reports the same back, amended as per instructions.

COGSWELL, Committee.

Report read, and, on motion of Senator Birdsall, adopted.

Bill ordered to print and re-engrossment.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 292—An Act to amend section 640 of the Penal Code of the State of California, relating to telegraph and telephone lines and messages.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 363—An Act to diminish the number of judges of the Superior Court of the county of Shasta, State of California.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Constitutional Amendment No. 2, heretofore set as a special order for this time, the same was taken up for consideration.

SENATE CONSTITUTIONAL AMENDMENT NUMBER TWO.

A resolution to propose to the People of the State of California an amendment to the Constitution of the State of California, by adding to article VI of said Constitution a new section, to be numbered section 6½, relating to the term of office of judges of the Superior Court.

The legislature of the State of California at its regular session commencing on the fourth day of January, 1915, two-thirds of the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes to the people of the State of California an amendment to the constitution of said state by adding to article VI thereof a new section, to be numbered 6½, to read as follows:

Section 6½. The term of office of judges of the Superior Court shall be twelve years from and after the first Monday of January next succeeding their election. The term of office of all judges of the Superior Court holding office on the second Monday of January in the year nineteen hundred and seventeen, and theretofore elected, shall be twelve years from and after the first Monday of January next succeeding the date on which they were elected, except in the case of a judge elected to hold office for the remainder of an unexpired term, in which case such judge shall hold office until the expiration of a term of twelve years from and after the first Monday of January next succeeding the date on which a judge was elected to hold office for the full term of which such remainder of an unexpired term is a part. Nothing herein contained shall be construed to prevent the operation of any law providing for the recall or impeachment of judges or for any other method for the removal of judges from office.

Constitutional amendment read.

The question being on the adoption of Senate Constitutional Amendment No. 2.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Finn moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

The Secretary announced the absentees.

Time, two o'clock and thirty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At two o'clock and thirty-five minutes p.m., Senators Cogswell, Benedict, Chandler, Brown, Mott, and Beban were brought to the bar of the Senate, and, on motion of Senator Strobridge, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and fifty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Finn.

The Secretary was directed to call the roll, on adoption of the constitutional amendment, of Senators who had not answered to their names.

The roll was called, and Senate Constitutional Amendment No. 2 was adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Jones, Kehoe, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Wolfe—28.

NOES—Senators Benedict, Birdsall, Chandler, Duncan, Irwin, King, Luce, Thompson, and Tyrrell—9.

Constitutional amendment ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Carr gave notice that on the next legislative day he would move to reconsider the vote by which Senate Constitutional Amendment No. 2 was passed.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 142—An Act to create the office of public defender; to provide for the appointment of such officers, and prescribing their duties and compensation.

Read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 142 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Cogswell, Cohn, Crowley, Duncan, Flaherty, Jones, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—28.

NOES—Senators Irwin, Owens, Purkitt, and Stuckenbruck—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 846—An Act to amend section 1 of an Act entitled "An Act providing for vacations for certain employees of the State," approved March 15, 1909;

Also: Senate Bill No. 955—An Act to amend an Act entitled "An Act to prevent misrepresentations of conditions of employment, making it a misdemeanor to misrepresent the same and providing penalties therefor," approved March 20, 1903, by amending section 1 thereof;

Also: Senate Bill No. 302—An Act to amend section 3088 of the Civil Code, relating to negotiable instruments;

Also: Senate Bill No. 427—An Act to add a new section to the Political Code, to be numbered 1617*b*, relating to the employment of home teachers;

Also: Senate Bill No. 521—An Act to amend sections 2605 and 2607 of the Political Code of the State of California, relating to State Board of Harbor Commissioners for the bay of San Diego;

Also: Senate Bill No. 725—An Act to add two new sections to the Political Code, to be numbered 1197*a* and 1197*b* respectively, relating to initiative, referendum and recall petitions;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this 6th day of April, 1915, at 10 o'clock a.m.

FLAHERTY, Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 500—An Act to amend sections 1, 8, 9, 10, 11, 14 and 17 of an Act entitled: "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat disease, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, said amendments relating to the Board of Examiners, and to the requirements of applicants for examination, and to the requirements of schools, and to the revocation of licenses and to the regulation of practice.

On motion of Senator Benedict, Senate Bill No. 500 was passed on file, to retain its place.

Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a Board of Examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act.

On motion of Senator Scott, Senate Bill No. 310 was passed on file.

Senate Bill No. 452—An Act to amend sections 1768 and 1770 of the Political Code of the State of California, relating to the nomination, appointment and organization of county boards of education.

Read third time.

The question being on the passage of Senate Bill No. 452.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Anderson moved a call of the Senate.

Motion carried.

Time, three o'clock and forty-six minutes p.m.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and forty-seven minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wolfe.

The Secretary was directed to call the roll, on passage of the bill, of Senators who had not answered to their names.

The roll was called, and Senate Bill No. 452 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Brown, Butler, Campbell, Cohn, Crowley, Finn, Flaherty, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Thompson, and Wolfe—24.

NOES—Senators Benson, Birdsall, Chandler, Duncan, Flint, Jones, Purkitt, Shearer, Stuckenbruck, and Tyrrell—10.

NOTICE OF MOTION TO RECONSIDER.

Senator Campbell gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 452 was passed.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Scott, the consideration of the motion to reconsider the vote whereby Senate Bill No. 54 was passed was continued until the next legislative day.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12.

By order of the President pro tem., Senate Bill No. 954 was passed on file.

Senate Bill No. 570—An Act to add a new section to the Political Code to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or the acceptance of rebates on insurance or surety bonds and providing penalty therefor and for the revoking of the license of any agent or broker violating the same, and prescribing the powers and duties of the insurance commissioner in relation thereto.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading, Senator Benedict moved to refer to Senator Brown as a Special Committee of One, to amend Senate Bill No. 570 as follows:

AMENDMENT NUMBER ONE.

Strike out the semicolon in line 21, page 4, and everything thereafter, beginning with the word "nor" down to and including the word "employer" in line 28.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 570, with instructions to amend, respectfully reports the same back, amended as per instructions.

BROWN, Committee.

Report read and, on motion of Senator Benedict, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 572—An Act to amend section 633 of the Political Code, concerning the licensing of insurance and surety agents; providing for the revoking of such licenses and providing a penalty for violation thereof.

On motion of Senator Benedict, Senate Bill No. 572 was passed on file.

Senate Bill No. 573—An Act to add a new section to the Political Code, to be numbered 633*a*, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the Insurance Commissioner, and providing for a violation thereof.

On motion of Senator Benedict, Senate Bill No. 573 was passed on file.

Senate Bill No. 900—An Act to amend section 596 of the Political Code, concerning certificate of authority to insurance companies; prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof.

On motion of Senator Benedict, Senate Bill No. 900 was passed on file.

Senate Bill No. 611—An Act to amend sections 1 and 4 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907.

On motion of Senator Carr, Senate Bill No. 611 was passed on file.

SENATOR STROBRIDGE IN THE CHAIR.

At three o'clock and fifty-five minutes p.m., Senator Strobridge of the Thirteenth District, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1101—An Act to amend section 2 of an Act entitled "An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems," approved June 13, 1913.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1101 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 603—An Act to amend an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and creation of ex officio boards of supervisors." (enacted March 20, 1909; amended March 23, 1911).

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 603 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1230—An Act to amend sections 4, 5 and 6 of an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Luce moved to refer to Senator Duncan as a Special Committee of One to amend Senate bill No. 1230 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 10, after the word "repeal", strike out the following: "; *provided*," also all of lines 11, 12, 13, 14, 15, 16 and down to and including the period following the word "San Diego" in line 17, and insert in lieu thereof a period.

AMENDMENT NUMBER TWO.

On page 3, line 2, strike out the period following the word "years", and insert in lieu thereof a semicolon and the following: "*provided, however*, that said city may have the right to renew such lease or leases for a further term not exceeding twenty-five years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases."

AMENDMENT NUMBER THREE.

On page 5, line 20, before the word "approval", insert the word "original".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1230, with instructions to amend, respectfully reports the same back, amended as per instructions.

DUNCAN, Committee.

Report read and, on motion of Senator Luce, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 1045—An Act to amend section 394 of the Code of Civil Procedure of the State of California, relating to the place of trial of actions.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1045 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan, Senate Bill No. 74 was passed on file.

Senate Bill No. 751—An Act to amend section 2287 of the Civil Code of the State of California, relating to appointment of trustees.

On motion of Senator Maddux, Senate Bill No. 751 was passed on file.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1236—An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of education.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 229—An Act to add a new section to the Code of Civil Procedure to be numbered 1020, relating to the service of summons in actions for divorce or annulment of marriage.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 230—An Act to add a new section to the Civil Code, to be numbered 128*a*, providing for the service of summons and complaint on the district attorney in actions for divorce or annulment of marriage, and conditioning the court's jurisdiction thereon.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 231—An Act to add a new section to the Political Code, to be numbered 4153*a*, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and to authorize the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes, and providing for their compensation.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 927—An Act relating to the deposit of moneys and assets held by bonded fiduciaries providing for agreements between surety and fiduciary as to place of deposit of such funds and assets.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 62—An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of sureties thereon, terms and conditions thereof and prescribing the penalties for the violation of any of the provisions thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 966—An Act to amend section 531 of the Political Code, relating to the duties of the Superintendent of State Printing.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, after the word "compositors," insert the word "bookbinders,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 17, of the printed bill, after the word "compositors," insert the word "bookbinders,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 18, of the printed bill, strike out the word "higher" and insert in lieu thereof the word "lower".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 19, of the printed bill, strike out the word "printer" and insert in lieu thereof the word "said mechanics".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 21, after the word "compositors," insert the words "bookbinders, pressmen".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 524—An Act to amend section 4258 of the Political Code, relating to salaries and fees of officers of counties of the twenty-ninth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, after the word "officers" in the title of the Act, insert the following: "and to the fees to be allowed trial and grand jurors".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, of the printed bill, line 17, after the word "collector" insert the words "during the months of April, May, September, October, November and December of each year".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, of the printed bill, at the end of line 31, add the following sentence: "The provisions of this section to apply to the present incumbent."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, line 13, strike out the period after the word "annum" and add the following: "provided that in counties of this class there shall be and there is hereby allowed to the auditor one clerk, which office is hereby created, at a salary of seventy-five dollars per month, and who shall be appointed by the auditor. The salary of said clerk herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the auditor is paid. The provisions of this section to apply to the present incumbent."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, line 25, strike out the period after the word "annum" and add the following: "*provided*, that in counties of this class there shall be and there is hereby allowed to the assessor one clerk, which office is hereby created, at a salary of one hundred dollars per month, and who shall be appointed by the assessor. The salary of said clerk herein provided for shall be paid by said county in monthly installments at the same time, and in the same manner, and out of the same fund as the salary of the assessor is paid. The assessor may also appoint five field clerks, which offices of field clerks are hereby created, to serve not exceeding sixty days in any one year, and said field clerks shall receive as compensation for all services performed as such, the sum of five dollars per day for each day actually and necessarily employed as such, to be paid out of the county treasury in the same manner, at the same time and out of the same fund as salaries of county officers are paid; *provided*, that each field deputy, when so employed, shall file with the auditor a statement verified by the oath of such field deputy and approved by the assessor, showing the number of days actually and necessarily employed in the duties of such employment during the period covered by said statement, before any warrant for the payment of such compensation shall be drawn by the auditor. All commission fees or compensation for the collection of taxes on personal property, for services in making out the roll of persons subject to military duty, and all other fees or commissions shall be collected by the assessor and by him paid into the county treasury, and no part thereof shall be retained by him as a part of his compensation. The provisions of this section to apply to the present incumbent."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, lines 11 and 12, strike out the words "three thousand dollars per annum for all work performed for the county" and insert in lieu thereof the words "such fees as are now or may hereafter be allowed by law."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, strike out all of subdivision 13 and insert in lieu thereof the following: "Justices of the peace shall receive the following monthly salaries, to be paid each month as salaries of other county officers are paid, which shall be in full for all services rendered in both civil and criminal cases; in townships where the population is thirty-five hundred, or more, seventy-five dollars per month, and said justice of the peace shall be furnished with offices and necessary supplies by the board of supervisors of said county; in townships where the population is twenty-five hundred, or more, and less than thirty-five hundred, fifty dollars per month; in townships where the population is fifteen hundred, or more, and less than twenty-five hundred, thirty-five dollars per month; in townships where the population is one thousand, or more, and less than fifteen hundred, twenty-five dollars per month; in townships where the population is less than one thousand, fifteen dollars per month; *provided*, that all fees and fines chargeable and collectable by justices of the peace in civil and criminal cases for services rendered by them shall be collected by them and by them paid monthly into the county treasury; *provided, further*, that for the purpose of this subdivision, the population of the several townships shall be ascertained by the board of supervisors, by multiplying the number of registered voters at the last general election of each township by three. This subdivision shall become operative and take effect immediately; it being the intention of this Act to have the salaries hereinabove mentioned take effect during the terms of the present officers.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 12 Relative to the protection of second-growth timber on watersheds;

Also: Assembly Joint Resolution No. 14—Relative to requesting the Congress of the United States to investigate the causes of unemployment and to adopt remedial measures therefor;

Has had the same under consideration, and respectfully reports same back and recommends that they be adopted.

RUSH, Chairman.

Senate Joint Resolution No. 12 ordered on file.

Assembly Joint Resolution No. 14 ordered on file.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 5, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 567,—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BENSON, Chairman.

Assembly Bill No. 567 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 6, 1915

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1331—An Act to amend section 4261 of the Political Code, relating to the salaries and fees of officers in counties of the thirty-second class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Assembly Bill No. 1334 ordered on file for second reading.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 876—An Act to amend section 4253 of the Political Code, relating to the compensation of officers in counties of the twenty-fourth class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BREED, Chairman

Assembly Bill No. 876 ordered on file for second reading.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

Senator Thompson asked for, and was granted unanimous consent to introduce a constitutional amendment out of the regular order:

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California, an amendment to the constitution by amending sections 1 and 9 of article XIII, and by repealing sections 8, 10 and 14 of said article, all relating to revenue and taxation.

Constitutional amendment referred to Committee on Revenue and Taxation.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following messages from the Assembly were taken up and read out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 672—An Act to amend section 1278 of the Code of Civil Procedure, relating to hearing application for change of name, and remonstrance, and requiring production of the certificate of the Superintendent of Banks, by banking corporations, that name desired does not resemble so closely as to be likely to cause confusion, the name of any other bank previously formed under the laws of this State;

Also: Senate Bill No. 671—An Act to add a new section to the Code of Civil Procedure to be numbered 1273, relating to escheated property;

Also: Senate Bill No. 640—An Act to amend section 408 of the Political Code, relating to the duties of the Secretary of State;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

On motion of Senator Thompson, Senate Bills Nos. 672, 671 and 640 were ordered to the file of Unfinished Business.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 641—An Act to amend section 526 of the Political Code, relating to the general duties of the Superintendent of State Printing:

Also: Senate Bill No. 479—An Act to amend section 3 of an Act entitled "An Act to establish a State Training School for Girls; to provide for the maintenance and management of the same; and to make an appropriation therefor," approved June 14, 1913;

Also: Senate Bill No. 793—An Act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements;

Also: Senate Bill No. 123—An Act to amend section 4 of an Act entitled "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended, so as to authorize the use of highways for the construction and maintenance of sewers.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 641, 479, 793 and 123 ordered to enrollment.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1226—An Act to amend section 2145 of the Political Code, relating to state hospitals for the insane and other incompetent persons;

Also: Senate Bill No. 832—An Act to add a new section to the Penal Code of the State of California, to be numbered section 637½, relating to the protection of game;

Also: Senate Bill No. 742—An Act to amend section 626*n* of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 431—An Act to amend section 368 of the Political Code and to repeal section 369 thereof, relating to executive officers, their appointment and terms;

Also: Senate Bill No. 564—An Act authorizing any municipality to incur indebtedness by the issuance and sale of bonds for the purpose of investing the proceeds arising from the sale thereof in other bonds, evidences of debt or liens issued for public improvements in said municipality.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1226, 832, 742, 431 and 564 ordered to enrollment.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 638—An Act to amend section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended;

Also: Assembly Bill No. 637—An Act to amend section 2 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under constitutional provision without Governor's approval February 25, 1909, as amended;

Also: Assembly Bill No. 303—An Act to carry into effect the provisions of section 1¼ of article XIII of the Constitution of California, exempting property from taxation in certain instances, and to that end adding a new section to the Political Code to be numbered 3612.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 638 and 637 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 303 read first time, and referred to Committee on Revenue and Taxation.

ADJOURNMENT.

At four o'clock and twenty minutes p.m., on motion of Senator Thompson, the Acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Wednesday, April 7, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

LEAVES OF ABSENCE.

Senator Hans was, on motion of Senator Tyrrell, granted leave of absence for this day.

Senator Beban was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Purkitt was, on motion of Senator Stuckenbruck, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 6, 1915, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. L. Devendorf of Berkeley.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 172 An Act to protect bear, and forbidding the use of steel traps, etc., in their pursuit.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 24—Authorizing and requesting the Governor to appoint a commission to co-operate with the federal authorities for the drafting of a law and the formation of a legal plan for the improvement of the Straits of Carquinez, the San Joaquin and Sacramento rivers; and the reclamation of adjacent overflowed lands; for irrigation; and the conservation of water.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Resolution referred to Committee on Federal Relations.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1535—An Act to amend sections 3, 5, 6, 7, 9, 11, 12, 18, 21, 23, 25, 27, 42, 43, 60, 63, 66, 67, 74 and 75, of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and repealing section 36, and sections 84, 85, 86, 87, 88 and 89 thereof, relating to work in unincorporated territory;

Also: Assembly Bill No. 455—An Act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued.

Also: Assembly Bill No. 1296—An Act to amend section 1149 of the Political Code, relating to posting at polling places of copies of index to affidavits of registration.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1535 and 455 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1296 read first time, and referred to Committee on Elections.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1293—An Act to amend the Political Code of the State of California by adding a new section thereto to be designated section 1193 and by repealing section 1191 thereof, both relating to the preservation and subsequent destruction of nomination papers;

Also: Assembly Bill No. 875—An Act to be known as the juvenile court law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the juvenile court law approved March 8, 1909, as amended by an Act approved April 5, 1911, and as amended by an Act approved June 16, 1913, and all amendments thereof and all Acts or parts of Acts inconsistent herewith;

Also: Assembly Bill No. 99—An Act to amend and re-number section 3247 of the Political Code, approved March 27, 1897, relating to the purchase of supplies for the State or for the use of any county, city and county, city or town, by boards, committees, and other persons.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1293 read first time, and referred to Committee on Elections.

Assembly Bill No. 875 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 99 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed a motion recalling Senate Bill No. 564—An Act authorizing any municipality to incur indebtedness by the issuance and sale of bonds for the purpose of investing the proceeds arising from the sale thereof in other bonds, evidences of debt or liens issued for public improvements in said municipality

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

RECALL OF BILL FROM COMMITTEE.

Senator Kehoe moved that Senate Bill No. 564 be recalled from the Committee on Engrossment and Enrollment.

Motion carried.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

SACRAMENTO, April 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 177—An Act to amend sections 2153*a* and 2161 of the Political Code, relating to the government and management of state hospitals for the insane and other incompetent persons.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1236—An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of education;

Also: Senate Bill No. 229—An Act to add a new section to the Code of Civil Procedure to be numbered 1020, relating to the service of summons in actions for divorce or annulment of marriage;

Also: Senate Bill No. 230—An Act to add a new section to the Civil Code, to be numbered 128*a*, providing for the service of summons and complaint on the district attorney in actions for divorce or annulment of marriage, and conditioning the courts' jurisdiction thereon;

Also: Senate Bill No. 231—An Act to add a new section to the Political Code, to be numbered 4153*a*, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and to authorize the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes, and providing for their compensation;

Also: Senate Bill No. 927—An Act relating to the deposit of moneys and assets held by bonded fiduciaries providing for agreements between surety and fiduciary as to place of deposit of such funds and assets;

Also: Senate Bill No. 62—An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of sureties thereon, terms and conditions thereof and prescribing the penalties for the violation of any of the provisions thereof;

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 36—An Act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bed clothes or bed covering in such hotels, repealing all Acts or parts of Acts in conflict with this Act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BUTLER, Chairman.

Assembly Bill No. 36 ordered on file for second reading.

Also:

SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a state board of chiropractic examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BUTLER, Chairman.

Senate Bill No. 1078 ordered on file for second reading.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Brown, the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Campbell moved to reconsider the vote whereby Senate Bill No. 452—An Act to amend sections 1768 and 1770 of the Political Code of the State of California, relating to the nomination, appointment and organization of county boards of education—was passed.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Campbell, the consideration of the above motion to reconsider was postponed until the next legislative day.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 1005—An Act to carry into effect the provisions of section 1*a* of article XIII of the Constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered 3613.

On motion of Senator Jones, Senate Bill No. 1005 was passed on file.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

On motion of Senator Jones, Senate Bill No. 720 was passed on file.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 2 of article IX of the Constitution of the said State, relating to the election and salary of a superintendent of public instruction and also by repealing section 10 of article XXII of said Constitution, relating to the term of officers first elected under the Constitution and also to the election and term of office of the successors of such officers and also to the election of judicial officers and the Superintendent of Public Instruction.

On motion of Senator Jones, Senate Constitutional Amendment No. 12 was passed on file.

Senate Bill No. 510—An Act to amend sections, 2, 12, 13, 15, 16, 17, 19, 20, 22, 24, 25, 26, 29, 30, 31, 32, 33, 34, 36, 37, 46, 47, 57, 71, 72, 75, 76, 77 and 81 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'state compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State, and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913, and to add thereto a new section to be numbered 75*a*.

On motion of Senator Benson, Senate Bill No. 510 was passed on file, to retain its place.

Senate Bill No. 669—An Act to amend section 3 of an Act entitled "An Act to define investment companies, investment brokers, and agents, to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of commissioner of corporations, and making an appropriation therefor, approved May 28, 1913.

In the absence of the author, Senate Bill No. 669 was passed on file.

Senate Bill No. 500—An Act to amend sections 1, 8, 9, 10, 11, 14 and 17 of an Act entitled: "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat disease, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, said amendments relating to the Board of Examiners, and to the requirements of applicants for examination, and to the requirements of schools, and to the revocation of licenses and to the regulation of practice.

Bill read third time.

On motion of Senator Benedict, Senate Bill No. 500 was ordered to the file of Unfinished Business.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan, Senate Bill No. 74 was passed on file.

Senate Bill No. 751—An Act to amend section 2287 of the Civil Code of the State of California, relating to appointment of trustees.

On motion of Senator Maddux, Senate Bill No. 751 was passed on file.

SENATE JOINT RESOLUTION NUMBER FIVE.

Relative to memorializing the Congress of the United States to initiate proceedings therein for the submission to the several states of an amendment to the Constitution of the United States giving Congress power to enact a uniform divorce law.

WHEREAS, The diversity in the laws of the various states of this union relating to divorce has been the cause of abuses which have done much to weaken the confidence of the people in the administration of justice; and

WHEREAS, The American Bar Association and the leading members of the legal profession in various states, and prominent jurists and publicists have, after extensive investigation of conditions, repeatedly urged the pressing necessity for uniformity in divorce legislation; and

WHEREAS, There appears to be no effective way in which such uniformity can be secured other than by action by the Congress of the United States; and

WHEREAS, Under the Constitution of the United States as it now exists Congress has no power to establish uniform laws on the subject of divorce; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorialize the Congress of the United States to initiate proceedings therein for the submission to the several states of an amendment to the Constitution of the United States giving Congress power to establish uniform laws on the subject of divorce throughout the United States; and be it further

Resolved, That the Governor of the State of California be and he is hereby requested to transmit duly authenticated copies of this memorial to the President of the United States, to the President of the United States Senate, to the Speaker of the House of Representatives, and to each member in the Senate and House of Representatives from the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 5 adopted by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Brown, Butler, Campbell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—27.

NOES—Senators Ballard and Duncan—2.

Resolution ordered to engrossment, and to the Assembly.

SENATE JOINT RESOLUTION NUMBER ELEVEN.

Relative to the Dredging and Improvement of the Mokelumne River.

WHEREAS, The Mokelumne River was until recent years a navigable river and would be navigable but for the failure to carry on the work of dredging and improvement done by the Government of the United States; and

WHEREAS, The said Mokelumne River can be easily rendered navigable as far as the town of Woodbridge by dredging; and

WHEREAS, The enterprise is fully justified by the commercial importance of the community affected; now, therefore, be it

Resolved, That, when the Government of the United States is ready to enter upon the work of improvement of said river so as to render it navigable to the town of Woodbridge, the State of California stands ready to defray one-half of the expense of such improvement.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 11 adopted by the following vote:

AYES—Senators Ballard, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, King, Luce, Maddux, Mott, Owens, Rush, Shearer, Slater, Stuckenbruck, and Tyrrell—25.

NOES—Senators Anderson, Jones, Kehoe, and Strobridge—4.

Resolution ordered to engrossment, and to the Assembly.

Senate Bill No. 783—An Act to amend section 681 of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes.

Read third time.

On motion of Senator Finn, Senate Bill No. 783 was passed on file.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Finn, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Finn, Senate Bill No. 60 was passed on file.

SENATE JOINT RESOLUTION NUMBER TWELVE.

Relative to the protection of second-growth timber on watersheds.

WHEREAS, The presence of standing timber or brush on watersheds is essential as the only natural means of water conservation; and

WHEREAS, The conservation of the public water supply is of vital importance to the citizens of the State of California, owing to the long periods in which the rainfall is inadequate to meet public needs, and the fact that great depredation is caused by erosion when the flow of streams draining said watersheds is unrestrained; and

WHEREAS, Vast timber or forest growths located upon many of the forest reservations and public lands of the United States have been seriously depleted by the removal of trees therefrom for commercial purposes, thus making the preservation of the second-growth timber essential to the present and future natural water conservation on said watersheds; and

WHEREAS, The process invariably followed in deforesting timber lands of the first-growth trees results in unused stumps, logs and branches commonly known as "slashings" being left to dry and decay upon the ground among or near to the uncut young trees and brush, thereby greatly increasing the fire menace to which said trees and brush are subjected; and

WHEREAS, The conservation of water on many other watersheds depends entirely on the brush fields located thereon, which are in their nature highly inflammable, and subject to an increased fire hazard due to the proximity of such deforested areas upon federal reservations and public lands; now, therefore, be it

Resolved by the Senate and Assembly of the State of California jointly, That we respectfully urge the President of the United States to incorporate in a special message to Congress at the special session about to convene, the recommendation that Congress take such measures as may be necessary to require the agents of the federal government whose duty it is to protect the forest reservations and public lands of the United States, to remove from government reservations and public lands such slashings and other inflammable material as may endanger the timber and brush growth on watersheds.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Joint Resolution No. 12 adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—32.

NOES—None.

Resolution ordered to engrossment and to the Assembly.

Senate Bill No. 1236—An Act to amend sections 1771, 1772, and 1775 of the Political Code, relating to the powers and duties of the county board of education.

On motion of Senator Irwin, Senate Bill No. 1236 was passed on file.

Senate Bill No. 229—An Act to add a new section to the Code of

Civil Procedure to be numbered 1020, relating to the service of summons in actions for divorce or annulment of marriage.

Senate Bill No. 230—An Act to add a new section to the Civil Code, to be numbered 128*a*, providing for the service of summons and complaint on the district attorney in actions for divorce or annulment of marriage, and conditioning the court's jurisdiction thereon.

Senate Bill No. 231—An Act to add a new section to the Political Code, to be numbered 4153*a*, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and to authorize the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes, and providing for their compensation.

SPECIAL ORDER.

Senator Anderson moved that the consideration of Senate Bills Nos. 229, 230 and 231, be made a special order for Tuesday, April 13, 1915, at eleven o'clock a.m.

Motion carried.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 927—An Act relating to the deposit of moneys and assets held by bonded fiduciaries providing for agreements between surety and fiduciary as to place of deposit of such funds and assets.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 927 passed by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Breed, Brown, Butler, Campbell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Shearer, Slater, Streckenbruck, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 62—An Act relating to the bonding of collection agencies, fixing amount and time of bond and qualifications and number of sureties thereon, terms and conditions thereof and prescribing the penalties for the violation of any of the provisions thereof.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 62 passed by the following vote:

AYES—Senators Anderson, Birdsall, Breed, Brown, Butler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Rush, Scott, Shearer, Slater, Strobridge, Tyrrell, and Wolfe—25

NOES—Senators Ballard, and Maddux—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 517—An Act granting municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railroad, canal, ditch or flume.

On motion of Senator Crowley, Senate Bill No. 517 was passed on file.

Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicans; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act.

On motion of Senator Scott, Senate Bill No. 310 was passed on file; to retain its place.

Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12.

On motion of Senator Lyon, Senate Bill No. 954 was passed on file; to retain its place.

SECOND READING OF SENATE BILLS.

Senate Bill No. 152—An Act to amend section 4244 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8 of the printed bill, strike out the comma and insert in lieu thereof the words "shall receive".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 3, strike out the words "five thousand" and insert in lieu thereof the words "four thousand eight hundred".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 4, strike out the comma and all of lines 5 and 6 and insert in lieu thereof the following: "the following deputies, who shall be appointed by the sheriff and shall be paid salaries as follows: one chief deputy sheriff at a salary of one thousand eight hundred dollars per annum; one court room deputy at a salary of one thousand two hundred dollars per annum; one deputy sheriff to act as jailer, at a salary of one thousand two hundred dollars per annum. The salaries of the deputies herein provided for shall be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the sheriff is paid."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 19, strike out the word "two" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 21, strike out the period and insert in lieu thereof the following. ", and one from August fifteenth to October fifteenth inclusive of each year, who shall be paid sixty dollars per month; *and it is further provided*, that if the board of supervisors in any year shall act, order or direct the auditor to prepare and compile its annual statistical report, and on so performing such services and in that event, be allowed the further sum of three hundred dollars payable upon the completion and acceptance of said report."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 23, strike out the period and insert in lieu thereof the following: "; and there is hereby allowed to the treasurer one deputy to be appointed by him who shall receive a salary of six hundred dollars per annum which shall be paid by the county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the treasurer is paid."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 21, strike out the words "or January fourth" and all of line 22 and down to and including the word "date" on line 23.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 604—An Act to amend sections 2, 8, 11 and 13 of "An Act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof; for the constructions therein or thereon of sidewalks, sewers, manholes, bridges, cesspools, gutters, tunnels, curbing, and cross walks; for the issue of bonds representing the costs and expenses thereof; for a special fund derived in part from the county road fund and in part by special assessment upon a district, and for the establishment of such districts (approved March 21, 1907, as subsequently amended)."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the first line of the title of the Act, as the same appears in the printed bill, between the words "two" and "eight" insert the word "six"; between the words "eleven" and "and" insert the word "twelve"; between the words "of" and "an" insert the words "an Act entitled".

Amendment adopted.

AMENDMENT NUMBER TWO.

In the sixth line of the title of the Act, as the same appears in the printed bill, substitute the word "of" for the word "or".

Amendment adopted.

AMENDMENT NUMBER THREE.

In the eleventh line of the title, as the same appears in the printed bill, put quotation marks after the word "districts".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In the twelfth line of the title, as the same appears in the printed bill, strike out the words "as subsequently amended".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 1, page 1 of the printed bill, strike out the words "the above entitled Act" and insert in lieu thereof the following: "An Act entitled 'An Act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof; for the construction therein or thereon of sidewalks, sewers, manholes, bridges, cesspools, gutters, tunnels, curbing, and crosswalks; for the issue of bonds representing the costs and expenses thereof; for a special fund derive in part from the county road fund and in part by special assessment upon a district, and for the establishment of such districts,' approved March 21, 1907".

Amendment adopted.

AMENDMENT NUMBER SIX.

At the end of line 5, page 1 of the printed bill, insert the following: "to be benefited by said work."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

In line 3, page 2 of the printed bill, strike out the comma after the word "board" and insert in lieu thereof a period and begin the next word with a capital letter.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

In line 4, page 2 of the printed bill, strike out the words "in said district,".

Amendment adopted.

AMENDMENT NUMBER NINE

After line 25, page 2 of the printed bill, insert the following: "SEC. 2. Section 6 of said Act is hereby amended to read as follows:

"Sec. 6. Unless the power to proceed shall have ceased, as hereinbefore provided, the board of supervisors shall in conclusion of the aforementioned hearing, and as a sufficient determination of all questions arising thereat, by resolution or resolutions to be entered upon its minutes, declare its finding that a majority of the owners of land within the district described in the resolution of intention have not before the day of the hearing filed written objection, going to the ordering of the work to be done, and determining the boundaries of the district to be benefited by the improvement, and the grades thereon. If no changes be made in the boundaries of the district as the same are set forth in the resolution of intention, it shall be sufficient to state that the boundaries of the district are those set forth in the resolution of intention, but if any change of such boundaries is made, the boundaries of the district, as finally determined, shall be fully set forth.

"If no change be made as to the grades, as set forth in the specifications on file, it shall be sufficient to state that the grades of the same, as finally determined, are those set forth in such specifications. In either case, the boundaries of the district so determined shall be the boundaries of the district for all purposes of the proceeding and until any bonds to be issued for the cost of the work shall have been fully paid and discharged; and the grades so determined shall be the grades of the district for all the purposes of the proceeding and the "official grade" within the meaning of section 1 of this Act; *provided, however*, that the boundaries of the district, as the same are set forth in the resolution of intention, shall not be so changed as to include within the district any territory not within its boundaries as set forth in that resolution, nor so that the place or locality of any work described in such resolution of intention shall be excluded from the boundaries of the district as so finally determined.

"In like manner the board of supervisors may order the work to be done, and if it so do, shall fix a time for receiving proposals or bids for doing the work, and direct the clerk to give notice accordingly, inviting sealed proposals or bids. Such notice shall include a statement that the work is to be done 'under the provisions of the Road District Improvement Act of 1907,' and according to the specifications on file therefor, except in so far as the grades specified therein shall have been fixed otherwise by the board of supervisors in conclusion of the hearing in said Act provided; to which said Act, to the resolution of intention and all proceedings had thereunder the attention of bidders is hereby directed, and by this reference made part of this notice."

Amendment adopted.

AMENDMENT NUMBER TEN.

In line 26, page 2, of the printed bill, strike out the figure "2" and insert the figure "3" in lieu thereof; strike out the words "the above entitled" and insert in lieu thereof the word "said".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

In line 15, page 3, of the printed bill, strike out the figure "3" and insert the figure "4" in lieu thereof; strike out the words "the above entitled" and insert in lieu thereof the word "said".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

After the sixth line on page 4 of the printed bill insert the following:

"SEC. 5. Section 12 of said Act is hereby amended to read as follows:

"'Sec. 12. Upon the expiration of twenty days from the making of the final order mentioned in section 11 of this Act, the clerk of the board of supervisors shall transmit to the county treasurer of the county an attested copy of said final order, and upon receipt of the same, the treasurer shall proceed to issue bonds amounting in the aggregate to the principal sum for which bonds are to be issued as the same is stated in said final order. A bond may be issued in any amount, provided that the aggregate of the bond or bonds made payable in any one year is the proper part of the whole principal of the bond issue as specified in said final order, and that the interest thereon shall be payable as hereinafter provided. The said bonds may in form and shall in substance be as indicated following, to wit:

ROAD DISTRICT IMPROVEMENT BOND.

County of ----------------------, State of California.

Road Improvement District No. ----------.

$---------------- Bond No.----------

"'Under and by virtue of an Act of the Legislature of the State of California, known as the "Road District Improvement Act of 1907" (here may be inserted a further designation of the Act, if desired) the County of ----------------------, State of California, will pay to the bearer, out of the fund hereinafter designated, at the office of the treasurer of said county, on the ------- day of -------------- 19----, the sum of ---------------------------------- dollars, in gold coin of the United States of America, with interest thereon, in like gold coin, at the rate of -------- per cent, per annum, payable semi-annually on the second day of January and the second day of July of each year from the date hereof, (except the last installment thereof, which shall be payable at maturity of this bond,) upon presentation and surrender, as they respectively become due, of the proper interest coupons hereto attached, the first of which is for interest from date hereof to the next date of interest payment, and the last for interest to maturity hereof from the last preceding date of interest payment.

"'This bond is issued under and in conformity to the provisions of the above mentioned "Road District Improvement Act of 1907" and the amendments thereof, and is one of a series of bonds of like date and effect numbered from 1 to ---------, consecutively, amounting in the aggregate to ------------------------------ dollars, issued in behalf of Road Improvement District No. ------ of said county, which constitute the only indebtedness of said district. It is hereby certified, recited, and declared that all proceedings, acts and things required by law precedent to or in the issuance of this bond have been regularly had, done and performed, and this bond is by law made conclusive evidence thereof.

"'This bond is payable out of Road District Improvement Fund No. --------, exclusively, as the same appears on the books of the treasurer of said county, and neither said county nor any officer thereof shall be holden for its payment otherwise; but in accordance, with said Act the board of supervisors of said county will annually, at the time of levying other taxes, levy upon all the land in said road improvement district a special assessment tax in an amount clearly sufficient to pay the principal and interest of said bonds as the same shall become payable.

"'In witness whereof said county has caused this bond to be signed by the chairman of its board of supervisors and countersigned by its treasurer and the seal of said board to be hereto affixed, and said interest coupons to be signed by the said treasurer this ---------- day of ----------------------, 19-----.

Chairman of the Board of Supervisors of the County of ---------------------.

[SEAL OF BOARD OF SUPERVISORS.]

Countersigned:

Treasurer of the County of------------.

"'Said bonds shall be signed by the chairman of the board of supervisors and countersigned by the treasurer of the county, and shall have the seal of said board of supervisors thereto affixed, and when so signed shall be binding according to the term thereof as prescribed in said form. The interest coupons attached to said bonds shall be in such form as the said treasurer may determine, subject to the provisions of this Act and the determination made by the board of supervisors, and their signature by said treasurer alone, by either written or lithographed or printed facsimile signature, shall be sufficient. Said bonds shall be delivered by the said treasurer to said contractor or to his order, assignee, or lawful representative.

"'The board of supervisors is hereby vested with power to determine the number of years, not to exceed twenty, within which the aggregate principal of bonds to be issued under this Act shall be paid and discharged, and to fix the rate of interest, not to exceed seven per cent. per annum, to be paid thereon, and it shall be a sufficient determination and fixing of the same to set forth in the resolution of intention that bonds will issue for the work in any terms that will fairly indicate such time and such rate and the fractional part of the principal to be paid each year, which part shall be the same for each of the years covered by the bond issue.

"'The interest payments on said bonds shall be payable semi-annually, on the second days of January and July of each year, (except the last installment, which shall be payable at maturity of the bonds), in the manner indicated in said form of bond, and the interest and principal shall be payable at the office of the county treasurer in gold coin of the United States of America; but it shall not be necessary, either in the resolution of intention or otherwise, to set forth or determine the days of the month on which payments of interest are to be made, nor that payments shall be made in such gold coin, nor that payments shall be made at such treasurer's office, but all persons are charged with notice of the contents of this section, especially in the aforesaid particulars.'"

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

In line 7, page 4, of the printed bill, strike out the figure "4" and insert in lieu thereof the figure "6"; strike out the words "the above entitled" and insert in lieu thereof the word "said".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

At the end of line 16, page 4, of the printed bill, strike out the period and insert in lieu thereof a comma, and after the comma the following: "Nor shall any action be maintained to cancel or set aside said bonds, or to prevent the payment thereof, or the levy or the collection of a tax for such payment."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

At the end of line 7, page 5, of the printed bill, insert the following: "Whenever any of said bonds or any interest thereon shall become due and there shall not be sufficient money in said road district improvement fund to pay same, the board of supervisors may, pending the levy and collection of a tax therefor, order the amount of money necessary to pay the bonds or interest so falling due, to be transferred from the general fund to said road district improvement fund, and the amount of money so transferred shall be deemed a loan to said road district improvement fund, and shall be repaid to the general fund from the first money coming into said road district improvement fund thereafter. The special assessment taxes provided for herein shall be levied and collected in the same mode and manner and by the same officers as the ordinary county taxes, and all laws applicable to the levy, collection and enforcement of such county taxes, are hereby made applicable to said special taxes."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 761—An Act to provide for the establishment and maintenance by fire insurance companies of guaranty surplus funds and special reserve funds and thereby limiting liability.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out in line 1, page 1, of the printed bill, the words, "Every domestic fire insurance corporation must", and insert in lieu thereof, "Every domestic corporation having a capital stock, issuing fire insurance policies may".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out in line 21, page 4, of the printed bill, the letter "s" from the word "corporations".

Amendment adopted.

AMENDMENT NUMBER THREE.

Strike out in line 21, page 6, of the printed bill, the word "possession" and insert in lieu thereof the word "possessing".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 884—An Act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

By striking out the period after the last word in the title of the Act, being the word "districts", and inserting in place of such period a semicolon, and adding to the title of the Act the following: "and imposing certain duties and functions in connection with such districts upon certain county officers."

Amendment adopted.

AMENDMENT NUMBER TWO.

By inserting on page 1, line 3, after the word "granted" a period, and striking out the words "or reasonably implied therefrom".

Amendment adopted.

AMENDMENT NUMBER THREE.

By inserting on page 4, line 29, at the end of section 6, a new paragraph to read as follows:

"All verification deputies under this Act shall be qualified electors residing within the territory of the proposed district, or of the district formed under this Act, for which they are appointed. Verification deputies required to verify signatures to petitions for the formation of a district, or to certificates or petitions nominating candidates for election to the first board of directors of newly formed districts, hereunder shall be appointed by the county clerk or county clerks of the county or counties in which the territory of the proposed district is situated, and verification deputies required for any other purpose under the provisions of this Act after the formation of a district hereunder shall be appointed by the clerk of the district. Such appointments shall be made upon written application of not less than five (5) nor more than ten (10) qualified electors of any territorial unit or units of the proposed district, or of the district formed hereunder, as the case may be. The said application shall set forth that the signers desire the appointment of the person whose name and address is given therein to be a verification deputy for the purpose of taking the oaths of signers of petitions (or certificates) in the matter of ________.

"Such verification deputies need not use a seal, and shall not have power to administer oaths for any purpose other than that for which they are appointed. Their appointment shall continue only for ninety (90) days from the date of said appointment. No verification deputy shall be paid, in whole or in part, directly or indirectly, out of the county treasury or the treasury of a district formed hereunder. All verification deputies must, before their appointment, make and file with the clerk or clerks appointing them, respectively, an oath as to their ages, places of residence, occupation and whether or not they are qualified electors residing within the territory of the proposed district, or of the district formed hereunder, for which they are appointed."

Amendment adopted.

AMENDMENT NUMBER FOUR.

By inserting on page 6, line 1, after the word "ten" the word "consecutive".

Amendment adopted.

AMENDMENT NUMBER FIVE.

By striking out on page 6, line 2, the second "and" and inserting in place thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER SIX.

By inserting on page 6, line 8, after the word "three" the word "consecutive".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

By striking out on page 6, line 22, the word "and" and inserting in its place the word "or".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

By striking out on page 6, lines 22 to 23, the words "or county where such unincorporated territory is situated," and inserting in lieu thereof the following: "or, so far as unincorporated territory may be concerned, if no such newspaper is printed, published and circulated in such territory, then in such daily or weekly newspaper printed and published elsewhere in the county and deemed most likely to give notice to the electors of such territory".

Amendment adopted.

AMENDMENT NUMBER NINE.

By striking out on page 9 all of lines 15 to 29, both inclusive.

Amendment adopted.

AMENDMENT NUMBER TEN.

By inserting on page 9, line 37, and also on page 10, lines 14, 25 and 33, after the word "electors" the words "voting at such election".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

By striking out on page 10, line 16, the second "of", and inserting in its place the word "or".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

By inserting on page 11, line 28, before the word "From" the following sentence: "No charge shall be made by either the Secretary of State or any county recorder or county clerk for the services required of him under the provisions of this section."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

By striking out on page 12, line 22, the words "nine members", and inserting in lieu thereof the words "as many members as there are territorial units in the district, and as many additional members, not less than three nor more than four, as may be required to constitute a board composed of an odd number of directors".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

By striking out the comma after the word "municipality" on page 12, line 36, and inserting in place thereof the following: "within the district shall for the purposes of this Act be regarded and treated as a territorial unit of the district, and all unincorporated territories situated in one and the same county and included within the district shall be so regarded and treated as an entirety and as a territorial unit of the district. Each municipal territorial unit,".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

By inserting on page 13, line 5, before the word "This" the following: "Each director shall have the status of a separate office for the purpose of nomination and election thereto, and, in case of a vacancy, for the purpose of filling such vacancy. Candidates for directors at large shall be designated in all declarations of candidacy, nominating certificates, and on all official election ballots as candidates for Director at Large No. 1, No. 2, No. 3, or No. 4, (said numbers to be stated after the designating title 'Director at Large,' there being as many numbers from 1 up as there are directors at large to be elected) in accordance with the declarations of candidacy, which said candidates shall have filed with the county clerk or the clerk of the district, as the case may be.

"Candidates for director for or from the several municipal units and units of unincorporated territory in the district entitled to one director each, as above provided, shall be designated in all declarations of candidacy, nominating certificates, and on all official election ballots as candidates for director from ---------- Unit, -------- Unit, ---- - - - Unit, and so forth (giving the name of the respective municipality or the name or other designation, herein provided, of the respective unincorporated territory, constituting the unit entitled to the office of director to be filled and for which said candidates severally declare themselves and are nominated as candidates, and are to be designated as candidates upon the official election ballots; said name or other designation, or names or other designations, to be stated after the designating title 'Director from,' in accordance with the declarations of candidacy which said candidates shall have filed with the proper clerk, as herein provided.

"In case only one unit of unincorporated territory is contained in the district, it is sufficient for naming or designating the same to refer to it as 'The Unincorporated Territorial Unit', but in case two or more such units are contained in the district, they shall be numbered, named and designated by the board of supervisors in charge of the election of the first board of directors, and subsequently from time to time by the board of directors of the district as Unincorporated Territorial Unit No. 1, No. 2, No. 3 and so forth, there being as many numbers from 1 up as there are such units in the district.

"Such number, name and designation shall be given to each such unit by said board of supervisors by ordinance at a regular or special meeting of said board held after the formation of the district, and in time to permit of the publication and taking effect of such ordinance before the earliest time when nominating certificates and declarations of candidacy may be filed, as herein provided, and shall thereafter remain in force until the board of directors of the district, by ordinance, shall number, name and designate such units as herein provided.

"None of said designations by name or number of all or any of the directors shall have any significance whatever after election and qualification of the directors elected at such election, or after appointment and qualification of a director appointed to fill a vacancy, but shall fix the name or other designation and status of each such designated office as a separate office for the purpose of nomination and election thereto, or for the purpose of filling the same in the case of a vacancy therein by appointment as herein provided. The foregoing provisions of".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

By inserting at the end of section 17, page 13, line 8, the following new paragraph:

"Said population of each unit of unincorporated territory within the district shall, at the time of calling the election herein provided for the election of the first board of directors of the district, be determined by the board of supervisors charged with the duty of calling such election and such determination shall be stated in the ordinance calling such election and in the notice of the election. Such determination shall continue in force until set aside by the board of directors of the district. The board of directors of every district formed under the provisions of this Act shall determine from time to time, as to them shall seem proper or necessary, the number of inhabitants of each unit of unincorporated territory within their district, and declare the same by ordinance, and every such determination shall continue in force until another such determination is subsequently made. All such determinations shall be based upon the last preceding census taken by the United States, or upon the last preceding census of the county in which such unit of unincorporated territory is situated in case the board of supervisors of such county shall have taken or caused to be taken a census of their county since the last preceding census of the United States."

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

By inserting on page 13, line 11, after the word "conducted" the words "nominations for the office of director made,".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

By inserting on page 13, line 22, after the word "director" the words "from or for a municipal or unincorporated territorial unit within the district,".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

By inserting on page 13, line 26, before the words "The officer" the following: "In case of a vacancy in the office of a director at large the vacancy shall be filled by appointment by the board of directors of the district."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

By striking out on page 13, line 17, the words "a minority" and inserting in lieu thereof the words "the largest possible minority".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

By striking out on page 13, line 37, the word "elections" and inserting in lieu thereof the words "general elections held for the election of state and county officers,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

By inserting on page 13, line 37, after the word "manner" the words "of nominating county officers,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

By inserting on page 14, line 2, before the word "general" the word "such".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

By striking out on page 14, line 9, the word "person" and inserting in lieu thereof the words "elector of the district".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

By striking out on page 14, line 10, everything after the word "counted" down to and including the whole of line 13, and inserting in lieu thereof the following: "he may contest the election in the manner and form and within the time provided by general law for contests of State and county elections, and all the provisions of the general law relating to election contests and the recounting of ballots cast at general State and county elections, shall be applicable, so far as practicable, to contest of district elections and the recounting of ballots cast thereat."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

By striking out on page 14, line 24, the words "and declaring the result thereof" and inserting in lieu thereof the following: "or each proposition voted upon, and declaring the result of the election."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

By inserting on page 15, line 9, at the end of section 25, the following: "This election shall be known as the general district election."

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

By striking out on page 15, line 20, the word "auditor" and insertiag in lieu thereof the word "accountant".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

By striking out on page 15, line 32, everything after the word "utility" down to the end of the page, and inserting a period after the said word "utility".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

By striking out on page 16, line 16, the word "auditor" and inserting in place thereof the word "accountant".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

By inserting on page 17, at the end of line 2, a new paragraph to read as follows: "No ordinance passed by the board shall take effect within less than ten days after its passage, and before the expiration of said ten days the same shall be published with the names of the members voting for and against the same for at least one week in some daily newspaper of general circulation printed and published in the district, or at least twice in some weekly newspaper of general circulation similarly printed and published, in case there is no such daily newspaper printed and published in the district, and posted at the main entrance to the offices of the board of directors at least one week. An order entered in the minutes of the board that such ordinance has been duly published and posted shall be prima facie proof of such publication and posting."

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

By inserting on page 17, line 5, after the word "of" the following: "three thousand six hundred".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

By striking out on page 17, line 23, the word "auditor" and inserting in lieu thereof the word "accountant".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

By striking out on page 17, lines 28 and 29, the words "at least three members of the board of directors and by the president" and inserting in lieu thereof the words "a majority of the board of directors present at the meeting at which such demands are acted upon, and shall perform such other duties as may be imposed upon him by this Act or by the board of directors."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

By striking out on page 18, line 24, the word "device" and inserting in its place the word "devise".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

By striking out on page 21, line 20, the word "or" and inserting in place thereof the word "of".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

By inserting on page 21, line 21, after the words "at a" the following: "general district election or at a".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

By striking out on page 21, line 37, the word "six" and inserting in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

By striking out on page 22 all of lines 9 and 10 and inserting in lieu thereof the following: "submit the proposition or propositions to the electors of the district at a general district election or at a special district election called for the purpose."

Amendment adopted.

AMENDMENT NUMBER FORTY.

By inserting on page 22, line 20, before the words "a majority" the words "The affirmative vote of".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

By striking out on page 22, line 24, the word "special".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

By striking out on page 23, line 2, the word "special".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

By inserting on page 23, line 3, before the words "at least" the words "The assent of".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

By striking out on page 23, line 4, the word "special" and inserting after the word "election" on said line 4 the words "upon the proposition".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

By inserting on page 23, line 22, after the word "acquisition" the following: ", construction or completion".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

By striking out on page 23, line 22, commencing with the word "if" everything down to and including the whole of line 28, and inserting in lieu thereof the following: "in such case the ordinance declaring the determination of the board of directors to acquire, construct or complete such utility or utilities, and published as hereinabove provided, shall state the proposed cost of such acquisition, construction or completion, and the proposed method and manner of payment therefor; *and provided, further*, that no such ordinance, in case it involves the expenditure of more than one hundred thousand dollars, shall become effective before thirty days from and after its final passage."

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

By striking out on page 23, line 36, everything commencing with the word "call" down to and including the word "utilities" on line 2, page 24, and inserting in lieu thereof the words "submit the proposition or propositions to the electors of the district at a general district election or at a special district election called for the purpose."

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

By inserting on page 24, line 8, before the words "at least" the words "The affirmative vote of".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

By striking out on page 24, line 8, the word "special" and inserting after the word "election" on said line the words "upon the proposition or propositions,".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

By striking out on page 24, lines 13 to 14, the words "it shall be necessary to call".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

By inserting on page 24, line 14, after the word "election" the words "is called".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

By striking out on page 25, lines 13 to 14, the words "shall be exempt from all taxation in the State of California, and".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

By striking out on page 25, line 18, the word "issued" and inserting in its place the word "sold".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

By striking out on page 25, line 34, the word "auditor" and inserting in place thereof the following: "clerk, and shall have the seal of the district attached."

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

By inserting on page 25, line 35, after the comma after the word "treasurer" the following: "by original or facsimile signature,".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

By inserting on page 25, line 36, at the end of Sec. 38 and of said line 36, the following new paragraph:

"In case any officer whose signature, or counter-signature, or attestation appears on any bonds or coupons thereof, issued under the provisions of this Act, shall cease to be such officer before the sale or delivery of such bonds to the purchaser thereof, such signature, counter-signature or attestation appearing either on the bonds or the coupons, or on both, shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the sale or delivery of such bonds."

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

By striking out on page 29, line 3, everything commencing with the word "The" down to and including the word "utilities" on line 5 of said page 29, and inserting in place thereof the following: "Only revenue producing utilities shall be acquired, owned or operated by a district formed under the provisions of this Act."

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

By striking out on page 30, line 9, everything commencing with the word "twenty" down to and including the whole of line 12, and inserting in lieu thereof the following: "fifty thousand dollars, such ordinance shall not go into effect before thirty days from its final passage."

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

By striking out on page 30, line 25, the words "and not in conflict with the constitution".

Amendment adopted.

AMENDMENT NUMBER SIXTY.

By inserting on page 30, line 37, before the word "district" where it occurs the second time, the words "board of directors of the".

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

By striking out on page 33, line 24, the word "only" and inserting in place thereof the words "as far as may be practicable".

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

By inserting on page 33, line 27, after the word "clerk" the following: ", accountant,".

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

By inserting on page 34, line 19, after the word "lowest" the word "responsible".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

By striking out on page 35, line 11, the word "as" and inserting in place thereof the word "is".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

By inserting on page 35, at the end of line 18, a new paragraph to read as follows:

"Unless the amount involved in the purchase at any one time of any articles, for which no contract has been entered into as hereinabove provided, exceeds the sum of five hundred dollars, the board of directors may purchase such article or articles without the necessity of advertising or letting contracts therefor; but where the cost of any article or articles, for which no contract has been entered into as hereinabove provided, exceeds the sum of five hundred dollars, the board of directors shall advertise for at least five days in a newspaper of general circulation in the district for sealed bids for furnishing the district such article or articles, and shall in the matter of opening and accepting such bids and the letting of contracts for the furnishing of such article or articles in all respects proceed in the manner and form in this section hereinabove provided in the case of contracts for annual supplies."

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

By striking out on page 35, line 21, the words "five hundred" and inserting in lieu thereof the words "one thousand".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

By striking out on page 35, line 36, after the word "notice" the period and inserting in place thereof the following: "; *and provided, further*, that nothing herein contained shall be deemed to prohibit the Board of Directors from doing or causing to be done directly by the district, and without any contract therefor, any or all work necessary or proper in or about the making of all current and ordinary repairs or in or about current and ordinary upkeep or maintenance."

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

By striking out on page 36, line 19, the word "repair,".

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

By striking out on page 37 all of section 52, lines 3 to 13, both inclusive, and inserting in lieu thereof the following new section:

"SEC. 52. All expenditures of money for the benefit of the district on any account or for any purpose, all contracts of every kind, and all tax levies for a purpose other than interest or sinking fund payments shall be first authorized by the board of directors, by ordinance, in every case when any such expenditure, or the amount involved in any such contract, exceeds the sum or amount of one hundred thousand dollars, or the amount proposed to be raised by such tax levy exceeds the sum or amount of fifty thousand dollars, and no such ordinance shall go into effect before thirty days from its final passage. During said thirty days a petition signed by qualified voters of the district equal to ten per centum of the entire vote cast within such district for all candidaes for Governor of the State at the last preceding general election at which a governor was voted for, and protesting against the passage of such ordinance, may be presented to the board of directors. Immediately upon the receipt of such petition the board of directors shall cause the clerk of the district to examine and verify the signatures to such petition, and to certify the result of such examination to the board of directors within ten days. If the petition is found to be insufficient, the clerk shall certify to the number of qualified electors required to make such petition sufficient in addition to the signatures already thereon and verified or found genuine by him, and said petition may then be amended by filing a supplemental petition within ten days from the date of such certificate. The clerk shall within ten days after the filing of such supplemental petition make a like examination of the same and certify to the result of such examination, as herein provided. Said ordinance shall remain suspended from going into operation until the completion of such examination and verification of said petition or supplemental petition, and the certification of the result of such examination; and in case said petition, or petition as amended, is shown to be sufficient by such certificate said ordinance shall be suspended from going into effect or operation and it shall be the duty of the board of directors to reconsider such ordinance. If said board of directors shall thereupon not entirely repeal said ordinance, it shall submit the same to a vote of the electors either at a general district election or at a special district election to be called for the purpose, and such ordinance shall not go into effect or become operative unless a majority of the voters voting upon the same shall vote in favor thereof. Such petitions, in the matter of form, signatures, and preparation thereof, and the proceedings based thereon, in the matter of holding or calling and conducting said election, the manner of voting thereat, canvassing the return and declaring the result, shall conform as nearly as may be practicable, and except as herein otherwise expressly provided, to the provisions of the general law of the state governing and relating to direct legislation or the referendum by incorporated cities and towns, which are hereby made applicable hereto as far as may be practicable."

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

By striking out all of section 54, page 37, lines 23 to 26, both inclusive.

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

By striking out on page 37, line 27, the figures "55" and inserting in lieu thereof the figures "54".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-TWO.

By striking out on page 38, line 31, the figures "56" and inserting in place thereof the figures "55".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-THREE.

By striking out on page 38, line 35, the words "municipal corporations" and inserting in lieu thereof the words "county officers".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR.

By striking out on page 38, line 36, the figures "57" and inserting in place thereof the figures "56".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FIVE.

By striking out on page 39, line 4, the figures "58" and inserting in place thereof the figures "57".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SIX.

By striking out on page 39, line 10, the figures "59" and inserting in place thereof the figures "58".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SEVEN.

By striking out on page 39, lines 12 to 13, the words "or relating to municipal water districts".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-EIGHT.

By inserting on page 39, line 1, after the word "law" the word "be".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-NINE.

By inserting on page 39, at the end of line 9, the following: "In case the board of directors shall fail or refuse to allow or reject such claim, either wholly or in part, for a period of six months after its presentation, such failure or refusal shall upon the expiration of such period be deemed a rejection of the claim. All claims against the district must be presented to the board of directors and filed with the clerk of the district within one year after the debt, or the last item thereof, for which the claim is made, shall have been incurred, or within one year after the occurrence from which the damages are claimed to have arisen. Otherwise there shall be no recovery on any such claim."

Amendment adopted.

AMENDMENT NUMBER EIGHTY.

By inserting on page 39, at the end of section 59 and of line 15, a new section to be numbered and to read as follows:

"SEC. 59. If any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the Act. The Legislature hereby declares that it would have passed this Act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Breed, the Secretary was directed to issue a rush order for printing Senate Bill No. 884.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 314—An Act to amend section 2189 of the Political Code, relating to the discharge of patients from state hospitals.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 315—An Act to amend section 2192 of the Political Code, relating to the commitment of incompetents other than insane persons.

Bill read second time, ordered engrossed, and on file for third reading.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 1233—An Act to amend section 3805*b* of the Political Code, relating to the correction and cancellation of assessments, sales to the State, certificates of sale, or tax deed to the State—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

COGSWELL, Chairman.

Senate Bill No. 1233 ordered on file for second reading.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 1½ of article XIII thereof, relating to the exemption of churches from taxation—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted and re-referred to Committee on Judiciary.

COGSWELL, Chairman.

Assembly Constitutional Amendment No. 15 ordered re-referred to Committee on Judiciary.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 118—An Act to amend section 4232 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the third class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BREED, Chairman.

Senate Bill No. 118 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 421—An Act to add to the Civil Code, a new section to be numbered 302a, providing for the sending of a financial statement to the stockholders of every corporation prior to the annual meeting—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

JONES, Chairman.

Senate Bill No. 421 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 292—An Act to amend section 640 of the Penal Code of the State of California, relating to telegraph and telephone lines and messages.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 292 passed by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 363—An Act to diminish the number of judges of the Superior Court of the county of Shasta, State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 363 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION NUMBER FOURTEEN.

Relative to requesting the Congress of the United States to investigate the causes of unemployment and to adopt remedial measures therefor.

WHEREAS, Unemployment is an ever-growing problem of national magnitude and the several states can not, separately and alone, adequately solve the questions incident to the unequal distribution of labor; and

WHEREAS, The weather conditions of the State of California are such as to induce many people from all parts of America to come here during the winter months; and

WHEREAS, Many of those who come are in search of employment and erroneously believe it is easy to secure work, thereby making the California employment problem particularly acute; now, therefore, be it

Resolved, That the Senate and Assembly of the State of California hereby jointly request the Congress of the United States to investigate the causes of unemployment and adopt such remedial measures as may be necessary and proper; and be it further

Resolved, That copies of this resolution be forthwith transmitted by the Clerk of the Assembly, to the President of the Senate and to the Speaker of the House of Representatives of the United States and to each of our Senators and Representatives in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 14 adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Resolution ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 547—An Act authorizing the use of convict labor on State highways; regulating the handling of such labor; authorizing extra good time allowance; and providing penalties for interference.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 745—An Act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on state roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on state roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this Act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 748—An Act to amend the Penal Code of the State of California, by adding a new section thereto to be numbered section 588*c*, concerning the injury, defacement or removal of monuments or stakes placed, erected or used by the State Department of Engineering, its officers or employees on or along any state road or highway or in connection with state road or highway work, and prescribing penalty for the violation of such section.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1192—An Act to amend section 588 of the Penal Code of the State of California, relating to malicious injuries to any state or other public highway or bridge or any private way laid out by authority of law, or bridge upon any such highway or private way.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 662—An Act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and electric power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Insert in line 5, page 2, of the printed bill, after the word "highway," the word "railway".

Amendment adopted.

AMENDMENT NUMBER TWO.

Insert in line 18, page 2, of the printed bill, after the comma following the word "commenced" the following, "or the plans adopted therefor".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 671—An Act to amend sections 2152, 2154 and 2156 of the Political Code of the State of California and to add a new section to said Political Code, to be known and designated as section 2153*b*, all relating to the government and management of state hospitals for the insane, feeble-minded and other incompetent persons, and to the care, training and education of insane, feeble-minded and other incompetent persons.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 567—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1334—An Act to amend section 4261 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the thirty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 876—An Act to amend section 4253 of the Political Code of the State of California, relating to the compensation of officers in counties of the twenty-fourth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On line 9, page 3, strike out the period after the word "act" and insert the following: "and shall take effect and be in force and apply at said time to the present incumbent".

Amendment adopted.

AMENDMENT NUMBER TWO.

On line 20, page 3, after the word "act" strike out the period and insert the following: "and shall take effect and be in force and apply at said time to the present incumbent".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Thompson asked for and was granted unanimous consent to take up for consideration Senate Bill No. 640 out of the regular order for the purpose of considering Assembly amendments.

Senate Bill No. 640—An Act to amend section 408 of the Political Code, relating to the duties of the Secretary of State.

ASSEMBLY AMENDMENTS.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out the comma and the words "at the" at the end of line 21, and all of lines 22, 23, 24 and 25.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out lines 3, 4, 5 and 6.

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, line 7, strike out the figures "12" and insert in lieu thereof the figures "11".

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, line 13, strike out the figures "13" and insert in lieu thereof the figures "12".

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, line 16, strike out the figures "14" and insert in lieu thereof the figures "13".

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, line 17, strike out the figures "15" and insert in lieu thereof the figures "14".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 640?"

The roll was called, and Assembly amendments to Senate Bill No. 640 were concurred in by the following vote:

AYES—Senators Anderson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Carr moved to reconsider the vote whereby Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, by adding to article VI of said Constitution a new section to be numbered section $6\frac{1}{2}$, relating to the term of office of judges of the Superior Court—was adopted.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Carr, the consideration of the above motion to reconsider was postponed until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Tyrrell moved to reconsider the vote whereby Senate Bill No. 1203—An Act to add a new section to the Penal Code, to be numbered section 653*f*, relating to the restricting of the number of individuals who may learn a trade—was passed.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Tyrrell, the consideration of the above motion to reconsider was postponed until the next legislative day.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 572—An Act to amend section 633 of the Political Code, concerning the licensing of insurance and surety agents; providing for the revoking of such licenses and providing a penalty for violation thereof.

Bill read third time.

On motion of Senator Benedict, Senate Bill No. 572 was passed on file.

Senate Bill No. 573—An Act to add a new section to the Political Code, to be numbered 633*a*, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the insurance commissioner, and providing for a violation thereof.

On motion of Senator Benedict, Senate Bill No. 573 was passed on file.

Senate Bill No. 900—An Act to amend section 596 of the Political Code, concerning certificate of authority to insurance companies; prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof.

On motion of Senator Benedict, Senate Bill No. 900 was passed on file.

Senate Bill No. 611—An Act to amend sections 1 and 4 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907.

On motion of Senator Carr, Senate Bill No. 611 was passed on file.

SENATE JOINT RESOLUTION NUMBER THIRTEEN.

Relative to co-operative agricultural extension work between the United States Department of Agriculture and the University of California.

WHEREAS, The Congress of the United States has passed an Act approved by the President, May 8, 1914, entitled "An Act to provide for co-operative agricultural extension work between the agricultural colleges in the several states receiving the benefits of the Act of Congress approved July 2, 1862, and of Acts supplementary thereto, and the United States Department of Agriculture"; and

WHEREAS, It is provided in section 3 of the Act aforesaid, that the grants of money authorized by this Act shall be paid annually "to each state which shall by action of its legislature assent to the provisions of this Act"; therefore, be it

Resolved by the Senate of the State of California and the Assembly, jointly, That the assent of the Legislature of the State of California be and it is hereby given to the provisions and requirements of said Act, and that the regents of the University of California be and they are hereby authorized and empowered to receive the grants of money appropriated under said Act, and to organize and conduct agricultural extension work which shall be carried on in connection with the College of Agriculture of the University of California, in accordance with the terms and conditions expressed in the Act of Congress aforesaid.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 13 adopted by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.
NOES—None.

Resolution ordered to engrossment and to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 560—An Act to amend section 1714 of the Political Code, relating to the library fund in cities or cities and counties not divided into school districts,—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Education.

TYRRELL, Chairman.

Assembly Bill No. 560 ordered re-referred to Committee on Education.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 746—An Act to authorize the immediate use and expenditure, in such manner and to such extent as the Governor may direct, of the sum of two hundred thousand dollars appropriated by that certain Act entitled "An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Debris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, Chief of Engineers, C. H. McKinstry, Major, Corps of Engineers, and Thomas H. Jackson, Captain, Corps of Engineers, of the United States Army, and printed with the annual report of the Chief of Engineers of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work," approved June 7, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do pass and be re-referred to the Committee on Finance.

CHANDLER, Chairman.

Senate Bill No. 746 ordered re-referred to Committee on Finance.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, pursuant to instructions, has returned herewith Senate Bill No. 564, which was this day ordered recalled from enrollment.

FLAHERTY, Chairman.

The President ordered Senate Bill No. 564 to the file of Unfinished Business.

RECESS.

At eleven o'clock and twenty-five minutes a.m., on motion of Senator Thompson, the President declared the Senate at recess until four o'clock p.m.

RECONVENED.

At four o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Strobridge, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 826—An Act to amend section 987 of the Penal Code, relating to the appointment and compensation of counsel assigned by the court to defend persons unable to employ counsel;

Also: Senate Bill No. 979—An Act to amend section seven hundred eighty-nine of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the duties of city attorney in cities of the fifth class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 826 and 979 ordered to enrollment.

Also:

SACRAMENTO, April 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 802—An Act to amend section 1151 of the Political Code of the State of California, relating to Board of Elections for special election precincts—Poll Lists, approved January 9, 1912;

Also: Assembly Bill No. 1047—An Act to amend section 8 of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor; and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911;

Also: Assembly Bill No. 737—An Act to amend section 4259 of the Political Code, relating to the salaries and fees of officers in counties of the thirtieth class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No 802 read first time, and referred to Committee on Elections.

Assembly Bill No. 1047 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 737 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, April 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 907—An Act to provide for the deposit of funds in the county treasury, for the presentation to, and approval by, the board of supervisors, registration, interest upon, time of payment and receipt in payment of assessment of warrants, of Reclamation District No. 108, created by that certain

Act of the Legislature of the State of California, approved April 23, 1913, and entitled "An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said state relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith," and situated in Colusa and Yolo counties, and providing that the board of supervisors of the county of Colusa shall have jurisdiction of all matters concerning said district, and all funds of said district shall be deposited with the county treasurer of the county of Colusa;

Also: Assembly Bill No. 1422—An Act to amend sections 1195 and 1195*a* of the Political Code and to add a new section thereto to be designated section 1195*b*, relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments, and to the printing and distribution of such constitutional amendments and propositions, measures and questions to be submitted to the vote of the electors.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 907 read first time, and referred to Committee on County Government.

Assembly Bill No. 1422 read first time, and referred to Committee on Elections.

Also:

SACRAMENTO, April 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1285—An Act to amend section 1104 of the Political Code, relating to the registration of voters;

Also: Assembly Bill No. 1522—An Act to amend sections 4041 and 4088 of the Political Code;

Also: Assembly Bill No. 1523—An Act providing for the improvement, development or protection of any harbor, bay, inlet, or other arm of the sea, existing within any county of this State, providing for the appointment of a harbor commission by the board of supervisors of any such county to have charge and control of the improvement, development, or protection thereof, and the voting, issuance and sale of the bonds of such county to pay the cost thereof;

Also: Assembly Bill No. 801—An Act to amend section 1132 of the Political Code of the State of California, relating to the place for holding an election, approved February 12, 1903.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1285 and 801 read first time, and referred to Committee on Elections.

Assembly Bills Nos. 1522 and 1523 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, April 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 707—An Act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 707 read first time, and referred to Committee on Judiciary.

PETITIONS—(OUT OF ORDER).

By consent of the Senate, the following petitions were read, out of the regular order, and ordered printed in the Journal:

SAN FRANCISCO, CALIFORNIA, April 5, 1915.

To the Honorable Members of the Senate, State of California, Sacramento, California:

GENTLEMEN: Herewith please find several printed copies of a report recently presented by a committee of five, representing the membership of the San Joaquin and Sacramento River Improvement Association, on the flood menace of the Sacramento River to the lands along the river and the delta lands along the lower San Joaquin and its tributaries as well.

This report was unanimously adopted by the trustees of this association and carries several important recommendations. I desire to particularly call your attention to the recommendation for an appropriation of $500,000.00 from the State at this session of the Legislature for continuing the work that has been under way for nearly two years on the Sacramento River between Rio Vista and Collinsville, commonly called uncorking the mouth of the river. The two mammoth hydraulic dredgers which commenced operation in the summer of 1913 have removed possibly more than 4,000,000 cubic yards of material from the bed of the river, and in places the channel width of the river has been also increased. The work that has been done by these dredgers has undoubtedly lowered the flood plane at Rio Vista by flattening the flood wave from Cache Slough to Collinsville, thus increasing the margin of safety to the city of Sacramento and the delta lands below.

This association, representing a membership of several hundred landed and other interests of the Sacramento and San Joaquin delta, has been working ceaselessly during the past six years in endeavoring to bring about a solution of the flood problem of the Sacramento River, and we take this opportunity of expressing our deep appreciation for the valuable support this great cause has received from Governor Hiram Johnson and the members of the State Legislature. We hope for the assurance that the money as needed will be provided by the State and Federal governments to carry on this work now under way from Cache Slough to Collinsville without any interruption until the work is finally completed.

Respectfully yours,

A. E. ANDERSON.

Also:

SAN FRANCISCO, CALIFORNIA, March 17, 1915.

To the Trustees and Members of the San Joaquin and Sacramento River Improvement Association:

This committee was appointed from the membership of this Association for the purpose of investigating fully and reporting to the Association the condition of the present flood menace to the Sacramento River and to all property along it, the value of the Flood Control project in protection therefrom, and a plan of active work which will assist in the early completion of the project.

The committee, accompanied by several of the trustees of this association, made an inspection of the Sacramento River in daylight from Collinsville to Sacramento on March 12th, and on the following day an inspection of the Sacramento River in daylight from Meridian to Sacramento. U. S. Assistant Engineer Chas. R. Hall accompanied our party from San Francisco to Rio Vista; U. S. Assistant Engineer H. H. Wadsworth accompanied our party from San Francisco to Sacramento, and the following day from Meridian to Sacramento. Mr. Hall and Mr. Wadsworth outlined to us the proposed comprehensive plan prepared by the California Debris Commission for control of the flood waters of the Sacramento River System from carefully prepared maps, and pointed out to us the work that has already been done on the lower river, namely, the building of the new government levees on Dos Rios Island and across Baker's Point, the widening of the channel below Baker's Point, and the dredging operations now under way along the Joseph District below Rio Vista. Engineer Wadsworth pointed out to us the location of the proposed by-passes and weirs that are intended to carry the water from Sutter Basin and the American River into the Yolo Basin. We also inspected the Knight's Landing cut, and it was explained to us by Mr. Wadsworth how the waters from Colusa Basin on the west side are to be carried through the ridge and emptied into the Yolo Basin below.

On the trip from Meridian to Sacramento your committee viewed a vast body of water, possibly 30 miles in length, and an average of 10 miles in width on each side of the Sacramento River. The lands inundated on the east side are known as the Sutter Basin Lands; the lands inundated on the west side are known as the Colusa Basin Lands. The Sacramento River from the mouth of Feather River to the head of Sutter Basin being narrow and crooked can carry but a small portion of the flood water. It must, therefore, be admitted that the lands of the Colusa Basin and the lands of the Sutter Basin can not be permanently reclaimed except by maintaining substantial levees along the river, also it is necessary to provide an outlet for the waters of Colusa Basin into the Yolo Basin, and a by-pass channel through the Sutter Basin with capacity sufficient to carry the surplus water not carried by the river proper. This surplus water must be emptied over weirs and into the Yolo Basin below Knight's Landing. The proposed by-pass through the Yolo Basin must be adequate to provide for carrying all of the flood water of the American River in addition to the water from the Colusa and Sutter Basins and a sufficient outlet for the Yolo Basin water from Cache Slough to Collinsville must be provided.

This comprehensive plan also proposes that the Sacramento River from the junction of Cache Slough, Steamboat Slough and Old River to Collinsville shall be widened to a uniform width of approximately 2700 feet, and deepened to a uniform depth of from 30 to 35 feet to provide a carrying capacity of 600,000 cubic second feet of water, and we are informed that it would take five dredgers of the type of dredgers "Sacramento" and "San Joaquin" now in use, at least six years to complete this single unit of the project, and the cost would be approximately between $8,000,000.00 and $9,000,000.00.

We now, therefore, submit the following for your earnest attention and careful consideration:

1. The flood waters of the Sacramento River system are a great menace to the lands of the Sacramento Valley above Sacramento City, and to the lower delta lands of the Sacramento and San Joaquin Rivers and their tributaries, therefore the necessity of carrying out, as speedily as possible, some comprehensive plan for the control of these flood waters.

2. The present plan as outlined by the California Debris Commission, and endorsed by the State, which plan was fully explained to this committee by U. S. Assistant Engineers Hall and Wadsworth, is, in our opinion, the only feasible and economic plan consistent with the interests of navigation and reclamation. We therefore recommend carrying out this plan as speedily as possible, and with this end in view we earnestly appeal for the support and cooperation of our representatives in Congress, and in the State Legislature, to all the commercial organizations of California, and to the individual river land owners.

3. We firmly believe that the first and most important step in the carrying out of this comprehensive plan is the enlarging of the outlet of the Sacramento River from Cache Slough to Collinsville, and we can not too strongly emphasize the necessity of bringing this fact to the attention of the State Reclamation Board and the United States engineers.

4. We are also firmly convinced that the discharge of flood water from the Sutter Basin and from the Colusa Basin and from the American River into the Yolo Basin should be regulated and controlled by the authority of the Secretary of War of the United States, so as not to permit a greater volume of water to flow through the Yolo Basin that the river can accommodate from the junction of Cache Slough and Yolo Basin to Collinsville. This we firmly believe not only absolutely necessary for the preservation and safety of Sacramento City and the reclaimed delta lands along the lower Sacramento and San Joaquin Rivers and their tributaries, but for the existence and preservation of the navigable channels of these rivers as well.

5. Recognizing the necessity of expediting the work now under way in enlarging the outlet of the Sacramento River below Rio Vista, and believing this to be the first and most important unit of this great comprehensive plan for solving the problem of Flood Control and restoration and protection of the navigable channels, we strongly recommend that this Association urge upon the State Legislature at the present session an appropriation of $500,000.00 to become available upon an appropriation of a like amount from Congress as soon as possible.

6. We recommend that a printed copy of this report be furnished each member of this Association, also that a copy be transmitted to the State Reclamation Board, also to the California Debris Commission.

Respectfully submitted,

I. L. BORDEN.
JAMES F. ELLIOTT.
GEO. B. GREENE.
E. A. BRIDGFORD.
E. L. WILHOIT.

Also:

To the Honorable Senate of the State of California, Sacramento, California:

GENTLEMEN: We, the undersigned residents of the State of California, respectfully petition your honorable body for an early passage of Senate Bill No. 1078, thereby enacting a law which will properly and equitably license chiropractors and regulate their practice; also protect the people against incompetency and inefficiency, and guarantee and perpetuate to them the great benefits which result from the application of the principles upon which the science of chiropractic is based.

IRA SHAFER, and 50 others.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 727—An Act to add a new section to the Penal Code to be known as section 64*b* prohibiting misrepresentation or fraud in initiative, referendum or recall petitions, and prescribing a penalty therefor;

Also: Senate Bill No. 422—An Act to amend section 1544 of the Political Code of the State of California relating to the annual report of the superintendent of schools;

Also: Senate Concurrent Resolution No. 18—Relative to the approval on the part of the Legislature of certain amendments to the charter of the city of San Diego, California;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this 7th day of April, 1915, at 10 o'clock a.m.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 610—An Act to provide for the establishment, government, and maintenance of city planning commissions within municipalities, and prescribing their powers and duties—and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Joint Resolution No. 5—Relative to memorializing the Congress of the United States to initiate proceedings therein for the submission to the several states of an amendment to the Constitution of the United States giving Congress power to enact a uniform divorce law;

Also: Senate Joint Resolution No. 11—Relative to the dredging and improvement of the Mokelumne River;

Also: Senate Joint Resolution No. 12—Relative to the protection of second-growth timber on watersheds;

Also: Senate Bill No. 314—An Act to amend section 2189 of the Political Code, relating to the discharge of patients from state hospitals;

Also: Senate Bill No. 315—An Act to amend section 2192 of the Political Code, relating to the commitment of incompetents other than insane persons;

Also: Senate Joint Resolution No. 13—Relative to co-operative agricultural extension work between the United States Department of Agriculture and the University of California;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 531—An Act to amend section 1750 of the Political Code, relating to adoption of course of study and textbooks by high school boards;

Also: Senate Bill No. 736—An Act to amend section 1619 of the Political Code, relating to rights and privileges in school districts;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

ANDERSON, Chairman.

Senate Bills Nos. 531 and 736 ordered on file for second reading.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 212—An Act to amend section 1581 of the Political Code of the State of California, relating to the opening of school in new school districts;

Also: Assembly Bill No. 332—An Act to amend section 1779 of the Political Code, relating to the establishment of post-graduate elementary school courses;

Also: Assembly Bill No. 444—An Act to add a new section to the Political Code of the State of California to be numbered section 1752, relating to conventions of high school principals;

Also: Assembly Bill No. 657—An Act to amend section 1615 of the Political Code relating to schools;

Also: Assembly Bill No. 1213—An Act to amend section 1729 of the Political Code of the State of California, relating to the manner in which high school districts may unite;

Also: Assembly Bill No. 1395—An Act to add a new section to the Political Code of the State of California, to be numbered 1519*a*, relating to the furnishing of free textbooks to State institutions;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

ANDERSON, Chairman.

Assembly Bills Nos. 212, 332, 444, 657, 1213 and 1395 ordered on file for second reading.

Also:

SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 1249—An Act to establish a [illegible] and to repeal an Act entitled "An Act to establish a [illegible]," approved March 3, 1909;

Also, Senate Bill No. 829—An Act to add a new section to the Political Code to be numbered section [illegible], relating to reports of high school principals;

Also, Senate Bill No. 842—An Act to amend section [illegible] of the Political Code relating to [illegible] of school districts;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

ANDERSON, Chairman.

Senate Bills Nos. 1249, 829 and 842 ordered on file for second reading.

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 979—An Act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in California; providing for the appointment of a state oil and gas supervisor; [illegible] his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; [illegible] creating a fund for the purposes of the Act; [illegible] providing for the collection thereof; and making an appropriation for the purposes of this Act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended, and be re-referred to Committee on Finance.

MOTT, Chairman.

Senate Bill No. 979 ordered re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 789—An Act amending section [illegible] of the Political Code of the State of California, relating to [illegible] assessments in reclamation districts, and providing for the [illegible] of said [illegible]—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Drainage, Swamp and Overflowed Lands.

KEHOE, Chairman.

Senate Bill No. 789 ordered re-referred to Committee on Drainage, Swamp and Overflowed Lands.

CONSIDERATION OF MOTION TO RECONSIDER—POSTPONED.

On motion of Senator Crowley, the consideration of the motion of Senator Scott to reconsider the vote whereby Senate Bill No. 54 was passed was continued until the next legislative day.

ADJOURNMENT.

At five o'clock and twenty minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Thursday, April 8, 1915

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry L. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 7, 1915, the further reading was dispensed with, on motion of Senator Rush.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 757—An Act to amend section 626 of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 699—An Act to amend section 632 of the Penal Code of the State of California, relating to the protection of fish;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

FLINT, Chairman.

Senate Bills Nos. 757 and 699 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 6, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 754—An Act making an appropriation for university extension work for the University of California—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended and be re-referred to the Committee on Finance.

ANDERSON, Chairman.

Senate Bill No. 754 ordered re-referred to Committee on Finance.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass as amended.

LYON, Chairman.

Assembly Bill No. 487 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 257—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation thereof," approved February 20, 1905; approved April 14, 1911; approved June 2, 1913, as amended and providing for physical examination of minors, prohibiting sweat shop work, prohibiting the employment of minors under certain age in dangerous occupations, regulating street trades and repealing all Acts and parts of Acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass as amended.

LYON, Chairman.

Senate Bill No. 257 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 251—An Act to provide the manner in which protection districts may be dissolved;

Also: Senate Bill No. 499—An Act to provide for the formation, organization and government of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and water courses, canyons, washes or swales, for the purpose of saving and conserving any storm water, flood water or snow water for beneficial and useful purposes, for the prevention of the overflow thereof, by widening, deepening and straightening and otherwise improving the said channels, and by constructing new channels, for the condemnation of property therefor, and for the construction of the necessary works for the protection against, and conservation of said storm, flood or snow waters by said district, and for the issuance of bonds representing the costs and expenses thereof, and for levying assessments to pay the interest and principal of such bonds, and for levying an assessment to extend, repair or maintain such work;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

CHANDLER, Chairman.

Senate Bills Nos. 251 and 499 ordered on file for second reading.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CHANDLER, Chairman.

Senate Bill No. 1049 ordered on file for second reading.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Brown, the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day Senator Tyrrell moved to reconsider the vote whereby Senate Bill No. 1203—An Act to add a new section to the Penal Code, to be numbered section 653*f*, relating to the restricting of the number of individuals who may learn a trade—was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 1203 was passed, carried by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

The question being on the passage of Senate Bill No. 1203.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wolfe moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

The Secretary announced the absentees.

Time, ten o'clock and twelve minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and sixteen minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wolfe.

The Secretary was directed to call the roll, on passage of the bill, of Senators who had not answered to their names.

The roll was called, and Senate Bill No. 1203 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Flint, Irwin, King, Maddux, Mott, Owens, Purkitt, Shearer, Strobridge, Stuckenbruck, and Thompson—22.
NOES—Senators Benson, Carr, Crowley, Duncan, Finn, Flaherty, Gerdes, Jones, Kehoe, Luce, Lyon, Scott, Slater, Tyrrell, and Wolfe—15.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Carr moved to reconsider the vote whereby Senate Constitutional Amendment No. 2 —A resolution to propose to the people of the State of California, by adding to article VI of said Constitution a new section to be numbered section 6½, relating to the term of office of judges of the Superior Court—was adopted.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Constitutional Amendment No. 2 was adopted, carried by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Duncan, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—Senators Crowley, Finn, Flaherty, Gerdes, Scott, and Wolfe—6.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Mott, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. G. E. ApLynne of Pleasanton, Cal.

On request of Senator Strobridge, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. C. E. Gale of Pleasanton, Cal.

REQUEST FOR INTRODUCTION OF BILL.

Senator Cogswell requested permission to introduce a Senate bill entitled:

"An Act to establish the Alpine State Road; to define its course; to provide for its supervision, construction, maintenance, improvement and repair and to repeal an Act entitled 'An Act to establish the Alpine State Highway; to define its course; to provide for its supervision, construction, repair and maintenance, and to make an appropriation therefor,' approved April 15, 1911, and an Act entitled 'An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora, at a point known as Long Barn, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a state highway,' approved March 12, 1901."

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 951—An Act approving, confirming and declaring valid the creation, formation and organization of Reclamation District No. 108, created by that certain Act of the Legislature of the State of California entitled, "An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith," approved April 23, 1913, and all acts and proceedings of said district and the board of trustees thereof, and also more clearly define the exterior boundaries of said district;

Also: Senate Bill No. 1166—An Act to amend an Act entitled "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor," approved June 16, 1913;

Also: Senate Bill No. 950—An Act to amend an Act entitled, "An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such

bonds," approved April 30, 1913, by amending section 1 of said Act, and making the description more certain, amending section 6 of said Act in reference to the certifying and depositing of a certified copy of assessment, amending section 7 of said Act in reference to the lien of said assessment, and also amending the said section 7 in regard to the collection of the assessments, issuance of warrants and the payment of all moneys that may be collected into the county treasury of Yolo County;
And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 715—An Act to amend section 485 of the Civil Code of the State of California, relating to damages in certain cases;

Also: Senate Bill No. 239—An Act creating a Board of Retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, the Sonoma State Home, State Prison at Folsom and State Prison at San Quentin; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement;

Also: Senate Bill No. 55—An Act providing for the discharge and restoration to citizenship of paroled prisoners from state prisons;

Also: Senate Bill No. 1216—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this Act, and to make appropriation therefor; and to repeal all Acts or parts of Acts in conflict with this Act;

Also: Senate Bill No. 570—An Act to add a new section to the Political Code to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or the acceptance of rebates on insurance or surety bonds and providing penalty therefor and for the revoking of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto;

Also: Senate Bill No. 1230—An Act to amend sections 4, 5 and 6 of an Act, entitled "An Act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911;
And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 966—An Act to amend section 531 of the Political Code, relating to the duties of the Superintendent of State Printing;

Also: Senate Bill No. 524—An Act to amend section 4258 of the Political Code relating to salaries and fees of officers and to the fees to be allowed trial and grand jurors of counties of the twenty-ninth class;
And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 517—An Act granting municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railroad, canal, ditch or flume.

On motion of Senator Crowley, Senate Bill No. 517 was passed on file.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

On motion of Senator Jones, Senate Bill No. 720 was passed on file.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 2 of article IX of the constitution of the said State, relating to the election and salary of a Superintendent of Public Instruction and also by repealing section 10 of article XXII of said Constitution, relating to the term of officers first elected under the Constitution and also to the election and term of office of the successors of such officers and also to the election of judicial officers and the Superintendent of Public Instruction.

On motion of Senator Jones, Senate Constitutional Amendment No. 12 was passed on file.

Senate Bill No. 510—An Act to amend sections 2, 12, 13, 15, 16, 17, 19, 20, 22, 24, 25, 26, 29, 30, 31, 32, 33, 34, 36, 37, 46, 47, 57, 71, 72, 75, 76, 77 and 81 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'state compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State, and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913, and to add thereto a new section to be numbered 75*a*.

On motion of Senator Benson, Senate Bill No. 510 was passed on file.

Senate Bill No. 669—An Act to amend section 3 of an Act entitled "An Act to define investment companies, investment brokers, and agents, to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of commissioner of corporations, and making an appropriation therefor," approved May 28, 1913.

By order of the President, Senate Bill No. 669 was passed on file.

Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act.

On motion of Senator Scott, Senate Bill No. 310 was passed on file.

Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12.

On motion of Senator Lyon, Senate Bill No. 954 was passed on file.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1216—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act; and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this Act, and to make appropriations therefor; and to repeal all Acts or parts of Acts in conflict with this Act.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1216 passed by the following vote:

AYES—Senators Ballard, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flint, Hans, Irwin, Jones, King, Lyon, Mott, Owens, Rush, Shearer, Slater, Strobridge, Thompson, and Tyrrell—25.

NOES—Senators Duncan, Finn, Flaherty, Gerdes, Maddux, Purkitt, and Wolfe—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER.

Senator Finn moved that Senate Constitutional Amendment No. 2 be made a special order for this day immediately following the consideration of the file of Assembly bills.

BILL RETURNED TO ASSEMBLY.

By order of the President, Senate Bill No. 564 was returned to the Assembly.

SENATOR BUTLER IN THE CHAIR.

At eleven o'clock and thirty minutes a.m., Senator Butler of the Thirty-first District, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 572—An Act to amend section 633 of the Political Code, concerning the licensing of insurance and surety agents; providing for the revoking of such licenses and providing a penalty for violation thereof.

On motion of Senator Benedict, Senate Bill No. 572 was passed on file.

Senate Bill No. 573—An Act to add a new section to the Political Code, to be numbered 633*a*, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the insurance commissioner, and providing for a violation thereof.

On motion of Senator Benedict, Senate Bill No. 573 was passed on file.

Senate Bill No. 570—An Act to add a new section to the Political Code to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or the acceptance of rebates on insurance or surety bonds and providing penalty therefor and for the revoking of the license of any agent or broker violating the same, and prescribing the powers and duties of the insurance commissioner in relation thereto.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benedict moved to refer to Senator Brown as a Special Committee of One to amend Senate Bill No. 570 as follows:

AMENDMENT NUMBER ONE.

On page 5, line 10, after the word "affect" insert the following: "reciprocal or inter-insurance contracts,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Special Committee of One to which was referred Senate Bill No. 570, with instructions to amend, respectfully reports the same back, amended as per instructions.

BROWN, Committee.

Report read and, on motion of Senator Benedict, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 900—An Act to amend section 596 of the Political Code, concerning certificate of authority to insurance companies; prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benedict moved to refer to Senator Brown as a Special Committee of One, to amend Senate Bill No. 900 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill between the words "shall" and "solicit" insert the following: "excepting upon his own property".

AMENDMENT NUMBER TWO.

On page 2, line 11, between the words "of" and "railroads" insert the word "steam" and on the same line between the words "or" and "other" insert the word "of", and on the same line after the word "carriers" insert the words "engaged in interstate trade".

AMENDMENT NUMBER THREE.

On page 6, line 2, strike out all of said line commencing with the word "all" and also lines 3 and 4, and in lieu thereof insert a new paragraph at the end of the bill to read as follows:

"Nothing in this section shall be construed to deprive any citizen of this State of the right to negotiate and effect insurance on his own property with any unauthorized company."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 900, with instructions to amend, respectfully reports the same back, amended as per instructions.

BROWN, Committee.

Report read and, on motion of Senator Benedict, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 610—An Act to provide for the establishment, government, and maintenance of city planning commissions within municipalities, and prescribing their powers and duties.

By order of the President, Senate Bill No. 610 was passed on file.

Senate Bill No. 611—An Act to amend sections 1 and 4 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907.

On motion of Senator Carr, Senate Bill No. 611 was passed on file; to retain its place.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

By order of the President, Senate Bill No. 74 was passed on file.

Senate Bill No. 950—An Act to amend an Act entitled "An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, by amending section 1 of said Act, and making the description more certain, amending section 6 of said Act in reference to the certifying and depositing of a certified copy of assessment, amending section 7 of said Act in reference to the lien of said assessment, and also amending the said section 7 in regard to the collection of the assessments, issuance of warrants and the payment of all moneys that may be collected into the county treasury of Yolo County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 950 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Brown, Butler, Campbell, Chandler, Cohn, Finn, Flaherty, Gerdes, Hans, Irwin, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 951—An Act approving, confirming and declaring valid the creation, formation and organization of Reclamation District No. 108, created by that certain Act of the legislature of the State of California entitled "An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith," approved April 23, 1913, and all Acts and proceedings of said district and the board of trustees thereof, and also more clearly defining the exterior boundaries of said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 951 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Finn, Flaherty, Gerdes, Hans, Irwin, King, Lyon, Maddux,

Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1166—An Act to amend an Act entitled "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1166 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Gerdes, Irwin, Kehoe, Maddux, Mott, Owens, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1236—An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of education.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Irwin moved to refer to Senator Andersen as a Special Committee of One, to amend Senate Bill No. 1236 as follows:

AMENDMENT NUMBER ONE.

Page 1, lines 7 and 8, strike out the words "and preliminary elementary".

AMENDMENT NUMBER TWO.

Page 2, line 6, insert after the word "county" a comma and the following: "and in the first two years of any intermediate school course established as provided in section 1750*a* of the Political Code: *provided*, that holders of elementary school certificates who have completed two years of work in a college, or one year of work in a college in addition to a normal school course, under regulations prescribed by the State Board of Education, may teach in the third year of any intermediate school course".

AMENDMENT NUMBER THREE.

Page 2, line 8, insert after the word "cadet-teaching" the following: "without salary".

AMENDMENT NUMBER FOUR.

Page 2, line 9, strike out the comma (,) and all the remaining line after the word "county", all of lines 10 to 14, inclusive, and insert in lieu thereof a period.

AMENDMENT NUMBER FIVE.

Page 2, insert after line 27 the following:

"(*g*) Preliminary special certificates, authorizing the holders to do cadet-teaching without salary, in the special branch named in such certificate, in any elementary **or secondary school in the county.**"

AMENDMENT NUMBER SIX.

Page 2, line 36, insert after the word "certificate" a comma and the following: "or any elementary school certificate".

AMENDMENT NUMBER SEVEN.

Page 3, line 2, strike out the words "one year", and insert in lieu thereof the following: "two years".

AMENDMENT NUMBER EIGHT.

Page 4, line 11, strike out the following "(1)".

AMENDMENT NUMBER NINE.

Page 4, line 12, strike out the word "preliminary".

AMENDMENT NUMBER TEN.

Page 4, line 17, insert after the period the following: "In determining such equivalent, the board may take cognizance of any adequate evidence of preparation a candidate may present."

AMENDMENT NUMBER ELEVEN.

Page 4, line 28, strike out all of lines 28 to 36 inclusive.

AMENDMENT NUMBER TWELVE.

Page 5, line 26, strike out the word "senior".

AMENDMENT NUMBER THIRTEEN.

Page 5, line 27, strike out the word "class".

AMENDMENT NUMBER FOURTEEN.

Page 5, line 30, strike out all of the line following the letter "(*d*)" and insert in lieu thereof the following: "Preliminary secondary school certificates: To graduate".

AMENDMENT NUMBER FIFTEEN.

Page 5, insert after line 12 the following:

"(*g*) Preliminary special certificates: To students enrolled in any vocational teachers' training course established under the laws of this State who present a recommendation from the principal of the school maintaining such course, that such certificate be granted."

AMENDMENT NUMBER SIXTEEN.

Page 6, line 24, strike out all of the line following the word "period" and all of line 25, and insert in lieu thereof the following: "of six years".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1236, with instructions to amend, respectfully reports the same back, amended as per instructions.

ANDERSON, Committee.

Report read and, on motion of Senator Irwin, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 966—An Act to amend section 531 of the Political Code, relating to the duties of the Superintendent of State Printing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 966 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 524—An Act to amend section 4258 of the Political Code, relating to salaries and fees of officers and to the fees to be allowed trial and grand jurors of counties of the twenty-ninth class.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Shearer moved to refer to Senator Slater as a Special Committee of One to amend Senate Bill No. 524 as follows:

AMENDMENT NUMBER ONE.

On page 4, line 16, strike out the period after the word "law" and insert in lieu thereof a semicolon and add the following words: "*provided*, he shall be given all work for the county in which the county employs a surveyor or civil engineer; *and provided, further*, that it shall be the duty of the board of supervisors of counties of this class to so employ him."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 524, with instructions to amend, respectfully reports the same back, amended as per instructions.

SLATER, Committee.

Report read, and on motion of Senator Shearer, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 783—An Act to amend section 681 of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes.

On motion of Senator Finn, Senate Bill No. 783 was passed on file.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Finn, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Finn, Senate Bill No. 60 was passed on file.

Senate Bill No. 314—An Act to amend section 2189 of the Political Code, relating to the discharge of patients from state hospitals.

On motion of Senator Tyrrell, Senate Bill No. 314 was passed on file.

Senate Bill No. 315—An Act to amend section 2192 of the Political Code, relating to the commitment of incompetents other than insane persons.

On motion of Senator Tyrrell, Senate Bill No. 315 was passed on file.

SPECIAL ORDER.

On motion of Senator Campbell, Senate Bill No. 452 was made a special order for Monday, April 12, 1915, immediately after the consideration of the file of Assembly bills.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1005—An Act to carry into effect the provisions of section 1*a* of article XIII of the Constitution of California, exempting property from taxation in certain instances; defining certain terms; providing certain regulations with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered 3613.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1005 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills to which was referred the request of Senator Cogswell to introduce a bill entitled An Act to establish the Alpine State Road; to define its course; to provide for its supervision, construction, maintenance, improvement and repair and to repeal an Act entitled "An Act to establish the Alpine State Highway; to define its course; to provide for its supervision, construction, repair and maintenance, and to make an appropriation therefor," approved April 15, 1911, and an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora, at a point known as Long Barn, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State Highway," approved March 12, 1901—has had the same under consideration and respectfully reports the same back and recommends that such request be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with the above report:

By Senator Cogswell: Senate Bill No. 1246 An Act to establish the Alpine State Road; to define its course; to provide for its supervision, construction, maintenance, improvement and repair and to repeal an Act entitled "An Act to establish the Alpine state highway; to define its course; to provide for its supervision, construction, repair and maintenance, and to make an appropriation therefor," approved April 15, 1911, and an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora, at a point known as Long Barn, in Tuolumne County, and running thence across the summit of the Sierra Nevada mountains to Bridgeport in Mono County, a state highway," approved March 12, 1901.

Bill read first time, and referred to Committee on Roads and Highways.

REQUEST FOR INTRODUCTION OF BILL.

Senator Purkitt requested permission to introduce a Senate bill entitled:

"An Act to add a new section to the Penal Code to be numbered section 1329*a*, relating to fees of witnesses in criminal cases."

Request referred to Committee on Introduction of Bills.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 715—An Act to amend section 485 of the Civil Code of the State of California, relating to damages in certain cases.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 715 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 669—An Act to amend section 3 of an Act entitled "An Act to define investment companies, investment brokers, and agents, to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of Commissioner of Corporations, and making an appropriation therefor," approved May 28, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 669 passed by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At twelve o'clock m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Hans, the Senate took up for consideration Assembly amendments to Senate Bill No. 671.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED SEVENTY-ONE.

AMENDMENT NUMBER ONE.

On page 1, line 1 of the title, strike out the words "of the".

AMENDMENT NUMBER TWO.

On page 1, line 2 of the title, strike out the words "State of California".

AMENDMENT NUMBER THREE.

On page 1, line 2, strike out the words "of the State of California."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 671?"

The roll was called, and Assembly amendments to Senate Bill No. 671 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Senate Bill No. 671 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Hans, the Senate took up for consideration Assembly amendments to Senate Bill No. 672.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED SEVENTY-TWO.

AMENDMENT NUMBER ONE.

On page 1, line 2 of the title, strike out the words "of the State of California."

AMENDMENT NUMBER TWO.

On page 1, line 2, strike out the words "of the State of California."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 672?"

The roll was called, and Assembly amendments to Senate Bill No. 672 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Senate Bill No. 672 ordered to enrollment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 610—An Act to provide for the establishment, government, and maintenance of city planning commissions within municipalities, and prescribing their powers and duties.

Read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Carr moved to refer to Senator Benedict as a Special Committee of One, to amend Senate Bill No. 610 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "2".

AMENDMENT NUMBER TWO.

On page 2, line 14, of the printed bill, strike out the figure "4" and insert in lieu thereof the figure "3".

AMENDMENT NUMBER THREE.

On page 2, line 27, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER FOUR.

On page 3, line 14, of the printed bill, strike out the figure "6", and insert in lieu thereof the figure "5".

AMENDMENT NUMBER FIVE.

On page 4, line 4, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "6".

AMENDMENT NUMBER SIX.

On page 4, line 20, of the printed bill, strike out the figure "8" and insert in lieu thereof the figure "7".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 610, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENEDICT, Committee

Report read and, on motion of Senator Carr, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 1230—An Act to amend sections 4, 5 and 6 of an Act entitled "An Act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1230 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Breed, Brown, Butler Campbell, Carr, Cogswell, Duncan, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Shearer, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. John E. Raker of Alturas, representative in Congress from the Second California District.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Strobridge, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 716—An Act to amend section 868 of the Code of Civil Procedure of California, relating to writs of attachment;

Also: Senate Bill No. 1048—An Act to amend section 21 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Cerk.

Senate Bills Nos. 716 and 1048 ordered to enrollment.

Also:

SACRAMENTO, April 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 439—An Act to add two new sections to the Political Code of the State of California to be numbered sections 1750*a*, and 1617*d*, relating to the establishment of intermediate school courses by high school boards, and authorizing boards of school trustees and boards of education in common school districts to permit pupils of certain grades to attend such intermediate school courses:

Also: Senate Bill No. 454—An Act to amend section 4263 of the Political Code relating to the compensation of officers in counties of the thirty-four class;

Also: Senate Bill No. 488—An Act to amend section 650 of the Code of Civil Procedure relating to exceptions:

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Benedict, the Senate took up for consideration Assembly amendments to Senate Bill No. 439.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED THIRTY-NINE.

AMENDMENT NUMBER ONE.

On page 1, line 3, strike out the word "be".

AMENDMENT NUMBER TWO.

On page 1, line 10, strike out the word "in" and insert in lieu thereof the following word: "within".

AMENDMENT NUMBER THREE.

On page 1, line 10, strike out the words "an average daily" and insert in lieu thereof the following: "a total enrollment".

AMENDMENT NUMBER FOUR.

On page 2, line 1, strike out the word "attendance".

AMENDMENT NUMBER FIVE.

On page 2, line 1, strike out the words "seventy-five" and insert in lieu thereof the words "one hundred".

AMENDMENT NUMBER SIX.

On page 2, strike out all of lines 3 to 6 inclusive, and in all of line 7 down to the period, and insert in lieu thereof the following: "a majority of the qualified electors in each of the common school districts comprising such high school district shall vote in favor thereof, at an election called for this purpose in the same manner as the election for the formation of the high school district. The ballots used at such election shall contain the words 'Intermediate School Course—Yes' and 'Intermediate School Course—No'. The result of said election shall be determined and certified to the Superintendent of Schools as provided in case of the election for the formation of the district."

AMENDMENT NUMBER SEVEN.

Page 2, amend by striking out all of line 4 following the word "unless" and all of lines 5, 6 and 7, and all of line 8 down to the period, and insert in lieu thereof a comma and the following: "at an election called for that purpose in the same manner as the election for the formation of the high school district, a majority of the qualified electors voting thereat shall vote in favor of such intermediate school course."

AMENDMENT NUMBER EIGHT.

On page 2, line 16, strike out the period after the word "reside" and insert in lieu thereof a semicolon and the following: "*provided*, that when any intermediate school course is first established under the provisions of this section, the course of study therefor shall be adopted between the first day of July and the date of the opening of school for the current school year."

AMENDMENT NUMBER NINE.

On page 2, line 22, by inserting after the comma the following: "situated within a high school district maintaining an intermediate school course".

AMENDMENT NUMBER TEN.

On page 2, line 22, by striking out the word "may" and inserting in lieu thereof "shall".

AMENDMENT NUMBER ELEVEN.

On page 2, by striking out all of line 25 following the comma (,), all of line 26, all of line 27, and all of line 28 down to the semicolon, and insert in lieu thereof the following: "and shall pay to such high school district for the education of such pupils, a tuition charge which shall be agreed upon by said board of education, or board of school trustees, and the high school board maintaining such intermediate school course".

AMENDMENT NUMBER TWELVE.

On page 2, line 30, strike out the word "common" and insert in lieu thereof the following: "elementary".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 34, strike out the word "common" and insert in lieu thereof the following: "elementary".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 35, insert after the word "charge" the following: "shall".

Amendments read, and ordered printed in the Journal.

The President ordered Senate Bills Nos. 439 and 488 to the file of Unfinished Business.

ASSEMBLY MESSAGES (RESUMED).

Also:

SACRAMENTO, April 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 491—An Act to amend section 1054 of the Code of Civil Procedure relating to the extension of time in which an act is to be done;

Also: Senate Bill No. 561—An Act to amend section 956 of the Code of Civil Procedure, relating to what may be reviewed on appeal from judgment;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

The President ordered Senate Bills Nos. 561 and 491 to the file of Unfinished Business.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Birdsall, the Senate took up for consideration Assembly amendments to Senate Bill No. 454.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FIFTY-FOUR.

AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4, of the title of the printed bill as amended in the Senate March 22, 1915, strike out both of said lines 3 and 4 and insert in lieu thereof the following: "The compensation of officers in counties of the thirty-fourth class".

AMENDMENT NUMBER TWO.

On pages 2 and 3 of the printed bill, strike out all of lines 33 to 37, inclusive, on page 2 and also all of lines 1 and 2 on page 3 and insert in lieu thereof the following:

"13. Each member of the board of supervisors shall receive for his services the sum of nine hundred dollars per annum, and twenty cents per mile in traveling to and from his residence to the county seat; *provided*, that no more than one mileage at any regular session of the board shall be allowed and that one-fourth of the annual salary shall be paid at the close of each quarterly session of the board; *and provided, further,* they shall be reimbursed for necessary expenses actually incurred by attending any special session of the board. The Road Commissioner shall be reimbursed for all traveling, personal and other necessary expenses; said expenses not to exceed five dollars per day while actually engaged in the performance of their duties upon the roads; *provided,* that the full amount of expenses incurred shall not exceed seventy-five dollars in any one quarter, to be allowed as other claims by the board of supervisors."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 454?"

The roll was called, and Assembly amendments to Senate Bill No. 454 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—30.

NOES—None.

Senate Bill No. 454 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 487—An Act to amend section 941*b* of the Code of Civil Procedure of the State of California, relating to a new or alternative method by which appeals may be taken from judgments, orders or decrees of the Superior Court of the State of California to the Supreme Court or District Courts of Appeal thereof;

Also: Senate Bill No. 490—An Act to amend section 663*a* of the Code of Civil Procedure of the State of California relating to the setting aside of a judgment of the Superior Court and the rendition of a new judgment without a new trial;

Also: Senate Bill No. 559—An Act to amend section 939 of the Code of Civil Procedure of the State of California, relating to the time within which an appeal may be taken;

Also: Senate Bill No. 562—An Act to amend section 131 of the Civil Code of the State of California, relating to actions for divorce;

Also: Senate Bill No. 563—An Act to amend section 963 of the Code of Civil Procedure of the State of California, relating to cases in which an appeal may be taken.

L. B. MALLORY, Chief Clerk of Assembly.

Senate Bills Nos. 487, 490, 559, 562 and 563 ordered to enrollment.

Also:

SACRAMENTO, April 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 393—An Act to amend section 4221*a* of the Political Code of the State of California, relating to the amount of money that the boards of supervisors of the several counties may set apart and pay into the "Law Library Fund."

L. B. MALLORY, Chief Clerk of Assembly
By M. STERN, Assistant Clerk.

Assembly Bill No. 393 read first time, and referred to Committee on County Government.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 1035—An Act to amend section 634 of the Political Code of the State of California, relating to the registration of policies of life insurance companies;

Also: Senate Bill No. 571—An Act to prohibit insurance companies, associations, or societies and their agents from misrepresenting the terms of any policy of insurance;

Also: Senate Bill No. 1197—An Act to add a new section to the Penal Code to be numbered 508*a*, relating to insurance premiums;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

BENEDICT, Chairman.

Senate Bills Nos. 1035, 571 and 1197 ordered on file for second reading.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Insurance to which was referred Senate Bill No. 1034—An Act to amend section 605 of the Political Code of the State of California, relating to the fees of the insurance department—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BENEDICT, Chairman.

Senate Bill No. 1034 ordered on file for second reading.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 29—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the insurance commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules and providing a penalty therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass. Minority report: Do not pass.

BENEDICT, Chairman.

Also:

MINORITY REPORT.

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: A minority of your Committee on Insurance, to which was referred Senate Bill No. 29—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules and providing a penalty therefor—composed of the undersigned members thereof, beg leave to recommend that Senate Bill No. 29 do not pass.

COHN.
CROWLEY.
SHEARER.
WOLFE.

Senate Bill No. 29 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section one of article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the legislature and also reserving to the people of the State of California the power to approve or reject at the polls any Act, or section or part of any Act of the Legislature—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted as amended.

KEHOE, Chairman.

Senate Constitutional Amendment No. 22 ordered on file.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 857—An Act to make lawful certain agreements between employees and laborers, and to limit the issuing of injunctions in certain cases—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do not pass as amended.

KEHOE, Chairman.

Senate Bill No. 857 ordered on file for second reading.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1009—An Act to amend section 1723 of the Code of Civil Procedure of the State of California, relating to disposition of life estates or homesteads, on owner's death, in certain cases;

Also: Senate Bill No. 1010—An Act to amend section 1669 of the Code of Civil Procedure of the State of California, relating to payment of taxes and decree of distribution of estates:

Also: Senate Bill No. 1011—An Act to amend section 1444 of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons;

Also: Senate Bill No. 1012—An Act to amend chapter 595 of the laws of the session of the Legislature of California of 1913, approved June 16, 1913, known as the "Inheritance Tax Act," by amending sections 6 and 9 thereof;

Also: Senate Bill No. 899—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section 188, relating to the disposition of funds paid by order of court:

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 1009, 1010, 1011, 1012 and 899 ordered on file for second reading.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1036—An Act to provide for the regulation of the sale of shingles by makers, manufacturers and dealers thereof;

Also: Senate Bill No. 377—An Act to amend section 225 of the Code of Civil Procedure, relating to the manner of serving jurors by the sheriff;

Also: Assembly Bill No. 405—An Act to revise and amend sections 3209, 3215, 3216 and 3222 of the Political Code of the State of California, all relating to weights and measures and the standards thereof, and forming part of chapter VIII, title VII, part III of said Political Code;

Also: Assembly Bill No. 167—An Act to add a new section to the Code of Civil Procedure, to be numbered 981, providing for the payment by parties appealing from judgments in Justices' Courts of filing fees and calendar fees in the Superior Court;

Also: Assembly Bill No. 58—An Act to amend section 205 of the Code of Civil Procedure of the State of California, relating to the selection and listing of jurors;

Also: Assembly Bill No. 59—An Act to amend section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors;

Also: Assembly Bill No. 83—An Act to amend section 99 of the Code of Civil Procedure of California, relating to justices' courts and justices in townships having population between 250,000 and 400,000;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 1036 and 377 ordered on file for second reading.

Assembly Bills Nos. 405, 167, 58, 59 and 83 ordered on file for second reading.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 316—An Act to amend section 379 of the Civil Code, relating to lost, destroyed or stolen bonds of a corporation has had the same under consideration, and respectfully reports the same back and recommends that it be referred to Senator Kehoe as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 35, strike out the period following the word "trustee" and insert in lieu thereof a comma and the following: "provided such new or duplicate bond shall not be negotiable and must set forth on its face that it is a duplicate issued in lieu of the original bond (giving number thereof) so lost or destroyed."

KEHOE, Chairman.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 595—An Act to amend section 4014 of the Political Code of the State of California;

Also: Senate Bill No. 1196—An Act to amend section 398 of the Code of Civil Procedure, relating to the disqualification of judges of the Superior Court.

Also: Senate Bill No. 749—An Act to amend section 1167 of the Code of Civil Procedure, relating to service of summons in unlawful detainer;

Also: Senate Bill No. 1123—An Act to amend section 1272 of the Code of Civil Procedure, relating to escheated property and the procedure in relation thereto.

Also: Senate Bill No. 1124—An Act to add a new section to the Code of Civil Procedure, to be numbered 1269*a*, relating to escheated property and the procedure in relation thereto;

Also: Senate Bill No. 497—An Act to amend the Political Code by changing the headings of the title to chapter II of title V of part III of said Political Code; also by changing the headings of the title to article I of chapter II of title V of part III of said Political Code; and to repeal section 2236 of said Political Code; and to amend sections 2238, 2239 and 2240 of said Political Code; and to repeal sections 2241 and 2242 of said Political Code; and to amend section 2243 of said Political Code; and to amend said Political Code by changing the headings of the title to article II of chapter II of title V of part III of said Political Code; and to amend sections 2254 and 2255 of said Political Code; and to repeal section 2256 of said Political Code; and to amend said Political Code by changing the headings of article III of chapter II of title V of part III of said Political Code; and to amend sections 2267 and 2268 of said Political Code; and to repeal section 2269 of said Political Code; and to amend said Political Code by changing the headings of article IV of chapter II of title V of part III of said Political Code; and to amend section 2280 of said Political Code; and to repeal section 2281 of said Political Code; all relating to the California School for the Deaf and the Blind;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 595, 1196, 749, 1123, 1124 and 497 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 303—An Act to carry into effect the provisions of section 1¼ of article XIII of the Constitution of California, exempting property from taxation in certain instances, and to that end adding a new section to the Political Code to be numbered 3612—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

COGSWELL, Chairman.

Assembly Bill No. 303 ordered on file for second reading.

RECESS.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Shearer, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Fred E. Wadsworth of Yreka.

On request of Senator Kehoe, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. James W. Bartlett of Weaverville.

THIRD READING OF ASSSEMBLY BILLS.

Assembly Bill No. 547—An Act authorizing the use of convict labor on state highways; regulating the handling of such labor; authorizing extra good time allowance; and providing penalties for interference.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 547 passed by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—24.

NOES—Senator Flaherty—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Wolfe gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 547 was passed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 745—An Act regulating the making of openings or the placing of structures or the change or renewal of any structure and the planting or removal of trees or shrubs or the placing of obstructions in or on state roads and highways; providing for the issuance of permits by the State Department of Engineering relative thereto, and the laying or placing pipes, conduits, sewers, poles, wires, railways, obstructions and other objects, and for the planting, trimming or removal of trees or shrubs in or on state roads and highways; providing for the requirement of bonds from applicants before the issuance of such permits; and prescribing the penalty for violations of the provisions of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 745 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 748—An Act to amend the Penal Code of the State of California, by adding a new section thereto to be numbered section 588c, concerning the injury, defacement or removal of monuments or stakes placed, erected or used by the State Department of Engineering, its officers or employees on or along any state road or highway or in connection with state road or highway work, and prescribing penalty for the violation of such section.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 784 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1192—An Act to amend section 588 of the Penal Code of the State of California, relating to malicious injuries to any state or other public highway or bridge or any private way laid out by authority of law, or bridge upon any such highway or private way.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1192 passed by the following vote:

AYES—Senators Benedict, Benson, Birdsall, Breed, Butler, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 662—An Act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and electric power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

On motion of Senator Crowley, Assembly Bill No. 662 was passed on file.

Assembly Bill No. 671—An Act to amend sections 2152, 2154 and 2156 of the Political Code of the State of California and to add a new section to said Political Code, to be known and designated as section 2153*b*, all relating to the government and management of state hospitals for the insane, feeble-minded and other incompetent persons, and to the care, training and education of insane, feeble-minded and other incompetent persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 671 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Carr, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 567—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted.

Bill read third time.

On motion of Senator Shearer, Assembly Bill No. 567 was passed on file.

Assembly Bill No. 1334—An Act to amend section 4261 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the thirty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1334 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Flaherty, Gerdes, Irwin, Kehoe, King, Lyon, Maddux, Owens, Purkitt, Rush, Thompson, and Wolfe—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 876—An Act to amend section 4253 of the Political Code of the State of California, relating to the compensation of officers in counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 876 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 36—An Act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bed clothes or bed covering in such hotels; repealing all Acts or parts of Acts in conflict with this Act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 212—An Act to amend section 1581 of the Political Code of the State of California, relating to the opening of school in new school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 332—An Act to amend section 1779 of the Political Code of the State of California, relating to the establishment of postgraduate elementary school courses.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 444—An Act to add a new section to the Political Code of the State of California to be numbered section 1752, relating to conventions of high school principals.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 657—An Act to amend section 1615 of the Political Code, relating to schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1213—An Act to amend section 1729 of the Political Code of the State of California, relating to the manner in which high school districts may unite.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1395—An Act to add a new section to the Political Code of the State of California, to be numbered 1519*a*, relating to the furnishing of free textbooks to state institutions.

Bill read second time, and ordered on file for third reading.

MESSAGES FROM THE ASSEMBLY

On motion of Senator Kehoe, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day returns Senate Bill No. 564—An Act authorizing any municipality to incur indebtedness by the issuance and sale of bonds for the purpose of investing the proceeds arising from the sale thereof in other bonds, evidences of debt or liens issued for public improvements in said municipality.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 564 ordered to enrollment.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 623—An Act to amend section 4240 of the Political Code, relating to the compensation of county and township officers of counties of the eleventh class;

Also: Senate Bill No. 840—An Act to amend section 4256 of the Political Code relating to the compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants;

Also: Assembly Bill No. 1456—An Act to amend section 1197 of the Political Code, relating to form of ballots;

Also: Assembly Bill No. 1457—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for nomination by their party for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an Act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act;

Also: Assembly Bill No. 1256—An Act to amend section 4231 of the Political Code, relating to salaries and fees of officers in counties of the fifth class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 623, 840 and 1256 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 1456 and 1457 read first time, and referred to Committee on Elections.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1526—An Act to amend sections 1073, 1079, 1083*a*, 1094, 1096, 1097, 1113, 1115, 1127, 1129, 1130, 1133, 1192, 1288, 1290, 1294 and 4025 of the Political Code relating to elections; to add a new section to the same code to be numbered 1083*b* relating to the same subject matter, and to repeal sections 1097*a*, 1102, 1143, 1253, 1285, 1286, 1287, 1334, 1335, 1344, 1345, 1359, 1361*a*, 1366*a*, and 4026 of the Political Code, also relating to the same subject matter;

Also: Assembly Bill No. 1001—An Act to amend section 628*e* of the Penal Code relating to the protection of fish, Also: Assembly Bill No. 1533—An Act to amend section 637 of the Penal Code, providing for the construction and maintenance of fishways over or around dams and artificial obstructions.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1526 read first time, and referred to Committee on Elections.

Assembly Bills Nos. 1001 and 1533 read first time, and referred to Committee on Fish and Game.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Constitutional Amendment No. 2, heretofore set as a special order for this time, the same was taken up for consideration.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, by adding to article VI of said constitution a new section to be numbered section 6½, relating to the term of office of Judges of the Superior Court.

Constitutional amendment read previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benedict moved to refer to Senator Campbell as a Special Committee of One to amend Senate Constitutional Amendment No. 2 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 9, after the word "court", insert the words "hereafter elected".

AMENDMENT NUMBER TWO.

On page 1, line 10, strike out the period after the word "election" and everything thereafter down to and including the word "elected" in line 15.

AMENDMENT NUMBER THREE.

Beginning with and including the words "a term" on page 1, line 17, strike out everything thereafter down to and including the period following the word "part" in line 2, on page 2, and insert in lieu thereof the following: "the term of the judge whose place he is elected to fill."

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Finn, Gerdes, and Irwin.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One lost by the following vote:

AYES—Senators Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Duncan, Flint, Irwin, Kehoe, King, Luce, Mott, Owens, and Thompson—16.

NOES—Senators Anderson, Beban, Benson, Breed, Cogswell, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Jones, Lyon, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Tyrrell, and Wolfe—22.

SENATE CONSTITUTIONAL AMENDMENT NUMBER TWO.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding to article VI of said constitution a new section, to be numbered section 6½, relating to the term of office of Judges of the Superior Court.

The Legislature of the State of California at its regular session commencing on the fourth day of January, 1915, two-thirds of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California an amendment to the Constitution of said State by adding to article VI thereof a new section, to be numbered 6½, to read as follows:

Section 6½. The term of office of judges of the Superior Court shall be twelve years from and after the first Monday of January next succeeding their election. The term of office of all judges of the Superior Court holding office on the second Monday of January in the year nineteen hundred and seventeen, and theretofore elected, shall be twelve years from and after the first Monday of January next succeeding the date on which they were elected, except in the case of a judge elected to hold office for the remainder of an unexpired term, in which case such judge shall hold office until the expiration of a term of twelve years from and after the first Monday of January next succeeding the date on which a judge was elected to hold office for the full term of which such remainder of an unexpired term is a part. Nothing herein contained shall be construed to prevent the operation of any law providing for the recall or impeachment of judges or for any other method for the removal of judges from office.

The question being on the adoption of Senate Constitutional Amendment No. 2.

The roll was called, and Senate Constitutional Amendment No. 2 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Breed, Campbell, Cogswell, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Jones, Kehoe, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Wolfe—27.

NOES—Senators Benedict, Birdsall, Brown, Butler, Carr, Chandler, Duncan, Flint, Irwin, King, Luce, Thompson, and Tyrrell—13.

Constitutional amendment ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1170—An Act to amend an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof"; which became a law under the constitutional provision without the Governor's approval, February 25, 1901, as subsequently amended, by amending section 2 and section 3 thereof relating to the proceedings for the calling of an election therefor and by adding a new section thereto to be numbered section 12¾, relating to the consolidation of elections;

Also: Senate Bill No. 641—An Act to amend section 526 of the Political Code, relating to the general duties of the Superintendent of State Printing;

Also: Senate Bill No. 479—An Act to amend section 3 of an Act entitled "An Act to establish a state training school for girls; to provide for the maintenance and management of the same; and to make an appropriation therefor," approved June 14, 1913;

Also: Senate Bill No. 793—An Act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities therein; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements;

Also: Senate Bill No. 123—An Act to amend section 4 of an Act entitled "An Act authorizing municipal corporations to permit other municipal corporations to construct and maintain sewers, water mains, and other conduits therein, also to construct and maintain sewers, water mains, and other conduits for their joint benefit, and at their joint expense, and to make and enter into contracts for said purposes," approved March 22, 1909, as amended, so as to authorize the use of highways for the construction and maintenance of sewers;

Also: Senate Bill No. 1226—An Act to amend section 2145 of the Political Code, relating to state hospitals for the insane and other incompetent persons;

Also: Senate Bill No. 832—An Act to add a new section to the Penal Code of the State of California, to be numbered section 637½, relating to the protection of game;

Also: Senate Bill No. 742—An Act to amend section 626*n* of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 431—An Act to amend section 368 of the Political Code and to repeal section 369 thereof, relating to executive officers, their appointment and terms;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this 8th day of April, 1915, at 11 o'clock a.m.

FLAHERTY, Chairman.

SECOND READING OF SENATE BILLS.

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

AMENDMENT FROM THE FLOOR.

During second reading of the bill, the following amendment was offered, and its adoption moved by Senator Kehoe:

AMENDMENT NUMBER ONE.

On page 3, line 10, after the word "April" strike out the words "and October of each year" and insert in lieu thereof the following: "of each year, in the city of Los Angeles and on or before the first Tuesday in October of each year in the city of San Francisco;".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1233—An Act to amend section 3805*b* of the Political Code, relating to the correction and cancellation of assessments, sales to the State, certificates of sale, or tax deeds to the State.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 118—An Act to amend section 4232 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in counties of the third class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 9, on page 1 of the printed bill, after the comma after the word "*provided*," insert the following: "that in counties of this class there shall be and there hereby is allowed to the county clerk one chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; one deputy, whose salary is hereby fixed at eighteen hundred dollars per annum; twenty-three deputies, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; two deputies, whose salaries are hereby fixed at the sum of ten hundred eighty dollars per annum each. All the foregoing deputies herein provided for, shall be appointed by the county clerk of said county, and their salaries shall be paid by the county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of the county clerk; *provided, further*, that in such years as the compilation of a great register of voters is required by law to be made, the county clerk in counties of this class shall be, and he is hereby, allowed the following additional help: Fifteen clerks for a period of and not exceeding six months, whose salaries are hereby fixed at one hundred dollars per month each; fifteen clerks for a period of not exceeding one month, whose salaries are hereby fixed at one hundred dollars per month each; and also for any such year at least one additional deputy in each voting precinct in the county, who shall be a qualified elector of such precinct, for the purpose of registering electors, such additional deputies shall be paid five cents per name for each elector legally registered by them, in the same manner as other county claims are paid; *and provided, further*, that if no help is allowed to county clerks under the direct primary law, the county clerk in counties of this class, in such years as a general State direct primary election is held, shall be and he is hereby allowed the following additional help: Fifteen clerks for a period of and not exceeding two months immediately next preceding the direct primary election day, whose salaries are hereby fixed at one hundred dollars per month each; such clerks shall be appointed by the county clerk of said county, and during their respective periods of employment their salaries shall be paid by such county in equal monthly installments, at the same time and in the same manner and out of the same fund as is the salary of the county clerk of such county."

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 10, on page 1, after the comma after the word "*provided*," insert the following: "that in counties of this class there shall be and there hereby is allowed to the sheriff, one undersheriff, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; two deputies, whose salaries are hereby fixed at the sum of eighteen hundred dollars per annum each; twenty-five deputies, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; two engineers for the jail, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; one matron for the jail, whose salary is hereby fixed at nine hundred dollars per annum; one assistant matron, for a period not to exceed two weeks in any one year and to serve only during the vacation of the matron, at a salary of thirty-seven and one-half dollars for such two weeks; *provided, further*, that the undersheriff, all deputies, matron, assistant matron and engineers herein provided for shall be appointed by the sheriff and their salaries shall be paid by the said county in equal monthly installments, at the same time, and in the same manner and out of the same fund as the salary of the sheriff; the sheriff shall also receive the amount of money necessarily expended by him in serving all process and notices and all expenses necessarily incurred by him in the pursuit of criminals and the same shall be a charge against the county and allowed as such by the board of supervisors and paid as other county charges are paid."

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 12, on page 1, after the comma after the word "*provided*," insert the following: "that in counties of this class there shall be and there hereby is allowed to the recorder the following deputies and copyists who shall be appointed by the recorder of such county and shall be paid salaries and compensations as follows: One chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; thirteen deputies, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; one deputy, whose salary is hereby fixed at the sum of ten hundred and eighty dollars per annum; *provided, further*, that the salary of the chief deputy and the salaries of the deputies herein provided for shall be paid by said county in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the recorder; *provided, further*, that in counties of this class, the recorder shall be entitled to the actual cost incurred by him for the recording of all papers and documents and records in his office not to exceed six and three-fourths cents per folio for long-hand recording and not to exceed four and one-half cents per folio for typewritten recording for each paper or document so recorded; *and provided, further*, that said recorder shall file monthly with the county auditor a sworn statement showing in detail the persons, and the amount paid to each for such recording."

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 14, on page 1, after the comma after the word "auditor", strike out the words "three thousand six hundred" and insert in lieu thereof the words "four thousand".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 15, on page 1, after the comma after the word "*provided*," insert the following: "that in counties of this class there shall be and there hereby is allowed to the auditor, one chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; six deputies, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; one deputy, whose salary is hereby fixed at the sum of ten hundred eighty dollars per annum and such additional assistance as the auditor may appoint and whose compensation shall not in the aggregate exceed the sum of twenty-five hundred dollars per annum; *and provided*, that the auditor shall file with the county clerk a sworn statement showing in detail the amounts paid and the persons to whom said compensation is paid for such extra assistance as aforesaid; *provided, further*, that the chief deputy and deputies shall

[illegible]

Amendment adopted.

[illegible]

[illegible]

Amendment adopted.

[illegible]

[illegible]

Amendment adopted.

[illegible]

[illegible] County Auditor. Such indexers shall be paid a salary of [illegible] any one year; provided, further, that the chief deputy and all [illegible] tax collector."

Amendment adopted.

[illegible]

In line [illegible] on page 2 after the word "amount" [illegible] word "provided" [illegible] one assistant assessor, whose salary [illegible] four hundred dollars per annum; four deputies, whose salaries are hereby fixed at the sum of eighteen hundred dollars per annum each; three deputies, whose salaries are hereby fixed at the sum of sixteen hundred twenty dollars per annum each; twenty-one deputies, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; three deputies, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; fourteen deputies for a period not to exceed six months in any one year, whose salaries are hereby fixed at the sum of one hundred dollars per month each; two deputies for a period not to exceed six months in any one year, whose salaries are hereby fixed at the sum of one hundred and fifty dollars per month each; and such additional deputies as the assessor may appoint and whose compensation shall not in the aggregate exceed the sum of four thousand five hundred dollars per annum; *and provided*, that the assessor shall file with the county auditor a verified statement showing in detail the amounts paid and the persons to whom such compensation is paid for such extra assistants as aforesaid.

"The salaries herein provided for shall be paid by the said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the assessor is paid; *provided, however*, that should the assessor be directed by any law, or by any order of the board of supervisors, or by any municipality within said counties of the third class to prepare maps, plats, or block-books for the use of the county or assessment rolls for the use of any municipality, then said assessor shall make such maps, plats or block-books, or assessment rolls for the use of any municipality, but shall only receive the actual cost by him incurred in making or preparing said maps, plats, block-books or assessment rolls; *and, provided, further*, that he shall file with the county auditor a sworn statement showing the persons to whom and the amounts paid to each for such maps, plats, block-books or assessment rolls, and shall account forthwith and pay over to the county any difference between such costs and the amount allowed him for such work; *and provided, further*, that the salaries herein named shall be in full compensation for all services of every kind and description rendered by the assessor, his deputies and assistants; *and it is further provided*, that in counties of this class the assessor shall receive no commission for his collection of taxes on personal property nor shall the said assessor receive any compensation for making out the military roll of persons returned by him as subject to military duty as provided by section 1901 of the Political Code.

Amendment adopted.

AMENDMENT NUMBER TEN.

In line 8, on page 2, after the comma after the word "*provided*" insert the following: "that in counties of this class there shall be and there is hereby allowed to the district attorney the following assistant, deputies and employees, who shall be appointed by the district attorney of said county, and who shall be paid salaries as follows: one assistant district attorney, whose salary is hereby fixed at the sum of two hundred and seventy-five dollars per month; one chief deputy district attorney, whose salary is hereby fixed at the sum of two hundred and fifty dollars per month; two deputies district attorney, whose salaries are hereby fixed at the sum of two hundred and twenty-five dollars per month each; two deputies district attorney, whose salaries are hereby fixed at the sum of two hundred dollars per month each; two deputies district attorney, whose salaries are hereby fixed at the sum of one hundred and seventy-five dollars per month each; one deputy district attorney, whose salary is hereby fixed at the sum of one hundred and fifty dollars per month; two deputies district attorney, whose salaries are hereby fixed at the sum of two hundred dollars per month each, whose duty it shall be, in addition to performing services as deputies district attorney, to attend the sessions of the police courts in cities of the second class and conduct, on behalf of the people, all prosecutions for public offenses of which said police courts shall have jurisdiction; one clerk whose salary is hereby fixed at the sum of one hundred and twenty-five dollars per month; one process server, whose salary is hereby fixed at the sum of one hundred dollars per month; three stenographers, whose salaries are hereby fixed at the sum of ninety dollars per month each; one detective who shall assist the district attorney in the detection of crime and prosecution of criminal cases, whose salary is hereby fixed at the sum of one hundred and seventy-five dollars per month; *and provided, further*, that nothing herein contained shall be construed to prevent the boards of supervisors of counties of this class from employing special counsel in civil cases, when in the judgment of said boards the interests of said county require it.

"The salaries of said assistants, deputies, clerk, detective, process server, stenographers and special counsel in this subdivision provided for shall be payable by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the district attorney is paid."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

In line 9, on page 2, strike out the period after the word "annum", and insert the following: "and his necessary traveling expenses as follows: Ten cents per mile for [illegible] actually engaged outside the cities of Oakland, Berkeley, Alameda, Piedmont, Emeryville, and San Leandro, [illegible] dollars [illegible] month; *provided further*, that in counties of this class, there shall be and there hereby is allowed to the coroner one autopsy physician and surgeon whose salary is hereby fixed at the sum of eighteen hundred dollars, [illegible] who shall perform all autopsies and examinations in all cases required by the coroner except that where the distance from the county seat renders it necessary the coroner may designate a physician or surgeon to perform such autopsy or to inspect the body; one deputy whose salary is hereby fixed at the sum of eighteen hundred dollars per annum and one stenographer, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum, and who shall be paid, in addition thereto, for transcribing all the testimony and proceedings taken by him at any inquest, the sum of fifteen cents per one hundred words for one copy, and ten cents per one hundred words for two copies made at one time; and in every case where the death of any person shall have been caused by the criminal act of another, such stenographer shall make a copy of the transcript of the testimony and proceedings taken at such inquest for the use of the district attorney of such county; all expenses so incurred, and fees for transcribing, as provided herein, shall be paid out of the county treasury upon the order of the coroner.

When such testimony is taken down by such stenographer as herein set forth, the transcription thereof, duly certified to by him, shall constitute the deposition of the witnesses testifying at such inquest as reported by such stenographer. The autopsy physician and surgeon, deputy and stenographer herein provided for shall be appointed by the coroner and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of the county officers in counties of this class. The coroner must hold inquests as prescribed by chapter II, title XII, part II of the Penal Code, and he or any other officer holding the inquest upon the body of a deceased person may subpoena a chemist to make an analysis of the contents of the stomach or of the tissues of the body.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

In line 13 on page 2, after the comma after the word "*provided*", insert the following: "that in counties of this class there shall be and hereby is allowed to the superintendent of schools one assistant superintendent of schools, one chief deputy superintendent of schools and one deputy superintendent of schools, all of whom shall be appointed by the superintendent of schools of said county, and whose salaries shall be as follows: The salary of the assistant superintendent of schools shall be two hundred dollars per month; the salary of the chief deputy superintendent of schools shall be one hundred and fifty dollars per month; and that of the deputy superintendent of schools shall be one hundred and twenty-five dollars per month. The salaries shall be paid out of the same fund and in the same manner as the salary of the superintendent of schools is paid."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

In line 18 on page 2, strike out the comma and the word "and" after the word "annum" and insert the following: "; *provided*, that in counties of this class there shall be, and there is hereby allowed to the surveyor one deputy, whose salary is hereby fixed at the sum of twenty-seven hundred dollars per annum. The salary of such surveyor shall be paid by such county in equal monthly installments, at the same time and in the same manner and out of the same fund as the salaries of other county officers are paid. All work which the surveyor is directed or ordered to perform by law or by order of the board of supervisors of such county shall be performed by the said surveyor at actual cost; *provided, however*, that on all such work other than block book work hereinafter provided for, transit men and other men when actually engaged on such county work shall receive a per diem of not to exceed five dollars, and chain men when actually engaged on such county work shall receive a per diem of not to exceed three dollars; *and provided further*, that for the making, platting, tracing or otherwise preparing maps, plats or block books for the use of the county or any municipality within such county there shall be and there hereby is allowed to the surveyor the following draftsmen who shall be paid monthly, as follows:

One chief draftsman whose salary is hereby fixed at the sum of one hundred and seventy-five dollars per month; one assistant draftsman whose salary is hereby fixed at the sum of one hundred and twenty-five dollars per month; four assistant draftsmen, for a period not to exceed eight months in any one year, whose salaries are hereby fixed at the sum of one hundred and twenty-five dollars per month each; *and, provided further*, that the surveyor shall be allowed all necessary expenses for work performed for the county by virtue of his office and all necessary expenses and transportation for work performed in the field. The said surveyor shall render to the auditor of said county a monthly sworn statement showing therein the kind or nature of work performed, the dates, amount paid to assistants and paid for expenses. The salary herein fixed for said surveyor shall be in lieu of all other fees, commissions or compensations of whatsoever kind or nature for services performed by said surveyor for said county.

"The deputy, draftsman and assistant draftsmen herein provided for shall be appointed by the surveyor and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of county officers in counties of this class.

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

In line 17, on page 2, strike out the colon after the word "salaries" and insert the following: "to be paid each month and in the manner and out of the same fund as county officers are paid, which shall be in full for all services rendered by them as justices of the peace; in townships having a population of more than seventy-five thousand, four thousand dollars per annum; in townships having a population of forty-five thousand and less than seventy-five thousand, twenty-four hundred dollars per annum; in townships having a population of twenty thousand and less than forty-five thousand, eighteen hundred dollars per annum; in townships having a population of less than twenty thousand, twelve hundred dollars per annum; *and provided, further*, that each justice of the peace must keep a book open for the inspection of the public during office hours in which must be entered at once and in detail the amount of all fees and fines collected by him as such justice of the peace and on the first Monday of each and every month he must pay such fees and fines so collected into the county treasury or city treasury as provided by law; *and provided, further*, that the board of supervisors of counties of the third class shall furnish each justice of the peace with a suitable office in which to hold court and shall also furnish the necessary furniture, books, blanks and supplies for said court; *and provided, further*, that in townships having a population of more than seventy-five thousand there shall be and there is hereby allowed to the justice of the peace, one clerk, which office is hereby created, who shall be appointed by the justice of the peace of said township, subject to the approval of the board of supervisors of the county and whose salary is hereby fixed at the sum of fifteen hundred dollars per annum, payable in equal monthly installments out of the same fund and in the same manner and at the same time as the salary of the justice of the peace is paid. Said clerk shall take the oath of office prescribed for county officers and give a bond in the sum of five thousand dollars conditioned for the faithful discharge of the duties of his office which bond shall be approved and filed in the same manner as are bonds of county officers.

"He shall keep a record of the proceedings of said court and issue all processes ordered by the justice of said court and receive and pay into the county treasury all fines, forfeitures and fees paid into said court. He shall render each month to the county auditor and the county treasurer, an exact account under oath of all fines, forfeitures and fees paid and collected and he shall prepare bonds, and justified bail when the amount has been fixed by the court or justice and may administer and certify oaths and shall remain in the court room of said court during court hours and during such reasonable times thereafter as may be necessary for the proper performance of his duty. He shall have custody of all records and papers of said court. For the purpose of this section the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the federal census taken in the year A. D. 1910."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

In line 18, on page 2, strike out the semicolon after the word "salaries" and insert the following: "to be paid each month and in the same manner and out of the same fund as other county officers are paid which shall be in full for all services rendered by them in criminal cases; in townships having a population of more than seventy-five thousand, one hundred and fifty dollars; in townships having a population of twenty thousand and less than seventy-five thousand one hundred and twenty-five dollars; in townships having a population of less than twenty thousand, one hundred and fifteen dollars. In addition to the compensation received in criminal cases each constable may receive and retain for his own use such fees as are now or may be hereafter allowed by law for all services performed by him in civil cases; *provided*, that in counties of this class constables shall be and they are hereby allowed such expenses as are actually and necessarily incurred by them in conveying prisoners to and from the county jail, such expenses to be itemized and presented as a claim against the county and to be audited and allowed by the board of supervisors and paid out of the county treasury in the same manner as are other claims. For the purpose of this section the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the federal census taken in the year A. D. 1910."

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

In line 21, on page 2, after the comma after the word "*provided*" insert the following: "that in counties of this class supervisors charged as road commissioners with the inspection of five hundred or more miles of roads within their respective districts, shall be and they are hereby allowed their actual traveling expenses not to exceed the sum of seventy-five dollars in any one calendar month; *and provided, further*, that, in counties of this class, supervisors charged as road commissioners with the inspection of two hundred and fifty and not exceeding five hundred miles of roads within their respective districts, shall be, and they are hereby allowed their actual traveling expenses not to exceed fifty dollars in any one calendar month; *and provided, further*, that in lieu of the abovementioned amounts for traveling expenses, said supervisors charged as road commissioners may be furnished with automobiles by counties of the third class."

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

Strike out all of line 22, on page 2.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 421—An Act to add to the Civil Code a new section to be numbered 302*a*, providing for the sending of a financial statement to the stockholders of every corporation prior to the annual meeting.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out all of the bill after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Civil Code, to be numbered 302*a* and to read as follows:

"'302*a*. Upon the written request of not less than ten per cent. of the stockholders, presented not less than two weeks prior to the time of the election, provided for by section 302 of this Code, there must be served upon each stockholder, at least one week prior to such election, one copy of a financial statement of the affairs of the corporation, which must show the authorized capital stock of the corporation, the amount of capital stock subscribed, the amount of capital actually paid in, the assets and the surplus and undivided profits of the corporation, the amount paid to employees, the names and addresses of all the officers and directors of the corporation, the amount of mortgages, bonded or other indebtedness of the corporation and the amount of the last annual, semi-annual or quarterly dividend, and a general summary of the business transacted by the corporation since the last preceding annual meeting. The financial statement herein referred to shall be signed by the president and secretary of the corporation and shall be sworn to by such officers before some officer authorized by law to administer oaths, and must be personally served upon each stockholder or, in lieu of personal service, must be sent by mail addressed to each stockholder at his place of residence if known, or if not known, at the place where the principal office of the corporation is situated. The president or secretary of any corporation who with intent to deceive shall sign a false financial statement shall be deemed guilty of a misdemeanor.'"

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1240—An Act to establish a conservation, bird and arbor day, and to repeal an Act entitled "An Act to establish a bird and arbor day," approved March 3, 1909.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 820—An Act to add a new section to the Political Code to be numbered section 1743*a*, relating to reports of high school principals.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 842—An Act to amend section 1685 of the Political Code, relating to causes for the suspension or expulsion of school children.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 531—An Act to amend section 1750 of the Political Code, relating to adoption of course of study and textbooks by high school boards.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Page 1, line 11, following the word "course", insert the words "of study"

Amendment adopted.

AMENDMENT NUMBER TWO.

Page 1, line 16, strike out the comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

Page 2, line 16, after the word "such", insert the word "subject".

Amendment adopted.

AMENDMENT NUMBER FOUR.

Page 2, line 20, after the word "to", insert the following: "establish only such courses of study as have been approved by the State Board of Education, or to" and on said line 20 after the word "with" insert the words "any of".

Amendment adopted.

AMENDMENT NUMBER FIVE.

Page 2, line 21, after the word "the" at the beginning of the line, insert the word "other".

Amendment adopted.

AMENDMENT NUMBER SIX.

Page 2, line 34, after the word "courses", insert the words "of study".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 736—An Act to amend section 1619 of the Political Code, relating to rights and privileges in school districts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 2, commencing with the period after the word "grade", strike out the balance of said line 2 and all of line 3, and insert in lieu thereof the following: "; *provided*, that the attendance of pupils upon such schools shall not be counted as a part of the average daily attendance of the regular elementary or secondary schools of the district, nor shall the State or county school funds be used to maintain such schools."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

LEAVE OF ABSENCE.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for the remainder of the day.

REQUEST FOR INTRODUCTION OF BILL.

Senator Butler requested permission to introduce a Senate bill entitled:

"An Act to amend section 631 of the Code of Civil Procedure providing when and how trial by jury may be waived."

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 821—An Act to amend sections 2 and 3 of an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 821 ordered on file for second reading

Also:

SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 1077—An Act to amend section 13 of an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BUTLER, Chairman.

Senate Bill No. 1077 ordered on file for second reading

Also:

SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 838—An Act to provide for the establishment and maintenance of a department of sanitary engineering under the direction of the State Board of Health and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Finance.

BUTLER, Chairman.

Senate Bill No. 838 ordered re-referred to Committee on Finance.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on County Government to which was referred Assembly Bill No. 737—An Act to amend section 4259 of the Political Code, relating to the salaries and fees of officers in counties of the thirtieth class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BREED, Chairman

Assembly Bill No. 737 ordered on file for second reading.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 912—An Act to amend section 4267 of the Political Code of the State of California relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Assembly Bill No. 912 ordered on file for second reading.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 848—An Act to amend section 4279 of the Political Code, relating to salaries of county officers for counties of the fiftieth class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Senate Bill No. 848 ordered on file for second reading.

STATEMENT BY SENATOR HANS.

MR. PRESIDENT: In view of the fact that I was out of the Senate Chamber at the time that the roll was called on Senate Bill No. 1203; and in view of the further fact that I was desirous of voting on that measure and was misinformed as to the exact time at which the vote would be taken, I desire to state that had I been present I would have voted "No."

HANS.

ADJOURNMENT.

At four o'clock p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Friday, April 9, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

LEAVE OF ABSENCE.

Senator Campbell was, on motion of Senator Owens, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 8, 1915, the further reading was dispensed with, on motion of Senator Rush.

PETITIONS.

Senator Slater presented the following petition, which was read and ordered printed in the Journal:

To Senator Slater and Members of the Legislature:

WHEREAS, The State of California, since 1862, has encouraged the viticultural industry by sending abroad commissioners to secure grape cuttings from all the principal wine producing countries of Europe; by establishing a separate department in the State University at Berkeley, to teach grape growing and wine making; by adding an agricultural school at Davis, where viticulture is now taught; by creating a State Board of Viticultural Commissioners; and by appropriating nearly $300,000 to foster all this work; and

WHEREAS, The Department of Agriculture, U. S. A., has also aided in the development of the viticultural industry by conducting valuable experiments at a dozen stations in different parts of the State for the benefit of the vineyardists; and

WHEREAS, The federal government has protected our dry wines by favorable tariff laws and encouraged the production of pure sweet wines under the Act of 1890; and

WHEREAS, In view of all this encouragement, 15,000 settlers have invested money in the grape industry in the belief that they would be protected; and

WHEREAS, There are today in California 330,000 acres in vines, which, with the 700 wineries and numerous packing houses and shipping plants, represent an investment of $150,000,000, from which the State derives an annual income of $30,000,000; and

WHEREAS, Efforts are being made to destroy this valuable industry by preventing the manufacture of wine, thus wiping out the sole market for the grapes of thousands of desirable vineyardists; therefore, be it

Resolved, By the Sonoma County Grape Protective Association, that we heartily endorse the sentiments expressed in Assembly Constitutional Amendment No. 40, introduced by the Hon. Bismarck Bruck, which provides that "No law or constitutional amendment which shall damage, injure or destroy the value of or prevent the use of any vineyard, wine cellar, hop field, brewery, distillery or other property used in producing, growing or raising grapes or hops, or in manufacturing or producing or shipping wine, beer, malt or distilled liquors, existing at the time of the passage or adoption of such law or constitutional amendment, shall take effect until just compensation shall have been first made to or paid into court for the owner"; and be it further

Resolved, That this resolution be spread on the minutes of this meeting and a copy be forwarded to Governor Hiram Johnson and to our representatives in the Senate and Assembly, with the request that they do all in their power to bring about the adoption of Assembly Constitutional Amendment No. 40.

SONOMA COUNTY GRAPE PROTECTIVE ASSOCIATION,
C. E. HUMBERT, President.
By F. L. WRIGHT, Secretary.

Also: Similar resolutions were received from

CLOVERDALE GRAPE PROTECTIVE ASSOCIATION,
CARL HAEHL, President.

Also:

By Senator Strobridge:

LIVERMORE, CALIFORNIA, April 8, 1915.

Hon. L. K. Strobridge, Sacramento, California.

DEAR SIR: At a meeting of the Alameda County Grape Protective Association held this day the following resolutions were unanimously adopted:

WHEREAS, The State of California, since 1862, has encouraged the viticultural industry by sending abroad commissioners to secure grape cuttings from all the principal wine producing countries of Europe; by establishing a separate department in the State University at Berkeley, to teach grape growing and wine making; by adding an agricultural school at Davis, where viticulture is now taught; by creating a State Board of Viticultural Commissioners; and by appropriating nearly $300,000 to foster all this work; and

WHEREAS, The Department of Agriculture, U. S. A., has also aided in the development of the viticultural industry by conducting valuable experiments at a dozen stations in different parts of the State for the benefit of the vineyardists, and

WHEREAS, The federal government has protected our dry wines by favorable tariff laws and encouraged the production of pure sweet wines under the Act of 1890; and

WHEREAS, In view of all this encouragement, 15,000 settlers have invested money in the grape industry in the belief that they would be protected; and

WHEREAS, There are today in California 330,000 acres in vines, which, with the 700 wineries and numerous packing houses and shipping plants, represent an investment of $150,000,000, from which the State derives an annual income of $30,000,000; and

WHEREAS, Efforts are being made to destroy this valuable industry by preventing the manufacture of wine, thus wiping out the sole market for the grapes of thousands of desirable vineyardists; therefore, be it

Resolved by the Alameda County Grape Protective Association, That we heartily endorse the sentiments expressed in Assembly Constitutional Amendment No. 40, introduced by the Hon. Bismark Bruck, which provides that "No law or constitutional amendment which shall damage, injure or destroy the value of or prevent the use of any vineyard, wine cellar, hop field, brewery, distillery or other property used in producing, growing or raising grapes or hops, or in manufacturing or producing or shipping wine, beer, malt or distilled liquors, existing at the time of the passage or adoption of such law or constitutional amendment, shall take effect until just compensation shall have been first made to or paid into court for the owner"; and be it further

Resolved, That this resolution be spread on the minutes of this meeting and a copy be forwarded to Governor Hiram Johnson and to our representatives in the Senate and Assembly with the request that they do all in their power to bring about the adoption of Assembly Constitutional Amendment No. 40.

We would bespeak your support, and earnest efforts in behalf, of this measure, so eminently just, and in accord with the true Californian's love of fair play.

Respectfully,

ALAMEDA COUNTY GRAPE PROTECTIVE ASSOCIATION.
H. B. WAGONER, President.
LOUIS MEL, Secretary.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to which was recommitted Assembly Bill No. 643—An Act validating the formation and organization, and determining the boundaries of the Pleasanton Township County Water District in the county of Alameda, State of California—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

MADDUX, Chairman.

Assembly Bill No. 643 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 831—An Act to amend section 626*f* of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 853—An Act to add a new section to the Penal Code of the State of California, to be numbered 626*s*, relating to the protection of game: Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

FLINT, Chairman.

Senate Bills Nos. 831 and 853 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 325—An Act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass and be re-referred to to the Committee on Finance.

LYON, Chairman.

Senate Bill No. 325 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, March 31, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 986—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by adding thereto a new section to be numbered 12*a*—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass as amended.

LYON, Chairman.

Senate Bill No. 986 ordered on file for second reading.

Also:

SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 349—An Act relating to labor exchanges and employment agencies, creating a Bureau of Labor Exchanges under the Commission of Immigration and Housing of California, providing for the employment by said commission of a director, superintendents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said bureau, providing for the free service of said bureau in securing employment for applicants, prescribing certain rules and regulations for the conduct of private employment agencies, authorizing the said bureau to license private employment agencies and enforce all laws pertaining to the regulation of private employment agencies, and making an appropriation for the purpose of carrying out the provisions hereof—has had the same under consideration, and respectfully reports the same back and recommends that the same, as amended, be re-referred to the Committee on Finance, with the recommendation: Do not pass.

LYON, Chairman.

Senate Bill No. 349 ordered re-referred to Committee on Finance.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 16—Providing for the appointment of a committee to devise an improved method of handling bills after introduction has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

THOMPSON, Chairman.

Assembly Concurrent Resolution No. 16 ordered on file.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding to article VI of said constitution a new section, to be numbered section 6½, relating to the term of office of judges of the Superior Court;

Also: Senate Bill No. 1233—An Act to amend section 3805*b* of the Political Code, relating to the correction and cancellation of assessments, sales to the State, certificates of sale, or tax deeds to the State;

Also: Senate Bill No. 1240—An Act to establish a Conservation, Bird and Arbor Day, and to repeal an Act entitled "An Act to establish a Bird and Arbor Day," approved March 3, 1909;

Also: Senate Bill No. 820—An Act to add a new section to the Political Code to be numbered section 1743*a*, relating to reports of high school principals;

Also: Senate Bill No. 842—An Act to amend section 1685 of the Political Code, relating to causes for the suspension or expulsion of school children;

Also: Senate Bill No. 152—An Act to amend section 4244 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class;
And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 884—An Act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 344—An Act to add a new section to the Civil Code to be numbered 485*a*, relating to crossings over railroads;
Also: Senate Bill No. 414—An Act to amend section 1251 of the Code of Civil Procedure of the State of California, relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed;
Also: Assembly Bill No. 1515—An Act to repeal section 2189 of the Civil Code, relating to passenger who has not paid fare upon a railroad train;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CARR, Chairman.

Senate Bills Nos. 344 and 414 ordered on file for second reading.
Assembly Bill No. 1515 ordered on file for second reading.
Also:

SACRAMENTO, April 8, 1915

MR. PRESIDENT: Your Committee on Public Utilities to which was referred Senate Bill No. 413—An Act to amend section 1247 of the Code of Civil Procedure, relating to the jurisdiction of a court to regulate the mode of making crossings;
Also: Senate Bill No. 415—An Act to amend section 465 of the Civil Code, relating to the powers of railroad corporations;
Also: Senate Bill No. 719—An Act to amend section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under title VII, part III of the Code of Civil Procedure;
Also: Senate Bill No. 565—An Act empowering municipal corporations to secure and enforce payment of rates and charges for water, gas or electricity furnished by them;
Also: Senate Bill No. 1169—An Act enabling any city or town maintaining a free public swimming bath to take water therefor from a public utility water ditch, and after such use to return the water to the ditch, provided the latter is not used for domestic or municipal purposes;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

CARR, Chairman.

Senate Bills Nos. 413, 415, 719, 565 and 1169 ordered on file for second reading.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills to which was referred the request of Senator Purkitt to introduce a bill entitled "An Act to add a new section to the Penal Code to be numbered section 1329*a*, relating to fees of witnesses in criminal cases.";
Also: The request of Senator Butler to introduce a bill entitled "An Act to amend section 631 of the Code of Civil Procedure providing when and how trial by jury may be waived.";
Has had the same under consideration, and respectfully reports the same back and recommends that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with the above report:

By Senator Purkitt: Senate Bill No. 1247—An Act to add a new section to the Penal Code to be numbered section 1329*a*, relating to fees of witnesses in criminal cases.

Bill read first time, and referred to Committee on Judiciary.

By Senator Butler: Senate Bill No. 1248—An Act to amend section 631 of the Code of Civil Procedure, providing when and how trial by jury may be waived.

Bill read first time, and referred to Committee on Judiciary.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Brown, the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage was continued until the next legislative day.

REQUEST FOR INTRODUCTION OF BILL.

Senator Gerdes requested permission to introduce a Senate bill entitled:

An Act re-appropriating the money appropriated to carry out the provisions of the Water Commission Act, approved June 16, 1913, and making the same available for the purpose of said Act during the sixty-seventh and sixty-eighth fiscal years.

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 316—An Act to amend section 329 of the Civil Code, relating to lost, destroyed or stolen bonds of a corporation.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 316—An Act to amend section 379 of the Civil Code, relating to lost, destroyed or stolen bonds of a corporation—has had the same under consideration, and respectfully reports the same back and recommends that it be referred to Senator Kehoe as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 35, strike out the period following the word "trustee" and insert in lieu thereof a comma and the following: "provided such new or duplicate bond shall not be negotiable and must set forth on its face that it is a duplicate issued in lieu of the original bond (giving number thereof) so lost or destroyed."

KEHOE, Chairman.

Report adopted.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the President appointed Senator Kehoe a Special Committee of One to amend Senate Bill No. 316 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 316, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Tyrrell, adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 517—An Act granting municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railroad, canal, ditch or flume.

On motion of Senator Crowley, Senate Bill No. 517 was passed on file.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

On motion of Senator Jones, Senate Bill No. 720 was passed on file.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 2 of article IX of the Constitution of the said State, relating to the election and salary of a Superintendent of Public Instruction and also by repealing section 10 of article XXII of said Constitution, relating to the term of officers first elected under the constitution and also to the election and term of office of the successors of such officers and also to the election of judicial officers and the Superintendent of Public Instruction.

On motion of Senator Jones, Senate Constitutional Amendment No. 12 was passed on file.

Senate Bill No. 510—An Act to amend sections 2, 12, 13, 15, 16, 17, 19, 20, 22, 24, 25, 26, 29, 30, 31, 32, 33, 34, 36, 37, 46, 47, 57, 71, 72, 75, 76, 77, and 81 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'state compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State, and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an Industrial Accident Commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions, and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913, and to add thereto a new section to be numbered 75*a*.

SPECIAL ORDER.

On motion of Senator Benson, Senate Bill No. 510 was made a special order for Monday, April 12, 1915, immediately after the consideration of Senate Bill No. 452, heretofore set as a special order, immediately after the consideration of the file of Assembly bills.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 239—An Act creating a board of retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, the Sonoma State Home, state prison at Folsom and state prison at San Quentin, providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said board of retirement.

On motion of Senator Rush, Senate Bill No. 239 was passed on file.

Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

On motion of Senator Finn, Senate Bill No. 55 was passed on file.

Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12.

On motion of Senator Lyon, Senate Bill No. 954 was passed on file.

Senate Bill No. 572—An Act to amend section 633 of the Political Code, concerning the licensing of insurance and surety agents; providing for the revoking of such licenses and providing a penalty for violation thereof.

On motion of Senator Benedict, Senate Bill No. 572 was passed on file.

Senate Bill No. 573—An Act to add a new section to the Political Code to be numbered 633*a*, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the insurance commissioner, and providing penalties for a violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 573 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 611—An Act to amend sections 1 and 4 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Tyrrell moved to refer to Senator Carr as a Special Committee of One, to amend Senate Bill No. 611 as follows:

AMENDMENT NUMBER ONE.

In line 14, on page 3, of the printed bill as amended April 2, 1915, strike out the word "and" and insert in lieu thereof "a".

AMENDMENT NUMBER TWO.

In line 16, on page 3, strike out the final word "or".

AMENDMENT NUMBER THREE.

In line 17, on page 3, strike out the following: "county board of supervisors,".

AMENDMENT NUMBER FOUR.

In line 19, on page 3, after the comma insert the following: "and said county board of supervisors, after considering the report of the said governing body,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 611, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, Committee.

Report read and, on motion of Senator Tyrrell, adopted.

Bill ordered to print and re-engrossment.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Wolfe, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George Duffy of San Francisco.

On request of Senator Owens, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John M. Curtis of San Francisco.

On request of Senator Crowley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Wm. H. McDonnell of San Francisco.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan, Senate Bill No. 74 was passed on file.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 751—An Act to amend section 2287 of the Civil Code of the State of California, relating to appointment of trustees.

On motion of Senator Maddux, Senate Bill No. 751 was passed on file.

Senate Bill No. 783—An Act to amend section 681 of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes.

On motion of Senator Finn, Senate Bill No. 783 was passed on file.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Finn, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Finn, Senate Bill No. 60 was passed on file.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day Senator Wolfe moved to reconsider the vote whereby Assembly Bill No. 547—An Act authorizing the use of convict labor on state highways; regulating the handling of such labor; authorizing extra good time allowance; and providing penalties for interference—was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 547 was passed, carried by the following vote:

AYES—Senators Benedict, Benson, Birdsall, Breed, Brown, Butler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

TITLE.

An Act authorizing the use of convict labor on state highways; regulating the handling of such labor; authorizing extra good time allowance; and providing penalties for interference.

The question being on the passage of Assembly Bill No. 547.

The roll was called, and Assembly Bill No. 547 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Duncan, Flint, Irwin, Jones, Kehoe, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—Senators Beban, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Luce, Lyon, Scott, and Wolfe—11.

THIRD READING OF SENATE BILLS--(RESUMED).

Senate Bill No. 152—An Act to amend section 4244 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 152 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Carr, Cohn, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 884—An Act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers management and government of such and imposing certain duties and functions in connection with such upon certain county officers.

Bill read third time.

On motion of Senator Breed, Senate Bill No. 884 was passed on file.

Senate Bill No. 1233—An Act to amend section 3805*b* of the Political Code, relating to the correction and cancellation of assessments, sales to the State, certificates of sale, or tax deeds to the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1233 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and forty-five minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1240—An Act to establish a conservation, bird and arbor day, and to repeal an Act entitled "An Act to establish a bird and arbor day," approved March 3, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1240 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Breed, Butler, Cogswell, Cohn, Duncan, Gerdes, Hans, Jones, Kehoe, King, Lyon, Maddux, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—24.

NOES—Senators Crowley, and Irwin—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 820—An Act to add a new section to the Political Code to be numbered section 1743*a*, relating to reports of high school principals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 820 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Breed, Butler, Cogswell, Cohn, Crowley, Duncan, Finn, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 842—An Act to amend section 1685 of the Political Code, relating to causes for the suspension or expulsion of school children.

On motion of Senator Anderson, Senate Bill No. 842 was passed on file.

SECOND READING OF SENATE BILLS.

Senate Bill No. 699—An Act to amend section 632 of the Penal Code of the State of California, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title, insert after the word "thirty-two" the following: "and to repeal section 632½".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, strike out the words "and twenty-six" and insert in lieu thereof the following: "twenty-six, twenty-eight and twenty-nine".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 11 to 17, of the printed bill, strike out all of line 11 after the word "whitefish". Strike out all of lines 12, 13, 14, 15, 16 and that part of line 17 which precedes the word "that" and insert in lieu thereof the following: "is guilty of a misdemeanor; *provided*, that it shall be lawful in fish and game district twenty-three to take, ship, buy, sell or offer for sale or have in possession in one calendar day, twenty trout, irrespective of weight, of the species *Salmo mykiss henshawii* or *Salmo tahoensis* (also known as *Salmo regalis*), both species commonly known as cut-throat trout, Tahoe trout or black-spotted trout; and it shall be lawful to have in possession and to sell, twenty such trout in fish and game district one; *provided, further*, that it shall be unlawful for any person, between the first day of November and the thirty-first day of July, inclusive, of the year following, to take, catch or kill any trout within five hundred feet of the mouth of any stream flowing into any lake, or to take, catch or kill any trout in any stream flowing into any lake within two miles, extending from its mouth toward its source, in fish and game district twenty-three; or to buy, sell, offer for sale or have in his possession any trout so taken; *provided, further*,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, lines 18 to 20, of the printed bill, strike out all of line 18 after the word "trout"; strike out all of line 19 and the words "and twenty-seven" in line 20, and insert in lieu thereof the following: "by means of spear or hook and line, in fish and game district two".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 21, of the printed bill, insert after the word "February" the following: "of the year following, both dates".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 22, of the printed bill, strike out the word "five" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, lines 25 and 26, of the printed bill, strike out all of line 25 and as much of line 26 as precedes the word "when" and insert in lieu thereof the following: "in fish and game districts five, six, seven, eight and nine, in such quantities, at such times and in such manner, as is provided for the taking of salmon in those districts; nor the sale of such trout within the state,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 28, of the printed bill, and following the period in line 28, add the following: "any person violating any of the provisions of this section shall be guilty of a misdemeanor."

"Section 632½ of the Penal Code is hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 257—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation thereof," approved February 20, 1905; approved April 14, 1911; approved June 2, 1913, as amended and providing for physical examination of minors, prohibiting sweat shop work, prohibiting the employment of minors under certain age in dangerous occupations, regulating street trades and repealing all Acts and parts of Acts inconsistent herewith.

On motion of Senator Lyon, Senate Bill No. 257 was ordered re-committed to Committee on Labor and Capital.

Senate Bill No. 251—An Act to provide the manner in which protection districts may be dissolved.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, lines 3 and 4, of the printed bill strike out the words "than ten nor more".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 5 of the printed bill strike out the words "at least five days prior to the time so fixed".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 6 of the printed bill after the word "insertion" in said line, insert the following: "each week prior to such hearing".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 8, of the printed bill, strike out the period after the word "county" and insert the following: "and by posting notices thereof in three public places in said district."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 11 of the printed bill strike out the second word "shall" and insert in lieu thereof the word "may".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, of the printed bill strike out all of lines 23 and 24, inclusive.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 499—An Act to provide for the formation, organization and government of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and water courses, canyons, washes, or swales, for the purpose of saving and conserving any storm water, flood water or snow water for beneficial and useful purposes, for the prevention of the overflow thereof, by widening, deepening and straightening and otherwise improving the said channels, and by constructing new channels, for the condemnation of property therefor, and for the construction of the necessary works for the protection against, and conservation of said storm, flood, or snow waters by said district, and for the issuance of bonds representing the costs and expenses thereof, and for levying assessments to pay the interest and principal of such bonds, and for levying an assessment to extend, repair or maintain such work.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 13, line 31 of the printed bill strike out the word "eight" and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 15, line 4, of the printed bill strike out the word "eight" and insert in lieu thereof the word "seven".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1035—An Act to amend section 634 of the Political Code of the State of California, relating to the registration of policies of life insurance companies.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

On page 1, line 6, of the printed bill strike out everything after the word "commissioner" down to the word "Such" on line 7, and insert the following: "its policies; *provided*, that any company electing to register any of its policies shall thereafter be required to register each policy issued by it so long as it continues to register any of its policies."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 571—An Act to prohibit insurance companies, associations, or societies and their agents from misrepresenting the terms of any policy of insurance.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, after the word "person" strike out the words "insured in any".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, strike out the word "company".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 15, of the bill following the comma after the word "therein" insert the following: "or to refuse to accept a policy issued upon an application therefor,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 16, strike out the words "another like" and insert in lieu thereof the words "any other".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 18, after the word "any" strike out the following: "company, association or society,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 18, after the comma, following the word "agent", insert the word "solicitor".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 20, strike out the following: "company, association".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 21, strike out the following: "or society,".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 21, after the word "agent" insert a comma and the word "solicitor".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1197—An Act to add a new section to the Penal Code to be numbered 508*a*, relating to insurance premiums.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, insert after the comma, following the word "use" the following: "or with intent to embezzle,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 1, after the word "association" strike out the words "or society" and insert in lieu thereof the following: ", society or person".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1034—An Act to amend section 605 of the Political Code of the State of California, relating to the fees of the insurance department.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 857—An Act to make lawful certain agreements between employees and laborers, and to limit the issuing of injunctions in certain cases.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

"SECTION 1. It shall not be unlawful for persons to organize themselves into, or carry on labor unions for the purpose of lessening the hours of labor or increasing the wages or bettering the condition of the members of such organizations; or carrying out their legitimate purposes as freely as they could do if acting singly.

"SEC. 2. No restraining order or injunction shall be granted by any court of this State, or any judge or judges thereof in any case involving or growing out of a dispute concerning terms or conditions of employment, unless necessary to prevent irreparable injury to property or to a property right of the party making the application, for which injury there is no adequate remedy at law, and such property or property right must be described with particularity in the application, which must be in writing and sworn to by the applicant or by his agent or attorney.

"SEC. 3. No restraining order or injunction shall prohibit any person or persons, whether singly or in concert, from terminating any relation of employment or from ceasing to perform any work or labor; or from recommending, advising or persuading others so to do; or from attending any place where any person or persons may lawfully be, for the purpose of obtaining or communicating information; or from persuading any such person to work or to abstain from working; or from ceasing to patronize any party to such dispute; or from recommending, advising, or persuading others so to do; or from paying or giving to, or withholding from, any person engaged in such dispute, any strike benefits or other moneys or things of value; or from assembling in a lawful manner, and for lawful purposes; or from doing any act or thing which might lawfully be done in the absence of such dispute by a single individual; nor shall any of the acts specified in this section be considered or held to be illegal or unlawful in any court of this State.

"SEC. 4. The labor of a human being is not a commodity or article of commerce, and the right to enter into the relation of employer and employee, or to change that relation; or to assume and create a new relation for employer and employee; or to perform and carry on business with any person in any place; or to do work and labor as an employee, shall be held and construed to be a personal, and not a property right. In all cases involving the violation of the contract of employment, either by the employee or employer where no irreparable damage is about to be committed upon the property or property right of either, no injunction shall be granted, but the parties shall be left to their remedy at law.

"SEC. 5. No persons shall be indicted, prosecuted, or tried in any court of this State for entering into or carrying on any arrangement, agreement, or combination between themselves made with a view of lessening the number of hours of labor or increasing wages or bettering the condition of workingmen, or for any act done in pursuance thereof, unless such act is in itself forbidden by law if done by a single individual."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1009—An Act to amend section 1723 of the Code of Civil Procedure of the State of California, relating to disposition of life estates or homesteads, on owner's death, in certain cases.

Bill read second time, ordered engrossed, and on file for third reading.

LEAVE OF ABSENCE.

Senator Slater asked for and was granted leave of absence for the balance of this legislative day.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1010—An Act to amend section 1669 of the Code of Civil Procedure of the State of California, relating to payment of taxes and decree of distribution of estates.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1011—An Act to amend section 1444 of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1012—An Act to amend chapter 595 of the laws of the session of the Legislature of California of 1913, approved June 16, 1913, known as the "Inheritance Tax Act," by amending sections 6 and 9 thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 899—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section 188, relating to the disposition of funds paid by order of court.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1036—An Act to provide for the regulation of the sale of shingles by makers, manufacturers and dealers thereof

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 377—An Act to amend section 225 of the Code of Civil Procedure, relating to the manner of serving jurors by the sheriff.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 595—An Act to amend section 4014 of the Political Code of the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out all after the period following the figures "4014" down to and including the word "election" in line 13, page 2, and insert in lieu thereof the following: "The officers of a township are, two justices of the peace, two constables, and such subordinate officers as are provided by law. In townships containing cities, or parts of cities, of the second, third, fourth, fifth or sixth class, in which city justices, police judges or recorders are elected or appointed, there shall be but one justice of the peace, and in townships having a population of less than seven thousand seven hundred fifty, there shall be but one justice of the peace and one constable: *provided, however*, that in townships containing cities of the first and one-half class there shall be four justices of the peace and four constables. For the purpose of this section, the population of townships in the State of California is hereby determined to be the population of such townships as shown by the federal census taken in the year A. D. 1910, or by a subsequent census taken as in section 4055 of this Code provided; *provided, however*, that appointments to fill any additional offices created by this section shall not be made by the board of supervisors except upon the presentation of a petition therefor to said board, signed by not less than forty per cent of the qualified electors, residents of such townships, whose names appear upon the great register of the county at the last general election.

SEC. 2. This Act shall take effect and be in force from and after the first Monday after the first day of January, 1919."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1196—An Act to amend section 398 of the Code of Civil Procedure, relating to the disqualification of judges of the Superior Court.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title, after the word "the", strike out all the rest of said line, also all of line 4 of the title, and insert in lieu thereof the following: "transfer of actions in the Superior Court."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, after the word "then", strike out the word "such", also all of lines 6, 7, 8, 9, 10, 11 and down to and including the period after the word "same" in line 12, and insert in lieu thereof the following: "the parties may by stipulation in writing, or made in open court and entered in the minutes, select the judge before whom and the county in which such action or proceeding shall be tried or heard. If they do not agree upon such selection, the Governor, or, if the court where the action or proceeding is pending is composed of more than one department, and has a presiding judge who is not disqualified from acting in such action or proceeding, then such presiding judge shall select the judge before whom and the county in which such action or proceeding shall be tried or heard; and no disqualified judge shall, without the agreement of the parties, select the judge before whom or the county in which such action or proceeding shall be tried or heard. Upon such selection being made it shall be the duty of the judge before whom such action or proceeding is pending to make such order of transfer, or request for the attendance of the selected judge, or both, as may be necessary to provide for the trial or hearing of such action or proceeding before the judge and in the county so selected."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 1, after the word "to" strike out the word "the", and insert in lieu thereof the word "such".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 1, after the word "court", strike out the following: "of some other country,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 749—An Act to amend section 1167 of the Code of Civil Procedure, relating to service of summons in unlawful detainer.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, before the figures "1167" in line 1, insert the following:
"SECTION 1. Section 1167 of the Code of Civil Procedure is hereby amended to read as follows:".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

SENATOR STROBRIDGE IN THE CHAIR.

At twelve o'clock and fifteen minutes p.m., Senator Strobridge of the Thirteenth District, in the chair.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1123—An Act to amend section 1272 of the Code of Civil Procedure, relating to escheated property and the procedure in relation thereto.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, after the period following the word "thereof", insert the following: "Said petition shall be verified, and, among other things must state:

"The full name, and the place and date of birth of the decedent whose estate, or any part thereof, is claimed.

"The full name of such decedent's father and the maiden name of his mother, the places and dates of their respective births, the place and date of their marriage, the full names of all children the issue of such marriage, with the date of birth of each, and the place and date of death of all children of such marriage who have died unmarried and without issue.

"Whether or not such decedent was ever married, and if so, where, when and to whom.

"How, when and where such marriage, if any, was dissolved.

"Whether or not said decedent was ever re-married, and, if so, where, when and to whom.

"The full names, and the dates and places of birth of all lineal descendants, if any, of said decedent; the dates and places of death of any thereof who died prior to the filing of such petition; and the places of residence of all who are then surviving, with the degree of relationship of each of such survivors to said decedent.

"Whether any of the brothers or sisters of such decedent ever married, and, if so, when, where and whom.

"The full names, and the places and dates of birth of all children the issue of the marriage of any such brother or sister of decedent, and the date and place of death of all deceased nephews and nieces of said decedent.

"Whether or not said decedent, if of foreign birth, ever became a naturalized citizen of the United States, and if so, when, where, and by what court citizenship was conferred.

"The post office names of the cities, towns or other places, each in its appropriate connection, wherein are preserved the records of the births, marriages and deaths hereinbefore enumerated, and, if known, the title of the public official or other person having custody of such records.

"If for any reason, the petitioner is unable to set forth any of the matters or things hereinabove required, he shall clearly state such reason in his petition."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

LEAVES OF ABSENCE.

Senator Gerdes asked for and was granted leave of absence for the balance of this legislative day.

Senator Scott asked for and was granted leave of absence for the balance of this legislative day.

SECOND READING OF SENATE BILLS (RESUMED).

Senate Bill No. 1124—An Act to add a new section to the Code of Civil Procedure, to be numbered 1269*a*, relating to escheated property and the procedure in relation thereto.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, after the period following the word "thereto", insert the following: "He may also apply to the Superior Court, or any judge thereof, for an order directing the county treasurer to deposit in the state treasury all moneys and effects in his possession which may become payable to the state treasury pursuant to section 1737 of this Code."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 497—An Act to amend the Political Code by changing the headings of the title to chapter II of title V of part III of said Political Code; also by changing the headings of the title to article I of chapter II of title V of part III of said Political Code; and to repeal section 2236 of said Political Code; and to amend sections 2238, 2239 and 2240 of said Political Code; and to repeal sections 2241 and 2242 of said Political Code; and to amend section 2243 of said Political Code; and to amend said Political Code by changing the headings of the title to article II of chapter II of title V of part III of said Political Code; and to amend sections 2254 and 2255 of said Political Code; and to repeal section 2256 of said Political Code; and to amend said Political Code by changing the headings of article III of chapter II of title V of part III of said Political Code; and to amend sections 2267 and 2268 of said Political Code; and to repeal section 2269 of said Political Code; and to amend said Political Code by changing the headings of article IV of chapter II of title V of part III of said Political Code; and to amend section 2280 of said Political Code; and to repeal section 2281 of said Political Code; all relating to the California School for the Deaf and the Blind.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 5, line 7, after the word "Bond." insert the following:

"SEC. 15. Section 2267 of the Political Code is hereby amended to read as follows:

"'2267. The principal must have not less than three years' experience in the art of teaching the deaf, dumb and blind.'"

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 8, after the word "Sec." strike out the figures "15" and insert in lieu thereof the figures "16".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 28, after the word "Sec." strike out the figures "16" and insert in lieu thereof the figures "17".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 30, after the word "Sec." strike out the figures "17" and insert in lieu thereof the figures "18".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 32, after the colon following the word "follows" insert the following:

"ARTICLE IV.

TREASURER.

Section 2280. Duties of.
2282. Bond."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 1, after the word "Sec." strike out the figures "18" and insert in lieu thereof the figures "19".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6, line 11, after the word "Sec." strike out the figures "19" and insert in lieu thereof the figures "20".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, strike out all of lines 13, 14, 15 and 16 of the printed bill.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 821—An Act to amend sections 2 and 3 of an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913.

By order of the Acting President, Senate Bill No. 821 ordered re-committed to Committee on Public Health and Quarantine.

Senate Bill No. 1077—An Act to amend section 13 of an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 757—An Act to amend section 626 of the Penal Code of the State of California, relating to the protection of fish and game.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 10, of the printed bill, strike out the period and insert in lieu thereof the following: "; *provided, further*, that nothing in this section shall prohibit the killing or pursuing of any cottontail or bush-rabbit by the owner or tenant of any premises, or by any person authorized in writing by such owner or tenant, but the rabbits so killed shall not be shipped or sold during the closed season."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on County Government to which was referred Assembly Bill No. 623—An Act to amend section 4240 of the Political Code, relating to the compensation of county and township officers of counties of the eleventh class;

Also: Assembly Bill No. 393—An Act to add a new section to the Political Code, to be numbered 4190*a*, relating to the amount of money that the Boards of Supervisors of the several counties may set apart and pay into the "Law Library Fund"; and to repeal section 4221*a* of the Political Code;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BREED, Chairman.

Assembly Bills Nos. 623 and 393 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 7, 1915.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 957—An Act to amend section 10 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as amended February 6, 1911, April 21, 1911, December 18, 1911, December 24, 1911, and May 6, 1913—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass.

HANS, Chairman.

Senate Bill No. 957 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 189—An Act to be known as the usury law, relating to the rate of interest which may be charged for the loan or forebearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections 1917, 1918, 1919 and 1920 of the Civil Code and all Acts or parts of Acts in conflict with this Act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KEHOE, Chairman.

Senate Bill No. 189 ordered on file for second reading

Also:

SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1229—An Act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law;

Also: Assembly Bill No. 373—An Act to add a new section to the Penal Code of the State of California to be numbered 504*a*, relating to embezzlement, removal and disposal of leased property;

Also: Assembly Bill No. 1491—An Act to add a new section to the Political Code to be numbered 3408*f*, relating to indemnity certificates of location of scrip issued pursuant to the provisions of section 3408*d* of said Code;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bill No. 1229 ordered on file for second reading.

Assembly Bills Nos. 373 and 1491 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 589—An Act to amend section 7 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913;

Also: Assembly Bill No. 240—An Act to amend an Act entitled "An Act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold or offered or exposed for sale in containers, and providing penalties for the violation thereof," approved May 24, 1913, by amending sections 3, 5 and 6 of said Act and adding a new section thereto to be known as section 13 thereof, relating to the manner in which quantity shall be designated;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

BUTLER, Chairman.

Assembly Bills Nos. 589 and 240 ordered on file for second reading.

Also:

SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 895—An Act to amend an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled, 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof'," approved June 12, 1913, by adding thereto a new section to be known as section 12, limiting the hours of employment of female pupil or student nurses in hospitals, prescribing penalties for the violation thereof, and providing for the enforcement of the restrictions imposed—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 895 ordered on file for second reading.

Also:

SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 801—An Act providing for the establishment by the

Commission of Immigration and Housing of California of zones or areas on docks where immigrants are landed: prescribing the powers and duties of the said commission with regard thereto: and providing a penalty for violation of the provisions hereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BUTLER, Chairman.

Senate Bill No. 801 ordered on file for second reading.

Also:

SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 1227—An Act to regulate the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 1227 ordered on file for second reading.

REQUESTS FOR INTRODUCTION OF BILLS.

Senator Strobridge requested permission to introduce two Senate bills entitled: An Act to amend section 778 of the Political Code, relating to contract for the publishing of Supreme and District Courts of Appeal reports.

Also: An Act to amend section 1 of an Act entitled "An Act to amend section 1 of an Act entitled 'An Act amending an Act making an appropriation for the establishment of a permanent fund for the purchase of jute to be manufactured at the state prison at San Quentin, approved March 9, 1885,' approved March 16, 1889, and to provide for the disposition and use of the surplus money received from the sale of jute goods and not needed for the 'revolving fund' provided for in said Act," approved March 24, 1911.

Requests referred to Committee on Introduction of Bills.

Also:

Senator Tyrrell requested permission to introduce a Senate Bill entitled: An Act to appropriate money to pay the deficiency in the appropriation for the support of the Commission of Immigration and Housing of California for the sixty-sixth fiscal year.

Request referred to Committee on Introduction of Bills.

Also:

Senator Kehoe requested permission to introduce a Senate bill entitled: An Act authorizing the Governor to appoint a commission to investigate and report at the forty-second session of the Legislature concerning the adoption of a system of social insurance and making an appropriation therefor.

Request referred to Committee on Introduction of Bills.

Also:

Senator Thompson requested permission to introduce a Senate bill entitled: An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 1235, relating to dissolution of trust companies.

Request referred to Committee on Introduction of Bills.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following Concurrent Resolution was introduced:

By Senator Kehoe: Senate Concurrent Resolution No. 20—Relative to providing for the appointment of a Joint Committee of the Senate and Assembly to procure, if possible, the approval and adoption by Congress of certain plans for river and harbor improvements and the co-operation of the federal government in the performance of the works therein provided for and specified, and making provisions for the payment of the expenses to be incurred by such committee.

Resolution referred to Committee on Federal Relations.

APPROVAL OF JOURNALS.

On motion of Senator Thompson, the Journals of Monday, March 22, Tuesday, March 23, Wednesday, March 24, Thursday, March 25, Friday, March 26 and Saturday, March 27, 1915, were approved as corrected.

RECESS.

At twelve o'clock and thirty minutes p.m., the Acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

PRIVILEGE OF FLOOR EXTENDED.

On request of the President, the privilege of the floor of the Senate Chamber for this afternoon was unanimously extended to Hon. John Strange, of Oshkosh, ex-Lieutenant Governor of Wisconsin.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 4—An Act to amend section 570 of the Code of Civil Procedure of the State of California, relating to the disposition of unclaimed funds in the hands of a receiver;

Also: Senate Bill No. 99—An Act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 100—An Act confirming and validating the organization of school districts;

Also: Senate Bill No. 101—An Act to amend section 1885 of the Political Code of the State of California, relating to the form of bonds of school districts;

Also: Senate Bill No. 235—An Act to amend section 542*a* of the Code of Civil Procedure of the State of California, relating to attachment liens.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

Senate Bills Nos. 4, 99, 100, 101 and 235 ordered to enrollment.

Also:

SACRAMENTO, April 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1145—An Act to amend section 777 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto, relating to contracts for public works in cities of the fifth class:

Also: Assembly Bill No. 1291—An Act to amend section 1188 of the Political Code, relating to the nomination of candidates otherwise than by primary election, and to the filing of nomination papers.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

Assembly Bill No. 1145 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1291 read first time, and referred to Committee on Elections.

Also:

SACRAMENTO, April 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1516—An Act to create a motor vehicle department, to define the authority, powers and duties thereof, to provide for officers and employees thereof, to fix their salaries and compensations; to make appropriations and provide funds for the support and expenditures thereof; to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

Assembly Bill No. 1516 read first time, and referred to Committee on Roads and Highways.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; creating a liability on the part of the employers to pay damages in certain cases; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, lines 8, 9 and 10, of the printed bill, strike out the words "the county, or city and county, where the work or service is performed" and insert in lieu thereof the words "this State".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 13, of the printed bill, strike out the words "of payment" and insert in lieu thereof the following: "said payment shall be due and payable".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 22 and 23, of the printed bill, strike out the words "or in household domestic service.", and insert in lieu thereof a comma and the following: "in household domestic service, or to employers having less than six employees regularly employed."

Amendment adopted.

AMENDMENT FROM THE FLOOR.

During second reading of the bill, the following amendment was offered, and its adoption moved by Senator Lyon:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the title of the printed bill, strike out the word "commission" and insert in lieu thereof the word "commissioner".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 405—An Act to revise and amend sections 3209, 3215, 3216 and 3222 of the Political Code of the State of California, all relating to weights and measures and the standards thereof, and forming part of chapter VIII, title VII, part III of said Political Code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 167—An Act to add a new section to the Code of Civil Procedure, to be numbered 981, providing for the payment by parties appealing from judgments in Justices' Courts of filing fees and calendar fees in the Superior Court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 58—An Act to amend section 205 of the Code of Civil Procedure of the State of California, relating to the selection and listing of jurors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 59—An Act to amend section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 83—An Act to amend section 99 of the Code of Civil Procedure of California, relating to Justices' Courts and justices in townships having population between 250,000 and 400,000.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 303—An Act to carry into effect the provisions of section 1¼ of article XIII of the Constitution of California, exempting property from taxation in certain instances, and to that end adding a new section to the Political Code to be numbered 3612.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 737—An Act to amend section 4259 of the Political Code, relating to the salaries and fees of officers in counties of the thirtieth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Insert between the letters "t" and "o" in the word "compensaton" in line 9, page 2 of the printed bill, the letter "i".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 912—An Act to amend section 4267 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 567—An Act to provide for the issuance of identification certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to cast their votes wherever they may be within the State of California, on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted.

On motion of Senator Kehoe, Assembly Bill No. 567 was re-referred to the Committee on Judiciary.

Assembly Bill No. 36—An Act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bed clothes or bed covering in such hotels; repealing all Acts or parts of Acts in conflict with this Act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions.

Bill read third time.

On motion of Senator Lyon, Senate Bill No. 36 was passed on file.

Assemblyy Bill No. 212—An Act to amend section 1581 of the Political Code of the State of California, relating to the opening of school in new school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 212 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Butler, Carr, Cogswell, Crowley, Flaherty, Flint, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Shearer, Strobridge, Stuckenbruck, Thompson, and Wolfe—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 332—An Act to amend section 1779 of the Political Code of the State of California, relating to the establishment of postgraduate elementary school courses .

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 332 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Strobridge, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 444—An Act to add a new section to the Political Code of the State of California to be numbered section 1752, relating to conventions of high school principals.

On motion of Senator Strobridge, Senate Bill No. 444 was passed on file.

Assembly Bill No. 657—An Act to amend section 1615 of the Political Code, relating to schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 657 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Flint, Irwin, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Shearer, Strobridge, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1213—An Act to amend section 1729 of the Political Code of the State of California, relating to the manner in which high school districts may unite.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1213 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Flint, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Strobridge, Stuckenbruck, Thompson, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 604—An Act to amend sections 2, 6, 8, 11, 12 and 13 of an Act entitled "An Act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof; for the constructions therein or thereon of sidewalks, sewers, manholes, bridges, cesspools, gutters, tunnels, curbing, and crosswalks; for the issue of bonds representing the costs and expenses thereof; for a special fund derived in part from the county road fund and in part by special assessment upon a district, and for the establishment of such districts." (approved March 21, 1907);

Also: Senate Bill No. 761—An Act to provide for the establishment and maintenance by fire insurance companies of guaranty surplus funds and special reserve funds and thereby limiting liability;

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1395—An Act to add a new section to the Political Code of the State of California, to be numbered 1519*a*, relating to the furnishing of free textbooks to state institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1395 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Flint, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Strobridge, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 662—An Act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and electric power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Crowley moved to refer to Senator Beban as a Special Committee of One, to amend Assembly Bill No. 662, as amended April 7, 1915, as follows:

AMENDMENT NUMBER ONE.

In the first line of the title, after the word "Amending" insert the following: "section 1 of".

AMENDMENT NUMBER TWO.

In line 1, on page 1, of the printed bill, as amended April 7, 1915, after the period after the number "1" insert the following: "section 1 of an Act entitled".

AMENDMENT NUMBER THREE.

In line 6, on page 1, strike out the first word "railway" and the comma following the said word.

AMENDMENT NUMBER FOUR.

In line 8, on page 1, insert before the word "That" the following: "SECTION 1."

AMENDMENT NUMBER FIVE.

In line 5, on page 2, after the comma after the word "highway" insert the following: "railway,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 662, with instructions to amend, respectfully reports the same back, amended as per instructions.

BEBAN, Committee.

Report read and, on motion of Senator Crowley, adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 257—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation thereof," approved February 20, 1905; approved April 14, 1911; approved June 2, 1913, as amended and providing for physical examination of minors, prohibiting sweat shop work, prohibiting the employment of minors under certain age in dangerous occupations, regulating street trades and repealing all Acts and parts of Acts inconsistent herewith has had the same under consideration, and respectfully reports the same back and recommends that the same do pass as amended.

LYON, Chairman.

SECOND READING OF SENATE BILL—(OUT OF ORDER).

On motion of Senator Lyon the following Senate bill was taken up for second reading, out of the regular order:

Senate Bill No. 257—An Act to amend an Act entitled "An Act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation thereof," approved February 20, 1905; approved April 14, 1911; approved June 2, 1913 as amended and providing for physical examination of minors, prohibiting sweat shop work, prohibiting the employment of minors under certain age in dangerous occupations, regulating street trades and repealing all Acts and parts of Acts inconsistent herewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 2 to 14 of the title of the printed bill, strike out all of said lines 2 to 14, inclusive, and insert in lieu thereof the following: "To amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of an Act entitled 'An Act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof,' approved February 20, 1905, as amended by an Act approved April 14, 1911, as further amended by an Act approved June 2, 1913; and to add to said Act three new sections to be numbered 16, 17 and 18, respectively, relating to the employment and hours of labor of children, providing for the administration of the provisions of the Act, and repealing all Acts inconsistent herewith."

Amendment adopted.

AMENDMENT NUMBER TWO.

On pages 1 to 14 of the printed bill, strike out all of lines 1 to 8, inclusive, on page 1, also strike out all of pages 2 to 14, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1 of an Act entitled 'An Act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof,' approved February 20, 1905, as amended by an Act approved April 14, 1911, as further amended by an Act approved June 2, 1913, is hereby amended to read as follows:

"'Section 1. No minor under the age of fifteen years shall be employed, permitted or suffered to work in or in connection with any mercantile establishment, manufacturing establishment, mechanical establishment, workshop, office, laundry, place of amusement, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages, or in any other place of labor at any time; *provided, however*, that on the regular weekly school holidays and during the regular vacation of public schools of the city, county, or city and county, in which the place of employment is situated, a minor under the age of fifteen years, but over the age of twelve years, may be employed if provided with a vacation permit as hereinafter provided; *and provided, further*, that any minor fourteen years of age shall, upon application to the school authorities as in the case of an age and schooling certificate, be entitled to receive from the officers authorized to issue age and schooling certificates a permit to work after school hours.'

"SEC. 2. Section 2 of said Act is hereby amended to read as follows:

"'Sec. 2. The superintendent of schools of any city, or of any city and county, or of any county (over such portions of any such county as are not within the jurisdiction of any superintendent of city schools) shall have authority to issue a permit to work to any minor of the age of fourteen years, in any of the following circumstances:

" '(1) Where such minor has completed the prescribed grammar school course, and is physically fitted for the labor contemplated; or

" '(2) Where upon the sworn statement being made by the parent, or foster-parent, or guardian, of such minor, that such minor is past the age of fourteen years, that the parent or parents, or foster-parent or foster-parents, or guardian, of such minor is incapacitated for labor through illness or injury, or that through the death or desertion of the father of such minor the family is in need of the earnings of such minor, and that sufficient aid cannot be secured in any other manner. The person authorized to issue such permit shall make a signed statement in granting such permit that he, or a competent person designated by him for this purpose has carefully investigated the conditions under which the application for such permit has been asked, and has found that in his judgment the earnings of such minor are necessary for such family to support such minor, and that in his judgment sufficient aid can not be secured in any other manner.'

"SEC. 3. Section 3 of said Act is hereby amended to read as follows:

" 'Sec. 3. No permit as specified in section 2 of this Act shall be issued except upon written evidence that suitable work is waiting for such minor, and such permit shall specify the kind of labor. Permits issued under subdivision 2 of said section 2 shall in no case be issued for a longer period than shall seem necessary, nor for longer than six months, at the end of which period such superintendent shall see that such minor returns to school, unless a new permit to labor is issued. Such permit shall be kept on file by the person, firm or corporation employing the minor therein designated, during the term of said employment, and shall be given up to such minor upon his quitting such employment. Where such minor works for himself and not for others, such minor shall keep in his possession such permit. Such permit shall be issued on forms in accordance with this Act, which shall be prepared and provided by the Commissioner of the Bureau of Labor Statistics of the State of California. Such permit shall be subject to revocation at any time by such Commissioner of the Bureau of Labor Statistics, or by the authority issuing such permit, whenever such commissioner, or the authority issuing such permit shall find that the conditions for the legal issuance of such permit do not exist. Such permit shall be always open to the inspection of the attendance and probation officers, or of the officers of the State Bureau of Labor Statistics. A duplicate copy of each permit to work granted under the provisions of this Act shall be kept by the person issuing such permit, such copy to be filed with the superintendent of schools of the city, or city and county, or county, as the case may be; *provided*, that all copies of permits issued between June 25th and December 25th of any year shall be filed not later than December 31st of such year; and those issued between December 25th and June 25th of the ensuing year shall be filed not later than June 30th of each year. Corresponding semi-annual reports of all such permits issued shall be made by such superintendents in such form as may be required by the Commissioner of the Bureau of Labor Statistics of the State of California.'

"SEC. 4. Section 4 of said Act is hereby amended to read as follows:

" 'Sec. 4. No child under the age of sixteen years shall be employed, permitted or suffered to work at any of the following occupations or in any of the following positions: adjusting any belt to any machinery, or sewing or lacing machine belts in any workshop or factory, or oiling, wiping or cleaning machinery or assisting therein, or operating or assisting in operating any of the following machines:

" '(*a*) Circular or band saws; (*b*) wood shapers; (*c*) wood jointers; (*d*) planers; (*e*) sandpaper or wood-polishing machinery; (*f*) woodturning or boring machinery; (*g*) picker machines or machines used in picking wool, cotton, hair or any other material; (*h*) carding machines; (*i*) paper-lace machines; (*j*) leather-burnishing machines; (*k*) job or cylinder printing presses operated by power other than foot power; (*l*) boring or drill presses; (*m*) stamping machines used in sheet-metal and tinware or in paper and leather manufacturing, or in washer and nut factories; (*n*) metal or paper-cutting machines; (*o*) corner staying machines in paper-box factories; (*p*) corrugating rolls, such as are used in corrugated paper, roofing or washboard factories; (*q*) steam boilers; (*r*) dough brakes or cracker machinery of any description; (*s*) wire or iron straightening or drawing machinery; (*t*) rolling mill machinery; (*u*) power punches or shears; (*v*) washing, grinding or mixing machinery; (*w*) calender rolls in paper and rubber manufacturing; (*x*) laundering machinery; (5) or in proximity to any hazardous or unguarded belts, machinery or gearing; (6) or upon any railroad, whether steam, electric or hydraulic; (7) or upon any vessel or boat engaged in navigation or commerce within the jurisdiction of this State; *provided, however*, that the provisions of this section shall not apply to the courses of training in vocational or manual training schools.'

"SEC. 5. Section 5 of said Act is hereby amended to read as follows:

" 'Sec. 5. No child under the age of sixteen years shall be employed, permitted or suffered to work in any capacity (1) in, about or in connection with any processes in which dangerous or poisonous acids are used; (2) nor in the manufacture or packing of paints, colors, white or red lead; (3) nor in soldering; (4) nor in occupations causing dust in injurious quantities; (5) nor in the manufacture or use of dangerous or poisonous dyes; (6) nor in the manufacture or preparation of compositions with dangerous or poisonous gases; (7) nor in the manufacture or use of compositions of lye in which the quantity thereof is injurious to health; (8) nor on scaffolding; (9) nor in heavy work in the building trades; (10) nor in any tunnel or excavation; (11) nor in, about or in connection with any mine, coal breaker, coke oven, or quarry; (12) nor in assorting, manufacturing or packing tobacco; (13) nor in operating any automobile, motor car or truck; (14) nor in a bowling alley; (15) nor in a pool or billiard room; (16) nor in any other occupation dangerous to the life and limb, or injurious to the health or morals of such child.'

"Sec. 6. Section 6 of said Act is hereby amended to read as follows:

" 'Sec. 6. The Bureau of Labor Statistics may, from time to time, after a hearing duly had, determine whether or not any particular trade, process of manufacture or occupation, in which the employment of children under the age of sixteen years is not already forbidden by law, or any particular method of carrying on such trade, process of manufacture or occupation, is sufficiently dangerous to the lives or limbs or injurious to the health or morals of children under sixteen years of age to justify their exclusion therefrom. No child under sixteen years of age shall be employed, permitted or suffered to work in any occupation thus determined to be dangerous or injurious to such children. There shall be a right of appeal to the Superior Court from any such determination.'

"Sec. 7. Section 7 of said Act is hereby amended to read as follows:

" 'Sec. 7. No minor under the age of eighteen years shall be employed, permitted or suffered to work in or in connection with any of the places enumerated in section 1 more than six days in any one week, or more than forty-eight hours in any one week, or more than eight hours in any one day, nor before the hour of five o'clock in the morning, nor after the hour of ten o'clock in the evening.'

"Sec. 8. Section 8 of said Act is hereby amended to read as follows:

" 'Sec. 8. No person under the age of eighteen years shall be employed, permitted or suffered to work as a messenger for any telegraph, telephone or messenger company in the distribution, transmission or delivery of goods or messages before six o'clock in the morning, or after nine o'clock in the evening of any day.'

"Sec. 9. Section 9 of said Act is hereby amended to read as follows:

" 'Sec. 9. Vacation permits shall be signed by the principal, vice principal of the school, or secretary of the board of school trustees or board of education of the school which such minor is attending, or has attended during the term next preceding any such vacation. Such permit shall contain the name and age of the minor to whom it is issued, and when issued for the regular vacation, the date of the termination of the vacation for which it is issued, and in any case shall be kept on file by the employer during the period of employment, and at the termination of such employment shall be returned to the minor to whom it was issued.'

"Sec. 10. Section 10 of said Act is hereby amended to read as follows:

" 'Sec. 10. No minor of the age of fifteen years shall be employed, permitted or suffered to work in or in connection with any of the places enumerated in section 1 during the hours the public schools are in session, unless such minor is provided with an age and schooling certificate as herein provided.

"An age and schooling certificate shall be approved only by the superintendent of schools of the city or city and county, or by a person authorized by him in writing, or where there is no city or city and county superintendent of schools, by a person authorized by the local school trustees; *provided*, that the superintendent or principal of any school of recognized standing shall have the right to approve an age and schooling certificate, and shall have the same rights and powers as the superintendent of public schools to issue the certificate herein provided for the children attending such schools. The person authorized to issue age and schooling certificates shall have the authority to administer the oaths necessary for carrying out the provisions of this Act, but no fees shall be charged for issuing such certificates. The person authorized to issue age and schooling certificates shall not issue such certificates until the minor in question, accompanied by its parent or guardian, has personally made application to him therefor, and until he has received, examined, approved and filed the following papers duly executed: (1) The school record of such minor, giving age, grade and attendance for current term, duly signed by the principal or teacher. (2) A duly attested transcript of the birth certificate filed according to law with any officer charged with the duty of recording births; or a passport, or a duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of such minor; or, in case the officer authorized to issue the certificate is satisfied that none of such proofs of age can be produced, other evidence of age can be produced, such as school enrollment record, or affidavit of the parent, guardian or custodian of such minor, such as shall convince such officer that the minor is fifteen years of age or upwards. (3) The written statement of the person, firm or corporation in whose service the minor is about to enter, that he intends to employ the minor, which statement shall give the nature of the occupation for which the child is to be employed. (4) A certificate signed by a physician appointed by the school board, or other public medical officer, stating that such minor has been examined by him and, in his opinion, has reached the normal development of a minor of its age and is in sufficiently sound health and physically able to be employed in the work which it intends to do: *provided, however*, that no fee shall be charged the minor for such physician's certificate.'

"Age and schooling certificates shall be issued on forms which shall be prepared and provided by the Commissioner of the Bureau of Labor Statistics of the State of California, and shall be substantially in the following form, to wit:

" '*Age and schooling certificate*. This certifies that I am the (father, mother or guardian) of (name of the minor) and that (he or she) was born at (name of the city or town), in the county of (name of county if known), and state (or country) of (name) on the day (day and year of birth), and is now (number of years and of months) old.

" 'Signature, as provided in this Act.

" 'City or town, and date.

" 'There personally appeared before me the above named (name of person signing) and made oath that the following certificate by (him or her) signed is true to the best of (his or her) knowledge and belief.

" 'I hereby approve the foregoing certificate of (name of minor), height (feet and inches), complexion (fair or dark), hair (color), having no sufficient reason to doubt that (he or she) is of the age therein certified, and I hereby certify that (he or she) has completed the prescribed grammar school course or that (he or she) has completed the equivalent of the seventh grade of the regular grammar school course and is a regular attendant for the then current term at a regularly conducted night school.

" 'Signature of the person authorized to sign, with his official character and authority.

" 'Town or city and date.

" 'This certificate belongs to the minor in whose behalf it is drawn and it shall be presented to (him or her) whenever (he or she) leaves the service of the person, firm or corporation holding the same.

" 'The certificate as to the birthplace and age of the minor under sixteen years of age shall be signed by his father, his mother, or his guardian; if a minor has no father, mother, or guardian living in the same city or town, his own signature to the certificate may be accepted by the person authorized to approve the same. Every person authorized to sign the certificate prescribed by this Act, who knowingly certifies to any false statement therein, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five nor more than fifty dollars, or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment.

" 'A duplicate copy of each age and schooling certificate granted under the provisions of this Act shall be kept by the person issuing such certificate, such copy to be filed with the county superintendent of schools in the county where the certificate is issued: *provided*, that all such copies of certificates issued between June 25th and December 25th of any year shall be filed not later than December 31st of such year; and those issued between December 25th and June 25th of the ensuing year shall be filed not later than June 30th of each year. The county superintendent of schools of each county shall file with the Commissioner of the Bureau of Labor Statistics, a report showing the number of age and schooling certificates issued to male and female minors and such other detailed information as the commissioner may require. Said report to be filed during the months of January and July of each year for the preceding six months, ending June 25th and December 25th of each year, and cover certificates issued during said periods and on file in the office of the county superintendent of schools as described in this section.'

"SEC. 11. Section 11 of said Act is hereby amended to read as follows:

" 'Sec. 11. No minor having an age and schooling certificate, as hereinbefore described, and no other minor under sixteen years of age, who would by law be required to attend school, shall, while the public schools are in session, be and remain idle and unemployed for a period longer than two weeks, but must enroll and attend school: *provided*, that within one week after any minor having such age and schooling certificate shall have ceased to be employed by any employer, such employer shall, in writing, giving the latest correct address of such minor known to such employer, notify the issuing officer that such minor is no longer employed by such employer; and such issuing officer shall thereupon immediately notify the attendance officer having jurisdiction in the place of such minor's residence, giving the said latest known correct address of such minor, that such minor is neither at work nor in school; *and provided, further*, that no such minor shall be permitted to cease school attendance, without securing an age and schooling certificate as provided in this Act.'

"SEC. 12. Section 12 of said Act is hereby amended to read as follows:

" 'Sec. 12. Every person, firm, corporation or agent, or officer of a firm or corporation, employing minors under the age of eighteen years shall keep a register containing the names and addresses of such minor employees and shall post and keep posted in a conspicuous place, in every room where such minors are employed, a written or printed notice stating the hours per day for each day of the week required of such minors, and shall keep on file all permits and certificates required by this Act for minors under the age of sixteen years. Such records and files shall be open at all times to the inspection of the school attendance and probation officers and the officers of the State Bureau of Labor Statistics.

"'All certificates and permits shall be given up to such minor upon his quitting such employment. Where such minor works for himself and not for others, such minor shall keep in his possession such certificate. Such certificate shall be subject to revocation at any time by such Commissioner of the Bureau of Labor Statistics, or by the authority issuing such certificate, whenever such commissioner or the authority issuing such certificate shall find that conditions for the legal issuance of such certificate do not exist.'

"SEC. 13. Section 13 of said Act is hereby amended to read as follows:

"'Sec. 13. Any person, firm, corporation, agent or officer of a firm or corporation that violates or omits to comply with any of the foregoing provisions of this Act, or that employs or suffers or permits any minor to be employed in violation thereof, is guilty of a misdemeanor, and, shall, upon conviction thereof, be punished by a fine of not less than fifty dollars or more than two hundred dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment, for each and every offense. A failure to produce any age and schooling certificate or vacation permit to work or to post any notice required by this Act shall be prima facie evidence of the illegal employment of any minor whose age and schooling certificate or permit to work is not produced, or whose name is not so posted. Any fine collected under the provisions of this Act shall be paid into the school funds of the county, or city, or city and county, in which the offense occurred; except such fines imposed and collected as the result of prosecutions by the officers, of the Bureau of Labor Statistics, in which cases one-half of the resultant fine or fines shall be paid into the State treasury and credited to the contingent fund of the Bureau of Labor Statistics, and one-half paid into the school funds of the county, or city, or city and county, in which the offense occurred.'

"SEC. 14. Section 14 of said Act is hereby amended to read as follows:

"'Sec. 14. Nothing in this Act shall be construed to prohibit the employment of minors at agricultural, horticultural, or viticultural, or domestic labor during the time the public schools are not in session, or during other than school hours. For the purpose of this Act, horticultural shall be understood to include the curing and drying, but not the canning, of all varieties of fruit. Nor shall anything in this Act be construed to prohibit any minor between the ages of fifteen and eighteen years, who is by any statute or statutes of the State of California, now or hereafter in force, permitted to be employed as an actor, or actress, or performer in a theatre, or other place of amusement, previous to the hour of ten o'clock p.m., in the presentation of a performance, play or drama, continuing from an earlier hour till after the hour of ten o'clock p.m., from performing his or her part in such presentation as such employee between the hours of ten and twelve o'clock p.m.; *provided*, the written consent of the Commissioner of the Bureau of Labor Statistics is first obtained. Nor shall anything in this Act, prevent, or be construed to prohibit, the employment of any minor, whether resident or non-resident, in the presentation of a drama or dramatic play with the written consent of the Commissioner of the Bureau of Labor Statistics, but no such consent shall be given unless the officer giving it is satisfied that the environment in which the drama or dramatic play is to be produced is a proper environment for the minor, and that the conditions of such employment are not detrimental to the health of such minor, and that the minor's education will not be neglected or hampered by its participation in such drama or dramatic play, and the commissioner may require the person charged with the issuance of age and schooling certificates to make the necessary investigation into such conditions; and every such written consent shall specify the name and age of the minor together with such other facts as may be necessary for the proper identification of such minor, and the dates when, and the theatres or other places of amusement in which, such dramas or dramatic plays are to be produced, and shall specify the dramas or dramatic plays in which the minor is permitted to participate, and every such consent shall be revocable at the will of the officer giving it. Dramas and dramatic plays shall include the production of motion picture plays; *provided, however*, that nothing herein contained shall be construed to permit the use of a minor in any occupation prohibited under section 272 of the Penal Code.

"SEC. 15. Section 15 of said Act is hereby amended to read as follows:

"'Sec. 15. Work shall be deemed to be done for a manufacturing establishment within the meaning of this Act, whenever it is done at any place upon the work of a manufacturing establishment or upon any of the materials entering into the product of the manufacturing establishment, whether under contract or arrangement with any person in charge of or connected with such manufacturing establishment directly or indirectly, through the instrumentality of one or more contractors or other third persons.

"SEC. 16. A new section is hereby added to said Act, to be numbered 16, and to read as follows:

"'Sec. 16. No boy under fourteen years of age, nor girl under eighteen years of age, shall be employed, permitted or suffered to work at any time in or in connection with the street occupation of peddling, bootblacking, the sale of newspapers, magazines, periodicals or circulars, nor in any other occupation pursued in any street or public place except in a fixed place of business. No boy fourteen years of age shall be employed, permitted or suffered to work in or in connection with the street occupation of peddling, bootblacking, the sale of newspapers, magazines, periodicals or circulars, nor in any other occupation pursued in any street or public place except in a fixed place of business, except on the following conditions:

"'Boys fourteen years of age shall, upon application to the school authorities, as in the case of an age and schooling certificate, and upon compliance with all the requirements for the issuance of an age and schooling certificate, be entitled to receive from the officers authorized to issue age and schooling certificates a badge, which shall authorize the recipient to engage in trade or occupations above mentioned outside of the hours the public schools are in session but not before the hour of five o'clock a.m., or after the hour of eight o'clock p.m., of each day; *provided, however*, that in the case of an applicant for a badge satisfactory evidence must be produced to show that such minor has attained the age of fourteen years. Such badge shall be displayed conspicuously by the recipient while so engaged and shall be renewed annually on the first day of January. The color of all such badges issued in the same calendar year shall be the same and said color shall be changed each year upon renewal.

"Any person, firm, corporation, or agent, or officer of a firm or corporation, or any parent or guardian violating the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than fifty dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment.'

"SEC. 17. A new section is hereby added to said Act, to be numbered 17, and to read as follows:

"'Sec. 17. The Bureau of Labor Statistics shall enforce the provisions of this Act. The commissioner, his deputies and agents, shall have all the power and authority of sheriffs or other peace officers, to make arrests for violation of the provisions of this Act, and to serve any process or notice throughout the State.

The attendance officer of any county, city and county, or school district in which any place of employment, in this Act named, is situated, or the probation officer of such county, shall have the right and authority, at all times, to enter into any such place of employment for the purpose of investigating violations of the provisions of this Act, or violations of the provisions of an Act entitled "An Act to enforce the educational rights of children and providing penalties for the violation of the Act," approved March 24, 1903, and any Act amending or superseding the same: *provided, however*, that if such attendance or probation officer is denied entrance to such place of employment, any magistrate may, upon the filing of an affidavit by such attendance or probation officer setting forth the fact that he has a good cause to believe that the provisions of this Act, or the Act hereinbefore referred to, are being violated in such place of employment, issue an order directing such attendance or probation officer to enter said place of employment for the purpose of making such investigations.'

"SEC. 18. A new section is hereby added to said Act, to be numbered 18, and to read as follows:

"'Sec. 18. All Acts and parts of Acts inconsistent herewith are hereby expressly repealed.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1502—An Act to amend sections 717 and 718 of the Civil Code of the State of California, relating to the leasing of agricultural lands and to the leasing of lands for agriculture and horticultural purposes, and to the leasing of property of a municipality, a minor or incompetent person, and to the leasing of city or town lots—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KEHOE, Chairman.

Assembly Bill No. 1502 ordered on file for second reading.

THIRD READING OF SENATE BILL—(OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent for the third reading at this time of Senate Bill No. 597, out of the regular order.

An Act to amend sections one hundred ninety, one hundred ninety-two, one hundred ninety-three, one hundred ninety-four, one hundred ninety-five and two hundred one of the Code of Civil Procedure, relating to jurors.

Read third time.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 597—An Act to amend sections 190, 192, 193, 194 and 195 of the Code of Civil Procedure, relating to jurors have had the same under consideration and reports the same back with recommendation that it be referred to Senator Kehoe as a Select Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

In line 2, of the title, after the comma following the words "ninety-three" strike out the rest of said line; also all of lines 3 and 4, of the title, and insert in lieu thereof the following: "one hundred ninety-four, one hundred ninety-five and two hundred one of the Code of Civil Procedure, relating to jurors."

AMENDMENT NUMBER TWO.

On page 1, line 3, after the word "persons" strike out the following: "of either or both sexes".

AMENDMENT NUMBER THREE.

On page 1, line 9, after the word "persons" strike out the words "of both sexes".

AMENDMENT NUMBER FOUR.

On page 2, line 1, after the word "persons" strike out the words "of either or both".

AMENDMENT NUMBER FIVE.

On page 2, line 2, before the word "returned" strike out the word "sexes".

AMENDMENT NUMBER SIX.

On page 2, lines 7 and 8, strike out the words "of either or both sexes".

AMENDMENT NUMBER SEVEN.

On page 2, line 10, after the word "court" strike out the following: "; and"; also all of lines 11, 12, 13, 14, 15, 16, 17 and down to and including the period following the word "belongs" in line 18, and insert in lieu thereof a period.

AMENDMENT NUMBER EIGHT.

On page 2, lines 21 and 22, after the word "persons" strike out the words "of either or both sexes".

AMENDMENT NUMBER NINE.

On page 2, after the period in line 24, insert the following:

"SEC. 6. Section 201 of the Code of Civil Procedure is hereby amended to read as follows:

"201. A juror shall not be excused by a court for slight or trival causes or for hardship or inconvenience to said juror's business, but only when material injury or destruction to said juror's property or of property entrusted to said juror is threatened, or when said juror's health, or when the health or proper care of the members of said juror's own family, or the sickness or death of a member of said juror's family make it necessary for said juror to be excused."

KEHOE, Chairman.

Report adopted.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the President appointed Senator Kehoe a Special Committee of One to amend Senate Bill No. 597 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 597, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Butler, adopted.

Bill ordered to print, and re-engrossment.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

On motion of Senator Purkitt, the following Senate bill was taken up for second reading, out of the regular order:

Senate Bill No. 848—An Act to amend section 4279 of the Political Code, relating to salaries of county officers for counties of the fiftieth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 6, page 1, of the printed bill, after the word "annum" strike out the period and insert the following, "and such fees as may be allowed by law to retain; *and, provided,* that in any year after a new register of voters is required by law that said County Clerk may appoint such number of deputy clerks as may be necessary for the convenience of registration of voters, each of said deputies to receive the sum of ten cents per name for each elector registered by him whose name appears on the Great Register at the November election. Said sum to be paid out of the general county fund, on the presentation and filing with the Board of Supervisors of said county a duly verified claim therefor approved by the County Clerk."

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3, page 2, of the printed bill, strike out the words "two thousand" and insert in lieu thereof the words "eighteen hundred".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 26, page 2, of the printed bill, strike out the word "six" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 29, page 2, of the printed bill, strike out the word "six" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 23, of the printed bill, after the word "one hundred" insert the words "and fifty".

Amendment adopted.

AMENDMENT NUMBER SIX.

After the word "code", line 4, on page 4 of the printed bill, insert the following:

"17. The Legislature hereby declares that the provisions of this Act are not intended to and do not increase or diminish the compensation of the officers herein mentioned, but are intended to change the same to a fixed salary basis wherever a salary is provided for compensation of such officers.

"18. The provisions of this Act shall take effect ninety days after the final adjournment of the session of the Legislature which passed this Act and said provisions shall be in force and apply to the present incumbent."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 1, insert before the word "Section" the word and figure "SECTION 1".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

LEAVE OF ABSENCE.

Senator King asked for and was granted leave of absence for the balance of this legislative day.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 677—An Act to amend an Act entitled "An Act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances, and providing the punishment for the violation thereof," approved April 22, 1911, by amending section 1 thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

CARR, Chairman.

Senate Bill No. 677 ordered on file for second reading.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(OUT OF ORDER).

On motion of Senator Benedict, the Senate took up for consideration, out of the regular order, Assembly amendments to Senate Bill No. 439.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED THIRTY-NINE.

AMENDMENT NUMBER ONE.

On page 1, line 3, strike out the word "be".

AMENDMENT NUMBER TWO.

On page 1, line 10, strike out the word "in" and insert in lieu thereof the following word: "within".

AMENDMENT NUMBER THREE.

On page 1, line 10, strike out the words "an average daily" and insert in lieu thereof the following: "a total enrollment".

AMENDMENT NUMBER FOUR.

On page 2, line 1, strike out the word "attendance".

AMENDMENT NUMBER FIVE.

On page 2, line 1, strike out the words "seventy-five" and insert in lieu thereof the words "one hundred".

AMENDMENT NUMBER SIX.

On page 2, strike out all of lines 3 to 6 inclusive, and in all of line 7 down to the period, and insert in lieu thereof the following: "a majority of the qualified electors in each of the common school districts comprising such high school district shall vote in favor thereof, at an election called for this purpose in the same manner as the election for the formation of the high school district. The ballots used at such election shall contain the words 'Intermediate School Course—Yes' and 'Intermediate School Course—No'. The result of said election shall be determined and certified to the Superintendent of Schools as provided in case of the election for the formation of the district."

AMENDMENT NUMBER SEVEN.

Page 2, amend by striking out all of line 4 following the word "unless" and all of lines 5, 6 and 7, and all of line 8 down to the period, and insert in lieu thereof a comma and the following: "at an election called for that purpose in the same manner as the election for the formation of the high school district, a majority of the qualified electors voting thereat shall vote in favor of such intermediate school course."

AMENDMENT NUMBER EIGHT.

On page 2, line 16, strike out the period after the word "reside" and insert in lieu thereof a semicolon and the following: "*provided*, that when any intermediate school course is first established under the provisions of this section, the course of study therefor shall be adopted between the first day of July and the date of the opening of school for the current school year."

AMENDMENT NUMBER NINE.

On page 2, line 22, by inserting after the comma the following: "situated within a high school district maintaining an intermediate school course".

AMENDMENT NUMBER TEN.

On page 2, line 22, by striking out the word "may" and inserting in lieu thereof "shall".

AMENDMENT NUMBER ELEVEN.

On page 2, by striking out all of line 25 following the comma (,), all of line 26, all of line 27, and all of line 28 down to the semicolon, and insert in lieu thereof the following: "and shall pay to such high school district for the education of such pupils, a tuition charge which shall be agreed upon by said board of education, or board of school trustees, and the high school board maintaining such intermediate school course".

AMENDMENT NUMBER TWELVE.

On page 2, line 30, strike out the word "common" and insert in lieu thereof the following: "elementary".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 34, strike out the word "common" and insert in lieu thereof the following: "elementary".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 35, insert after the word "charge" the following: "shall".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 439?"

The roll was called, and Assembly amendments to Senate Bill No. 439 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Butler, Cogswell, Crowley, Duncan, Finn, Flint, Irwin, Kehoe, Lyon, Mott, Owens, Purkitt, Shearer, Strobridge, Stuckenbruck, Thompson, and Wolfe—23.

NOES—None.

Senate Bill No. 439 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 876—An Act to amend section 4253 of the Political Code, relating to the compensation of officers in counties of the twenty-fourth class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 457—An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of pablic utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission Fund" and appropriating the moneys therein to carry out the provisions of this Act, and repealing title XV of part IV of division first of the Civil Code and all Acts and parts of Acts inconsistent with the provisions of this Act—and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS

The Senate took up for consideration Assembly amendments to Senate Bill No. 457.

ASSEMBLY COMMITTEE AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FIFTY-SEVEN.

AMENDMENT NUMBER ONE.

After the word "repealing", in the next to the last line of the title, insert the following: "title XV of part IV of division I of the Civil Code and".

AMENDMENT NUMBER TWO.

In line 37, page 2, insert a comma after the word "ferries".

AMENDMENT NUMBER THREE.

On page 33, line 3, strike out the word "or" and insert in lieu thereof the word "of".

AMENDMENT NUMBER FOUR.

On page 39, line 2, strike out the word "with" and insert in lieu thereof the word "within".

AMENDMENT NUMBER FIVE.

On page 45, in line 11, strike out the word "legislature" and insert in lieu thereof the word "legislative".

AMENDMENT NUMBER SIX.

On page 59, in line 6, strike out the word "from" and insert in lieu thereof the word "for".

AMENDMENT NUMBER SEVEN.

Strike out the sentence beginning on line 37 of page 62 with the words "In so far" and ending on line 7 of page 63 with the words "section 67 of this act".

AMENDMENT NUMBER EIGHT.

On page 65, in line 27, strike out the word "or" after the word "court" and insert in lieu thereof the word "to".

AMENDMENT NUMBER NINE.

Strike out all of section 87.

Also:

SELECT COMMITTEE AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED FIFTY-SEVEN.

AMENDMENT NUMBER ONE.

Strike out all of subsection 1 after the word "vessel" in line 27, down to and including line 35 on page 3, and insert in lieu thereof the following: "regularly engaged in the transportation of persons or property for compensation upon the waters of this State or upon the high seas, over regular routes between points within this State."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 457?"

The roll was called, and Assembly amendments to Senate Bill No. 457 concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Flint, Irwin, Kehoe, Lyon, Mott, Purkitt, Shearer, Strobridge, Stuckenbruck, Thompson, and Wolfe—23.
NOES—None.

Senate Bill No. 457 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 443—An Act to amend an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, by amending sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 17 and 18, and adding a new section thereto to be numbered 12½, relating to the practice of chiropody;

Also: Senate Bill No. 1046—An Act to amend sections 9 and 22 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended by an Act entitled "An Act to amend sections 20 and 22 of an Act entitled 'An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor,' approved March 11, 1907," which amendatory Act was approved April 26, 1911;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 443.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FORTY-THREE.

AMENDMENT NUMBER ONE.

On page 3, lines 28 to 33 inclusive, strike out the words and figures:

"SEC. 3. The office of the board shall be in the city of Sacramento and in all legal proceedings against the board said city shall be deemed to be the residence of the members thereof. Suboffices may be established in Los Angeles and San Francisco and such records as may be necessary may be transferred temporarily to such suboffices," and insert in lieu thereof the following:

'Sec. 3. The office of the board shall be in the city of Sacramento. Suboffices may be established in Los Angeles and San Francisco and such records as may be necessary may be transferred temporarily to such suboffices. Legal proceedings against the board may be instituted in any one of said three cities.' "

AMENDMENT NUMBER TWO.

On page 4, line 1, after the word "of" and before the word "members" on line 2 of said page, strike out the word "six", and insert in lieu thereof the word "seven".

AMENDMENT NUMBER THREE.

On page 8, line 1, after the words "beginning the" and before the word "study" on line 2 of said page, insert the following: "last half of the second year in the".

AMENDMENT NUMBER FOUR.

On page 11, in lines 25 and 26, after the words "practitioner certificate" and before the word "and" on line 26, insert the following: "issued upon satisfactory proof of the course of instruction and minimum requirements demanded in section 10 hereof".

AMENDMENT NUMBER FIVE.

On page 12, lines 4 to 16, inclusive, strike out

"1. Physiology.
"2. Surgery.
"3. Syphilis.
"4. Orthopedics.
"5. Anatomy.
"6. Histology.
"7. Bacteriology.
"8. Pathology.
"9. Therapeutics.
"10. Chemistry.
"11. Dermatology.
"12. Hygiene.
"13. Chiropody (didactic and clinical)."

and insert in lieu thereof the following:

"1. Anatomy and Histology.
"2. Physiology, Chemistry and Hygiene.
"3. Pathology and Bacteriology.
"4. Dermatology and Syphilis.
"5. Orthopedics and Surgery.
"6. Chiropody and Therapeutics."

AMENDMENT NUMBER SIX.

On page 12, line 35, after the words "without additional fee", insert the following: "Any person who at any time prior to January 1, 1916, shall pay to the secretary of said board the fee of $25.00 and submits satisfactory proof of good moral character and of a resident one-year course of not less than 1000 hours in a legally chartered school approved by the board and satisfactory proof of three years of actual practice of a drugless system of the healing art, such three years of actual practice to have been in the State of California, shall be admitted to the drugless practitioner examination; *provided, however*, that in the event of a license being granted to such applicant he will not be eligible thereafter for the physician's and surgeon's certificate without a full and complete compliance with the terms and provisions of section 9 and 10 hereof. Any one who shall pay the fee of $50.00 to the secretary of the board prior to January 1, 1916, and submits to the board satisfactory proof of good moral character and proof of six years' actual practice of a drugless system of the healing art, three years of which must have been in the State of California, and satisfactory proof of a resident one-year course of not less than 1000 hours in a legally chartered school approved by the board and upon proof of competency in a drugless system may be granted a certificate to practice a drugless system in this State; *provided, however*, that such licensee shall not be permitted to take the physician's and surgeon's examination without a full and complete compliance with the terms of sections 9 and 10 hereof."

AMENDMENT NUMBER SEVEN.

On page 21, lines 14 to 19, inclusive, strike out the words

"Eleventh—The use by the holder of a 'drugless practitioner certificate' of the letters 'M.D.', or the words 'Doctor of Medicine' or the term 'physican and surgeon' or the term 'physician', or the term 'surgeon', in connection with his name or in connection with his practice, or otherwise, upon any sign, card, advertisement or announcement, or otherwise." and insert in lieu thereof the following:

"Eleventh—The use by the holder of a drugless practitioner certificate of any letter, letters, word, words, or term or terms used either as prefix or affix or suffix indicating that such certificate holder is entitled to practice a system or mode of treating the sick or afflicted for which he was not licensed in the State of California."

The question being, "Shall the Senate concur in Assembly Amendments to Senate Bill No. 443?"

The roll was called, and Assembly amendments to Senate Bill No. 443 concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Brown, Butler, Chandler, Cogswell, Crowley, Duncan, Finn, Flint, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Shearer, Strobridge, Stuckenbruck, Thompson, and Wolfe—24.

NOES—None.

Senate Bill No. 443 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1046.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND FORTY-SIX.

AMENDMENT NUMBER ONE.

On page 4, line 8, strike out the word "this" and insert in lieu thereof the following: "the provisions of section 2 of this".

AMENDMENT NUMBER TWO.

On page 4, line 12, strike out the word "this" and insert in lieu thereof the following: "the provisions of section 2 of this".

The question being, "Shall the Senate concur in Assembly Amendments to Senate Bill No. 1046?"

The roll was called, and Assembly amendments to Senate Bill No. 1046 concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Brown, Butler, Chandler, Cogswell, Crowley, Duncan, Finn, Flint, Irwin, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Shearer, Strobridge, Stuckenbruck, Thompson, and Wolfe—24.

NOES—None.

Senate Bill No. 1046 ordered to enrollment.

WITHDRAWAL OF BILL.

Senator Strobridge asked for, and was granted unanimous consent to withdraw Senate Bill No. 105.

Senate Bill No. 105, ordered withdrawn, and stricken from the file.

SECOND READING OF SENATE BILL—(OUT OF ORDER).

On motion of Senator Kehoe, Senate Bill No. 29 was taken up for second reading, out of the regular order:

Senate Bill No. 29—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the insurance commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules and providing a penalty therefor.

AMENDMENTS FROM THE FLOOR.

During second reading of the bill, the following amendments were offered, and their adoption moved by Senator Kehoe:

AMENDMENT NUMBER ONE.

On page 1, line 5 of the printed bill, strike out the word "license" and insert in lieu thereof "certificate of authority".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 8 of the printed bill, strike out the word "license" and insert in lieu thereof "certificate of authority".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 8 of the printed bill, strike out the words "not inconsistent herewith," and insert in lieu thereof the following: "relating to pleadings, proofs, trials and appeals,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 16 of the printed bill, strike out the words "revoke the license" and insert in lieu thereof "suspend the authority".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Thompson asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from committee on this legislative day.

Senate Bill No. 831—An Act to amend section 626*f* of the Penal Code of the State of California, relating to the protection of fish and game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 11 and 12, of the printed bill, strike out all of that portion of line 11 following the word "two" and the word "four" in line 12 and insert in lieu thereof the words "and three".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, after the word "that" insert "every person in game district four of the State of California, who, between the first day of October and the thirty-first day of August, inclusive, of the year following, hunts, pursues, takes, kills or destroys, or has in his possession, whether taken or killed in the State of California, or shipped into the State from any other state or territory or foreign country, any male deer, or any deer meat, is guilty of a misdemeanor; *provided, further,* that".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 853—An Act to add a new section to the Penal Code of the State of California, to be numbered 626s, relating to the protection of game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out all that portion of the line following the word "twenty-six" and insert in lieu thereof the following: ", twenty-seven, twenty-eight and twenty-nine".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out the words "and twenty-seven" and insert in lieu thereof the following: ", twenty-seven, twenty-eight and twenty-nine".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 14, of the printed bill, after the period, insert the following: "*provided*, that nothing in this act shall prohibit the hunting, pursuing and killing of waterfowl in game district twenty-eight, in accordance with the provisions prescribed in this chapter".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 986—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by adding thereto a new section to be numbered 12*a*.

By order of the President, Senate Bill No. 986 was passed on file, and the following proposed committee amendments were ordered printed in the Journal:

AMENDMENT NUMBER ONE.

On page 2, line 15, of the printed bill, strike out the words "for an indefinite period or".

AMENDMENT NUMBER TWO.

On page 2, line 22, of the printed bill, strike out the word "three" in said line and insert in lieu thereof the following: "two".

AMENDMENT NUMBER THREE.

On page 2, line 22, of the printed bill, strike out the period in said line and insert in lieu thereof a semicolon and the following: "*provided, however,* that in no case shall the fee charged and collected for any position exceed the sum of fifteen dollars."

Senate Bill No. 344—An Act to add a new section to the Civil Code to be numbered 485*a*, relating to crossings over railroads.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 414—An Act to amend section 1251 of the Code of Civil Procedure of the State of California, relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 413—An Act to amend section 1247 of the Code of Civil Procedure, relating to the jurisdiction of a court to regulate the mode of making crossings.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the word "crossings", in line 5, insert the following: "in cases in which this power is not now or shall not be hereafter vested in the Railroad Commission,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, in line 6, change the word "fifth" to "sixth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 13, after the word "To", insert the following: "determine the necessity for and to".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 415—An Act to amend section 465 of the Civil Code, relating to the powers of railroad corporations.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, in line 10, strike out the word "without" and insert in lieu thereof the words "with as little".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, in line 11, strike out the period and add the following: "as possible."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 719—An Act to amend section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under title VII, part III of the Code of Civil Procedure.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, in line 28, after the word "determine", insert the words "the necessity for".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 565—An Act empowering municipal corporations to secure and enforce payment of rates and charges for water, gas or electricity furnished by them.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, after the word "made", strike out the following: "when the same become due", and insert in lieu thereof "within a reasonable time after the same becomes due".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1169—An Act enabling any city or town maintaining a free public swimming bath to take water therefor from a public utility water ditch, and after such use to return the water to the ditch, provided the latter is not used for domestic or municipal purposes.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, after the word "bath" insert the following: "for such bath".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 957—An Act to amend section 10 of an Act entitled, "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as amended February 6, 1911, April 21, 1911, December 18, 1911, December 24, 1911, and May 6, 1913.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 189—An Act to be known as the usury law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections 1917, 1918, 1919, and 1920 of the Civil Code and all Acts or parts of Acts in conflict with this Act.

By order of the President, Senate Bill No. 189 was passed on file, and the following proposed committee amendments were ordered printed in the Journal:

AMENDMENT NUMBER ONE.

On page 1, line 3, after the comma following the word "demand" strike out the words "or on judgments rendered in any court of this State".

AMENDMENT NUMBER TWO.

On page 1, line 4, after the word "of" strike out the word "six" and insert in lieu thereof the word "seven".

AMENDMENT NUMBER THREE.

On page 2, line 5, after the word "annum" strike out the rest of the line; also all of lines 6, 7, 8, 9, and down to and including the period after the word "therewith" in line 10 and insert in lieu thereof a period.

AMENDMENT NUMBER FOUR.

On page 2, line 22, after the word "payment" strike out the word "of" and insert in lieu thereof the word "or".

Senate Bill No. 1229—An Act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 895—An Act to amend an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled, 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof'," approved June 12, 1913, by adding thereto a new section to be known as section 12, limiting the hours of employment of female pupil or student nurses in hospitals, prescribing penalties for the violation thereof, and providing for the enforcement of the restrictions imposed.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, at the end of line 16, of the printed bill, insert the following: "last three months of the".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, lines 19 and 20, of the printed bill, strike out the words "for periods aggregating in total not more than three months".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 801—An Act providing for the establishment by the Commission of Immigration and Housing of California of zones or areas on docks where immigrants are landed; prescribing the powers and duties of the said Commission with regard thereto; and providing a penalty for violation of the provisions hereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1227—An Act to regulate the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2 of title, strike out the word "regulate" and insert in lieu thereof the word "prevent".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6 of the title, strike out the period and insert in lieu thereof a comma and the following: "and to prescribe penalties for violation of the provisions hereof."

Amendment adopted.

AMENDMENT NUMBER THREE.

Beginning with line 1, page 1 of the printed bill, strike out all of the rest of the printed bill and insert in lieu thereof the following:

"SECTION 1. It shall be unlawful for any person, firm or corporation, except in bulk to the wholesale trade, to sell or exchange or offer or expose for sale or exchange for human consumption any milk from cows that have not passed the tuberculin test, until it has been pasteurized by the holding process at a temperature not less than one hundred forty degrees Fahrenheit for twenty-five minutes; *provided*, that milk for drinking purposes shall not be heated above one hundred forty-five degrees Fahrenheit. It shall further be unlawful for any person, firm or corporation to sell or exchange or offer or expose for sale or exchange any milk products except cheese, into the composition of which any milk enters other than that permitted in this section of this Act, to be sold at retail. For the purpose of this Act milk shall be construed to include cream.

"SEC. 2. It shall be unlawful for any person, firm or corporation to sell or exchange, or offer, or expose for sale or exchange, in any city, county or city and county, in which a milk inspection service, approved by the State Dairy Bureau, has been established, any milk otherwise than as hereinafter provided in this Act, and for the purpose of this Act, the term 'inspecting department' shall be construed to mean the health department of a county or group of counties, city or group of cities, or city and county maintaining a milk inspection service approved by the State Dairy Bureau.

"SEC. 3. All milk, except certified milk, guaranteed milk, Grade A milk, and Grade B milk, is hereby declared to be impure and unwholesome and must not be sold for human consumption.

"SEC. 4. For the purpose of this Act, milk shall be graded as follows: certified milk, guaranteed milk, Grade A milk, Grade B milk and milk not suitable for human consumption; *provided*, that milk not suitable for human consumption shall be plainly so marked.

"SEC. 5. No person, firm or corporation shall sell or exchange, or offer or expose for sale or exchange, as or for guaranteed milk, any milk, raw or pasteurized the quality of which is guaranteed by the dealer, without approval in writing of the inspecting department, which milk must be of a higher standard than that required for Grade A raw milk.

"SEC. 6. No person, firm or corporation shall sell or exchange, or offer or expose for sale or exchange, as and for Grade A milk, any milk that does not conform to the rules and regulations and the methods and standards for production and distribution of Grade A milk adopted by the inspecting department.

"Grade A milk shall conform to the following requirements as a minimum: if raw, it shall consist of the clean raw milk from healthy cows as determined by physical examination and by the tuberculin test by a qualified veterinarian under the supervision of the inspecting department, and from dairies that score not less than seventy per cent on the score card adopted by the United States Bureau of Animal Industry, Department of Agriculture. The tuberculin test must be repeated annually if no reacting animals are found in the herd. If reacting animals are found they must be removed from the herd, and the tuberculin test repeated in six months. All cows are to be fed, watered, housed and milked under conditions approved by the inspecting department. All persons who come in contact with the milk must exercise scrupulous cleanliness and must not harbor the germs of typhoid fever, tuberculosis, diphtheria or other infectious diseases liable to be conveyed by milk. Absence of such infections shall be determined by cultures and physical examination, to the satisfaction of the inspecting department.

"This milk is to be delivered in sterile containers and is to be kept at a temperature established by the inspecting department until it reaches the ultimate consumer, when it must contain less than one hundred thousand bacteria per cubic centimeter. If pasteurized it shall come from cows free from disease as determined by physical examination at least once in six months, by a qualified veterinarian of an inspecting department. It shall contain less than two hundred thousand bacteria per cubic centimeter before pasteurization and less than ten thousand bacteria per cubic centimeter at the time of delivery to the ultimate consumer. Dairies from which this milk is derived must score at least sixty on the score card adopted by the United States Bureau of Animal Industry, Department of Agriculture.

"SEC. 7. No person, firm or corporation shall sell or exchange, or offer or expose for sale or exchange, as and for Grade B milk, any milk that does not conform to the following requirements as a minimum: it must be obtained from cows in no way unfit for the production of milk for use by man, as determined by physical examination at least once in six months by a qualified veterinarian of an inspecting department. Before pasteurization such milk shall contain less than one million bacteria per cubic centimeter. After pasteurization it shall contain less than fifty thousand bacteria per cubic centimeter.

"Milk for pasteurization must be kept at a temperature established by the inspecting department up to the time of delivery to the pasteurization plant and rapidly cooled after pasteurization to a temperature of fifty degrees Fahrenheit or below and so maintained to the time of delivery of the same. Pasteurization shall be by the holding method at a temperature not less than one hundred forty degrees Fahrenheit; *provided*, that milk for drinking purposes shall not be heated above one hundred forty-five degrees Fahrenheit.

"Such pasteurizing plant shall be equipped with a self-registering device for record of the time and temperature of pasteurization. Such records shall be kept for two months and be available for inspection by any health department or the State Dairy Bureau. Pasteurized milk shall be marked with the day of the week of pasteurization and must be delivered to the consumer within forty-eight hours thereafter. If milk is repasteurized, it must not be sold except as not suitable for human consumption.

"SEC. 8. Milk not suitable for human consumption may be sold for industrial purposes, provided it be heated to a higher temperature than necessary for pasteurization, and delivered in a distinctive container, plainly marked with the words 'Not suitable for human consumption' in letters not less than one-quarer inch in length and one-twelfth inch stroke.

"SEC. 9. Counties, or groups of counties, cities or groups of cities, or cities and counties, are hereby authorized to maintain a milk inspection service and laboratory conformable to requirements as set forth by the State Dairy Bureau, and to establish pasteurizing plants.

"SEC. 10. Any person who shall violate any provision of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty-five dollars nor more than two hundred dollars, or by imprisonment in the county jail for not less than ten days nor more than sixty days, or by both such fine and imprisonment. One-half of all such fines shall be paid into the state treasury and placed to the credit of the State Dairy Bureau for contingent and traveling expenses.

"SEC. 11. The State Dairy Bureau is empowered and directed to make such rules and regulations as may be necessary and advisable, and to appoint such clerical force and supervising milk inspectors as may be necessary to carry out the provisions of this Act. The sum of ten thousand dollars is hereby appropriated from the general fund for the use of the State Dairy Bureau for this purpose.

"SEC. 12. The provisions of this Act shall be effective on and after January 1, 1916.

"SEC. 13. All Acts or parts of Acts in conflict with this Act are hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 677—An Act to amend an Act entitled "An Act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances, and providing the punishment for the violation thereof," approved April 22, 1911, by amending section 1 thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title by striking out the word "section" in the last line thereof and insert in lieu thereof the word "sections", and by adding the word "one" in said line the words "and three", and by striking out the period after the word "thereof" and inserting in lieu thereof a comma and the words "and by adding two sections thereto to be known and designated as section 7 and section 8".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of section 1, following line 5, on page 1, and insert in lieu thereof the following:

"SECTION 1. No commission, officer, agent or employee of the State of California, or of any city and county or city or county or other political subdivision thereof, and no other person, firm, or corporation shall

"(*a*). Run, place, erect or maintain any wire or cable used to carry or conduct electricity, on any pole, or any crossarm, bracket or other appliance attached to such pole, within a distance of thirteen inches from the center line of said pole; *provided*, that the foregoing provisions of this paragraph, (*a*), shall be held not to apply to telephone, telegraph or other 'signal' wires or cables which are attached to a pole to which is attached no wire or cable other than telephone, telegraph or other 'signal' wire or cable, except within the corporate limits of any city or town which shall have been incorporated as a municipality, nor shall the foregoing provisions be held to apply to such wires or cables in cases where the same are placed vertically on poles, nor to 'bridle' or 'jumper' wires on any pole which are attached to telephone, telegraph or other 'signal' wires on the same pole, nor to any 'aerial' cable, as between such cable and any pole on which it originated or terminates; *and further provided*, that telephone toll lines may be exempt from the provisions of this paragraph, (*a*), provided proper evidence introduced before the Railroad Commission of the State of California proves to the satisfaction of said Railroad Commission, that compliance with the provisions of this paragraph, (*a*), would seriously interfere with long distance telephone transmission; *and further provided*, that the provisions of this paragraph, (*a*), shall not be held to apply to wires run from "lead" wires to arc or incandescent lamps nor to transformers placed upon poles, nor to any wire or cable where the same is attached to the top of a pole, as between it and said pole, nor to any 'aerial' cable containing telephone, telegraph or other 'signal' wires where the same is attached to a pole on which no other wires or cables than wires continuing from said cable are maintained; *provided*, that electric light or power wires or cables are in no case maintained on the same side of the street or highway on which said 'aerial' cable is placed.

"(*b*). Run, place, erect or maintain in the vicinity of any pole (and unattached thereto) within the distance of thirteen inches from the center line of said pole, any wire or cable used to conduct or carry electricity, or place, erect or maintain any pole (to which is attached any wire or cable used to conduct or carry electricity) within the distance of thirteen inches (measured from the center of such pole) from any wire or cable used to conduct or carry electricity; *provided*, that as between any wire or cable and any pole, as in the paragraph, (*b*), named, only the wire, cable or pole last in point of time run, placed or erected, shall be held to be run, placed, erected or maintained in violation of the provisions of this paragraph; *and provided, further*, that the provisions of this paragraph, (*b*), shall not be held to apply to telephone, telegraph or other 'signal' wires or cables on poles to which are attached no other wires, as between such wires and poles to which are attached no other wires or cables than telephone, telegraph or other 'signal' wires; *provided*, such wires, cables and poles are not within the corporate limits of any town or city which shall have been incorporated as a municipality; *and further provided*, that telephone toll lines may be exempt from this paragraph, (*b*), provided proper evidence introduced before the Railroad Commission of the State of California, proves to the satisfaction of the said Railroad Commission, that compliance with the provisions of this paragraph, (*b*), would seriously interfere with long distance telephone transmission.

"(*c*) Run, place, erect or maintain, above ground, within the distance of four feet from any wire or cable conducting or carrying less than six hundred volts of electricity, any wire or cable which shall conduct or carry at any one time more than six hundred volts of electricity, or run, place, erect or maintain within the distance of four feet from any wire or cable which shall conduct or carry at any one time more than six hundred volts of electricity any wire or cable conducting or carrying less than six hundred volts of electricity; *provided*, that the foregoing provisions of this paragraph, (*c*), shall be held not to apply to any wires or cables attached to a transformer, arc or incandescent lamp within a distance of four feet (measured along the line of said wire or cable) from the point where such wire or cable is attached to such transformer, arc or incandescent lamp, nor to wires or cables within buildings or other structures, nor to wires or cables where the same are placed vertically on poles, nor to any "lead" wires or cables between the points where the same are made to leave any pole for the purpose of entering any building or other structure and the point at which they are made to enter such building or structure; *and provided, further*, that as between any two wires or cables, or any wire or any cable, run, placed, erected or maintained in violation of the provisions of this paragraph, (*c*), only the wire or cable last in point of time run, placed or erected shall be held to be run, placed, erected or maintained thus in violation of said provisions; *and further provided*, that where no more than one crossarm is maintained on a pole, all the wires or cables conducting or carrying at any one time more than six hundred volts of electricity shall be placed on the crossarm on one side of the pole, and all the wires or cables conducting or carrying less than six hundred volts of electricity shall be placed on the crossarm on the other side of the pole; *and further provided*, that the space between any wire or cable conducting or carrying at any one time more than six hundred volts of electricity and any wire or cable carrying less than said voltage shall be at least thirty-six inches clear measurement in a horizontal line. Where the foregoing provisions of this paragraph, (*c*), can not be complied with, the Railroad Commission of the State of California may grant permission for the following form of construction; where two or more systems for the distribution of electric light or power occupy the same poles with wires or cables, all wires or cables conducting or carrying at any one time more than six hundred volts of electricity may be placed on the crossarms on one side of the pole, and all wires or cables conducting or carrying less than said voltage, shall in such case, be placed on the crossarms on the other side of the pole; *and provided*, that the space between any wire or cable conducting or carrying at any one time more than six hundred volts of electricity and any wire or cable conducting or carrying less than said voltage shall be at least thirty-six inches in measurement in a horizontal line; *and further provided*, that in such construction all crossarms shall be at least thirty-six inches apart in a vertical line.

"(*d*). Run, place, erect or maintain any wire or cable which shall conduct or carry at any one time more than six hundred volts of electricity, without causing each crossarm, or such other appliance as may be used in lieu thereof, to which such wire or cable is attached to be kept at all times painted a bright yellow color, or, on such crossarm, or other appliance used in lieu thereof, shall be placed signs, providing, in white letters on a green background, not less than three (3) inches in height the words "high voltage" on the face and back of each crossarm. The provisions of this paragraph, (*d*), shall not be held to apply to crossarms to which are attached wires or cables carrying or conducting more than ten thousand volts of electricity, and which are situated outside the corporate limits of any town or city which shall have been incorporated as a municipality.

"(*e*). Run, place, erect or maintain any "guy" wire or "guy" cable attached to any pole or appliance to which is attached any wire or cable used to conduct or carry electricity, without causing said "guy" wire or "guy" cable to be effectively insulated at all times at a distance of not less than four (4) feet nor more than eight (8) feet (measured along the line of said wire or cable) from the upper end thereof, and at a point not less than eight (8) feet vertically above the ground from the lower end thereof; *and further provided*, that wherever two or more "guy" wires or "guy" cables are attached to the same pole and same anchorage pole there shall be at least one foot, vertical space, between the points of attachment; *and further provided*, that no insulation shall be required at the lower end of a "guy" wire or "guy" cable where same is attached to a grounded anchor; *and further provided*, that where "guy" wires or "guy" cables are attached to a pole or structure of steel or other conducting material supporting wires or cables carrying in excess of fifteen thousand volts where pole or structure is thoroughly grounded no insulation shall be required at any point in said "guy" wire or "guy" cable; none of the provisions of this paragraph, (*e*), shall be held to apply to "guy" wires or "guy" cables attached to poles carrying no wire or cable other than telephone, telegraph or other "signal" wire or cable, and which are situated outside the corporate limits of any town or city which shall have been incorporated as a municipality.

"(*f*). Run, place, erect or maintain vertically on any pole, any wire or cable used to conduct or carry electricity, without causing such wire or cable to be at all times wholly incased in a casing equal in durability and insulating efficiency to a wooded casing not less than one and one-half inches thick. The provisions of this paragraph, (*f*), shall not be held to apply to vertical telephone, telegraph or other "signal" wires or cables on poles where no other such wires or cables are maintained, and which are outside the corporate limits of any town or city which shall have been incorporated as a municipality; nor to wires or cables run vertically on iron poles or structures where both pole or structure and conduit are securely grounded.

"(*g*) Place erect or maintain on any pole, or any crossarm or other appliance on said pole, which carries or upon which is placed an electric arc lamp, any transformer for transforming electric currents; *provided, however*, that this section, (*g*), shall not apply if any arc lamp that shall be suspended so that it can be trimmed from the ground or from a stand located on the pole not less than seven feet below the transformer; *and further provided*, that in so suspending an arc lamp (where transformer is located on same pole) no wire or cable in connection therewith shall be run vertically on the pole unless said wire or cable be protected as provided for in paragraph, (*f*), of this section 1.

"(*h*) Run, place, erect or maintain any wire or cable carrying more than fifteen thousand volts of electricity across any wire or cable carrying less than said voltage or across any public highway, except on pole of such height and so placed at each crossing that under no circumstances can said wire or cable of said voltage higher than fifteen thousand volts in case of breakage thereof or otherwise, come in contact with any wire or cable of less than said voltage, or fall within a distance of ten (10) feet from the surface of any public highway; or in lieu thereof double strength construction may be installed, in which case the wires carrying a voltage higher than fifteen thousand volts shall, between the points of crossing, be of a cross-section area equal to at least twice that used in the line outside of such crossing, except where the conductor used is equal to number four (4) stranded Brown & Sharpe gauge or greater, in which case the wires or cables will be considered as complying with the law.

"(*i*) Run, place, erect or maintain any suspension wire to which is attached any "aerial" cable or "75 pair number nineteen Brown & Sharpe gauge" or over, or of "100 pair number twenty-two Brown & Sharpe guage" or over suspended from a crossarm, (or from any other structure or appliance from which said suspension wire is hung) by a single bolt and clamp without at the same time attaching said suspension wire to said crossarms, structure or appliance by an additional "safety" bolt and clamp (or other "safety" appliance for thus attaching said suspension wire) of tensile strength equal to the first herein said bolt and clamp.

"SEC. 2. Section 3 of said Act is hereby amended to read as follows:

"'Sec. 3. No commission, officer, agent or employee of the State of California, or of any city and county or city or county or other political subdivision thereof, and no other person, firm or corporation shall run, place, erect or maintain any "span" wire attached to any wire or cable used to conduct or carry electricity, without causing said "span" wire to be at all times effectively insulated between the outer point at which it is in any case fastened to the pole or other structure by which it is hung or supported, and at the point at which it is in any case thus attached; *provided*, that such insulation shall not in any case be placed less than two (2) feet or more than four (4) feet from said point at which said "span" wire is so attached, and that when in any case such "span" wire is attached along its length to any two (2) such wires or cables, conducting or carrying electricity and extending parallel to each other, not more than eighteen (18) feet apart, such insulation shall not be required therein at any point between such parallel wires or cables; none of the provisions of this section three (3) shall be held to apply where "feeder" wires are used in place of "span" wires.'

"SEC. 3. A new section to be known and designated as section 7, is hereby added to said Act, to read as follows:

"'Sec. 7. Any commission, officer, agent or employee of the State of California or any city and county, or city or county, or other political subdivision thereof, or any other person, firm or corporation may upon proper application to the Railroad Commission of the State of California be granted by said Railroad Commission an extension of time beyond that provided for in section 6 of this Act, provided it is shown to the satisfaction of said commission that the provisions of this Act can not be complied with by said applicant within said time, or that the applicant for good and sufficient reasons has not been able to comply with the provisions of this Act, and that such applicant has heretofore used due diligence so to do within the time specified in said section 6.'

"SEC. 4. A new section to be known and designated as section 8, is hereby added to said Act, to read as follows:

"'Sec. 8. The Railroad Commission of the State of California is hereby vested with authority and power, at its descretion to grant such additional time and is hereby instructed to inspect all work which is included in the provisions of this Act, and to make such further additions or changes as said commission may deem necessary for the purpose of safety to employees and the general public, and the said Railroad Commission is hereby charged with the duty of seeing that all the provisions of this act are properly enforced.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Assembly Bill No. 643—An Act validating the formation and organization, and determining the boundaries of the Pleasanton Township County Water District in the county of Alameda, State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1515—An Act to repeal section 2189 of the Civil Code, relating to passenger who has not paid fare upon a railroad train.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 623—An Act to amend section 4240 of the Political Code, relating to the compensation of county and township officers of counties of the eleventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 393—An Act to add a new section to the Political Code, to be numbered 4190*a*, relating to the amount of money that the boards of supervisors of the several counties may set apart and pay into the "Law Library Fund"; and to repeal section 4221*a* of the Political Code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 373—An Act to add a new section to the Penal Code to be numbered 504*a*, relating to embezzlement, removal and disposal of leased property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1491—An Act to add a new section to the Political Code to be numbered 3408*f*, relating to indemnity certificates of location or scrip issued pursuant to the provisions of section 3408*d* of said code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 589—An Act to amend section 7 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, of the printed bill, strike out the period after the word "schedule" in line 28, and all of lines 29 to 37, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out, on page 3, of the printed bill, all of lines 1 to 10, inclusive, and insert in lieu thereof, after the word "schedule", in line 28, of page 2: ", *provided however*, that the sale of any patent or proprietary preparation containing any arsenic, strychnine, corrosive sublimate or phosphorus for killing or destroying ants is hereby prohibited."

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 240—An Act to amend an Act entitled "An Act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold or offered or exposed for sale in containers, and providing penalties for the violation thereof," approved May 24, 1913, by amending sections 3, 5 and 6 of said Act and adding a new section thereto to be known as section 13 thereof, relating to the manner in which quantity shall be designated.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the title, strike out the words "for human beings", and in lieu thereof insert the words "or medicines".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, section 3, line 14, after the word "food", strike out the following: "for human beings".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 25, after the word "food", insert the following: "produce or stuff".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, after line 12, insert the following:

"(*d*) To the sale of prescriptions when written by physicians, veterinarians, or dentists; or to medicinal or pharmaceutical preparations; or to mixtures of two or more medicinal substances."

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1502—An Act to amend sections 717 and 718 of the Civil Code, relating to the leasing of agricultural lands, and to the leasing of lands for agricultural and horticultural purposes, and to the leasing of property of a municipality, a minor or incompetent person, and to the leasing of city or town lots.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, after the comma following the word "provided", strike out all the rest of said line; also, all of lines 7, 8 and down to and including the period following the word "thereon" in line 9, and insert in lieu thereof the following: "that any land of a municipality used for agricultural or horticultural purposes and upon which is discharged sewage or waste water may be leased for a period not exceeding twenty-five years."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 19, strike out the period after the word "years" and insert a comma and the following: "excepting also that any municipality that owns tide lands, waterfront or other shipping facilities may lease the same for a period not exceeding twenty-five years, subject to all the uses and trusts contained in the original grant to such municipality of such tide lands, waterfront or shipping facilities. Nothing in this section shall affect the leasing of certain classes of school property as provided in section 1617 of the Political Code."

Amendment adopted.

Bill read second time, ordered to print, and third reading.

ADJOURNMENT.

At 3 o'clock and twenty-five minutes p.m., on motion of Senator Thompson, the President declared the Senate adjourned until Monday, April 12, 1915, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Monday, April 12, 1915.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

ADJOURNMENT OUT OF RESPECT.

On motion of Senator Birdsall, seconded by Senators Thompson and Wolfe, the Senate decided by rising vote that when adjournment for this day should be had that such adjournment should be until Wednesday, April 13, 1915, out of respect to the memory of the late Assemblyman, Honorable Frank M. Rutherford.

MOTION TO APPOINT COMMITTEE OF ESCORT.

Senator Thompson moved that the President of the Senate appoint a committee of six members to escort the remains of the late Hon. Frank M. Rutherford to the place of interment. The President appointed as such committee, Senators Birdsall, Thompson, Campbell, Finn, Kehoe, and Purkitt.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 9, 1915, the further reading was dispensed with, on motion of Senator Rush.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Senator Lyon:

LOS ANGELES, April 6, 1915.

DEAR SIR: At a regular meeting of the Los Angeles Council of Social Agencies, the following resolution was on motion duly seconded and unanimously adopted:

Resolved, That the Los Angeles Council of Social Agencies endorses and urges the adoption of the North-South Child Labor Bill (Senate Bill No. 257, Assembly Bill No. 388) as being most necessary legislation in the cause of preventing child labor in this State, and be it further

Resolved, That a copy of this resolution be immediately forwarded to every member of the legislature.

The Council of Social Agencies is composed of delegates from the following organizations:

Barlow Sanatorium,
Childrens Home Society of California,
Coleman House Settlement Association,
Episcopal City Mission,
Florence Crittenton Home,
Hebrew Sheltering Association,
Home of the Guardian Angel,
Jewish Orphan's Home of Southern California,
Juvenile Protective Association,
Kaspare Cohn Hospital,
Los Angeles Federation of Parent-Teachers Association,
Los Angeles Orphan's Asylum,
Los Angeles Society for Study and Prevention of Tuberculosis,
Lark Ellen Home for News and Working Boys,
Neighborhood Settlement,
Pacific Seaside Home,
Resthaven Association,
St. Vincent de Paul Society,
Southern California Home for Women and Children,
Woman's Alliance Maternity Cottage,
Young Women's Christian Association,
Brownson House Settlement Association,
Christian Mission and Industrial Association,
Convent of the Good Shepherd,
Federation of Jewish Charities,
Fellows Club Centella Baptist Church,
Homer Toberman Clinic and Dispensary,
Jewish Consumptive Relief Association,
Jewish Free Burial Association,
Japanese Women's Christian Union,
King's Daughters Day Nursery,
Los Angeles Humane Society for Children,
Los Angeles Branch Needlework Guild,
Los Angeles Orphan's Home,
Los Angeles Society of Social Hygiene,
Little Sisters of the Poor,
McKinley Industrial Home for Boys,
Mary Andrews Clark Memorial Home,
Native Sons and Daughters Committee on Homeless Children,
St. Elizabeth Day Nursery,
Sojourner Truth Industrial Home,
Vance Working Boys Home,
Volunteers of America,
Women's Day Nursery Association,

Together with representatives from the—

State Board of Charities and Corrections,
County Charities,
Probation Office,
Los Angeles Police Department,
Los Angeles School Department,
Los Angeles Health Department,
Los Angeles Playground Commission.

Yours truly,

A. CARTER, Secretary.

Also:

By the Secretary:

LOS ANGELES, CALIFORNIA, April 8, 1915.

DEAR SIR: We, the undersigned, teachers in the Department of Psychology and Education, students of child life and advocates of child welfare, are profoundly interested in the passage of the North South Child Labor bill. We wish to see California in the front rank of states protecting children from exploitation. We are especially anxious to see the "street trades" regulated as this bill provides, because of the serious effect of such trades upon the child's morals.

May we respectfully and emphatically express the hope that you will use your influence most strongly to secure the adoption of this bill and its enactment into law.

Very truly yours,

CHARLES W. WADDLE, and 7 others.

Also:
By the Secretary:

SACRAMENTO, CALIFORNIA, March 30, 1915.

To the Senate and Assembly of the State of California:

GENTLEMEN: Pursuant to the provisions of chapter 681 of the Statutes of 1913, this commission was appointed by his Excellency, Hiram W. Johnson. The first meeting of the commission was held January 16, 1915. At that time the commission organized and took up for consideration a general survey of the work proposed under the provisions of chapter 681.

By the provisions of the Act creating it, the commission was directed to investigate and consider the various systems of old age insurance, old age pensions or annuities, also mothers' pensions or mothers' compensations now in use in different counties of this or other states, and as may be proposed or as are now in operation in other states of this country or in other countries. The commission was further directed to make a full and complete report of its findings with all data so obtained, properly tabulated, to the Legislature at its next regular session. The commission was also directed to report statistics showing the expense to the State of any system that it might recommend for adoption, together with any bills of its own relating to this subject that it might deem expedient.

A preliminary discussion of the work outlined in the statutes for the commission very quickly developed the fact that with the amount of the appropriation at the disposal of the commission it would be utterly impossible to make any intelligent report on the several subjects which the commission was directed to investigate.

It was apparent from the first that the preparation of any general statistical report alone would cost at least twice the amount of the total appropriation at the disposal of the commission.

The subject of old age insurance and old age pensions has been one with which foreign nations have dealt for forty years. The two nations which have accomplished concrete results along this line are notably England and Germany. An investigation and analysis of the data bearing on the experience of these two countries would be a necessary work in connection with the drafting of any old age insurance or pension in California. The time at the disposal of the commission was too limited for any such investigation.

Necessarily a system of mothers' pension or compensation would be a part of any social insurance scheme which the State would adopt, and this subject should be thoroughly investigated before any attempt should be made to draw new legislation.

An academic investigation of old age insurance and mothers' pensions would be of little value in the work of drafting laws of this character because of the totally different conditions under which these schemes have operated in other parts of the world. To make any such investigation full and comprehensive it would be essential to hold hearings throughout the State and determine at first hand just what the conditions might be in California relative to such a system, and how such a system would fit in with our social fabric. Of course the holding of these hearings was impossible with the appropriation at the disposal of the commission.

While the commission has been fearful of doing an injustice to the important subject matter it was directed to investigate by making an investigation which would necessarily be nothing more than perfunctory, the commission did find that it could be of service in connection with the consideration of the orphan and half-orphan aid Act now in operation in California.

At its two sessions the commission devoted a great deal of time to conference with the children's agents of the State Board of Control. These children's agents have administered, under direction of the State Board of Control, the orphan and half-orphan aid Act since August, 1913.

The examination of the records of the children's agents of the State Board of Control and the matters brought out at the conferences demonstrated beyond a doubt the wisdom of the creating of this supervisory control over the state aid fund. While the State prior to 1913 never exercised any real supervision over the expenditure of this fund, which was in excess of $400,000.00 per annum, since August, 1913, an excellent supervision has been established at a minimum cost, and data has been gathered which will be of inestimable value in connection with any investigation of social insurance in the future.

Unquestionably the results of the work of the children's agents will be brought to the attention of the Legislature in the report of the State Board of Control. It would therefore probably be inappropriate for this commission to further burden this report with details of the work done. This commission, however, deems it appropriate to recommend an earnest consideration of the work done since August, 1913, in connection with this state aid, and this commission heartily endorses the idea of continuing the present system of orphan and half-orphan aid under the direction of the State Board of Control until such time as it shall be determined whether the State shall establish a system of social insurance including old age pensions, mothers' pensions, etc.

This commission recommends to the favorable consideration of the Legislature five suggestions made by the children's agents of the Board of Control in connection with the amending of the orphan and half-orphan aid Act. These suggestions are as follows:

1. That the age limit under which children shall be allowed aid shall be raised from fourteen years to fifteen years, so as to bring this law into logical juxtaposition with the school laws and the child labor laws of the State.
2. That a residence of at least two years in California shall be required as a condition precedent to the granting of State aid.
3. That illegitimate children shall be classed as half-orphans instead of whole orphans, unless the mothers abandon all claims.
4. That section 209 of the Code of Civil Procedure be amended so as to require a stepfather to support any children his wife may have by a former marriage.
5. That section 2283 of the Political Code be amended as follows:

   "*Provided, however*, that the State shall not reimburse any county for aid unless such aid shall have been paid to the mothers or guardians of the children in legal money, unless permission shall first have been obtained from the State Board of Control to grant the allowance either in produce or other form."

   The purpose of this amendment is to strike out the vicious system which prevails in so many counties of giving State aid to these mothers in the form of grocery orders and expedients of like character. The grocery order system readily lends itself to the erection of the system of petty tyranny, in which the grocer or merchant on whom the order is issued in reality becomes the judge of how much a dependent mother shall have for the support of her child.

The adoption of these amendments to the present orphan and half-orphan aid Act this commission feels will prove a great benefit not only to the State, but to the persons entitled to State aid.

A consideration of the future work in connection with determining the question of whether the State shall institute a system of social insurance, leads this commission to respectfully recommend that the Legislature shall provide for a further investigation of the entire subject of social insurance, and that the Legislature shall provide an appropriation adequate to properly carry out the investigation.

In order to bring about such results this commission recommends that a new Act be passed providing for the investigation and consideration of the various systems of social insurance, mothers' and widows' pensions and compensation in use in this country or in foreign countries.

The commission also recommends that the new investigating body be empowered and directed to hold hearings in the principal cities of the State for the purpose of investigating social conditions, and that the investigating body shall have the power to subpœna witnesses and to enforce their attendance.

The commission respectfully suggests that an appropriation of $20,000.00, expended with proper economy, shall be sufficient to provide for a careful and comprehensive study of the subject.

The new commission should be directed to submit its final report to the next regular session of the Legislature.

Up to the present time this commission has expended $207.54, detailed statement of which is hereto attached and made a part of this report in accordance with the law, leaving an unexpended balance in this appropriation of $2792.46.

Pending action by the Legislature this commission feels that it should conserve the balance of the appropriation of $3,000.00 at its disposal, feeling that the expenditure of this sum of money would simply be an expenditure which would not properly meet the need for which it was made.

This report is respectfully submitted this 30th day of March, 1915.

COMMISSION TO INVESTIGATE OLD AGE INSURANCE AND
PENSIONS, AND MOTHERS' PENSIONS.
By JOHN FRANCIS NEYLAN, Chairman.

STATEMENT OF EXPENDITURES OF COMMISSION TO INVESTIGATE OLD AGE INSURANCE AND PENSIONS AND MOTHERS' PENSIONS TO MARCH 31, 1915.

Amount of appropriation		$3,000 00
Traveling expenses of members incurred in attendance of meetings of the Commission	$168 56	
Printing done for Commission	22 19	
Stamps, telegrams, telephone and books	16 79	207 54
		$2,792 46

Also:
By the Secretary:

To the Honorable, the Senate and Assembly of the State of California, Sacramento, California:

WHEREAS, There has been introduced in the Assembly by Assemblyman Peter C. Phillips, a bill numbered Assembly Bill No. 1511, copy of which is hereto attached; and,

WHEREAS, Said bill provides for the position of probation officer for the Police Courts of the city of Los Angeles, the salary for said probation officer to be paid out of the city treasury of the city of Los Angeles; and

WHEREAS, There is now employed by an emergency appointment, through the police department salary ordinance, a probation officer, until the 1st day of September, 1915; and the city council of the city of Los Angeles feels and believes that there is a dire and urgent need for such officer to investigate applications for probation and parole in said Police Courts, and to have charge of defendants while they are on probation or parole from said Police Courts; therefore, be it

Resolved by the Council of the City of Los Angeles in regular meeting assembled, (in view of the excellent work now being done by the emergency probation officer aforesaid), That we do endorse and recommend the passage of said Assembly Bill No. 1511 as an amendment to the Act establishing Police Courts in cities of the first and one-half class, by the Legislature of this State, to the end that the judges of said court may be empowered to appoint said probation officer as a regular officer of the said police court, and be it further

Resolved, That a copy of this resolution be forwarded to the Senate and Assembly of the State of California and to the Judiciary Committees of both of said bodies, respectfully petitioning for the passage of said Assembly Bill No. 1511; and be it further

Resolved, That the city clerk be, and he hereby is instructed to certify to the adoption of this resolution and to transmit copies thereof as hereinbefore directed.

Dated at Los Angeles, Cal., this 8th day of April, 1915.

I, Chas. L. Wilde, clerk of the city of Los Angeles, and ex officio clerk of the council of said city, do hereby certify that at a regular meeting of the council of the city of Los Angeles, held in said city on the 8th day of April, 1915, the above resolution was duly and regularly adopted by said city council.

Dated at Los Angeles, Cal., this 8th day of April, 1915.

CHARLES L. WILDE,
City Clerk and ex officio Clerk of the Council of the City of Los Angeles.
(SEAL)
By L. M. CARROLL, Deputy.

Also:
By the Secretary:

SACRAMENTO, CALIFORNIA, April 9, 1915.

Mr. Edward Smith, Secretary Senate, California State Legislature, Sacramento, California.

DEAR SIR: On behalf of Sacramento Branch of the Railway Employees Welfare Association, we desire through you to extend to all members of the State Senate of the Legislature of California, a cordial invitation to attend a meeting to be held at the Tuesday Clubhouse, Sacramento, on Wednesday evening, April 14th.

Mr. J. K. Butler, Assistant General Freight Agent of the Southern Pacific, will deliver the principal address. His theme will be "Freight Rates as They Affect the People." In addition we have prepared a musical program to be followed by light refreshments, dancing and diversion at cards.

As a representative organization of all railroad men, numbering among our ranks hundreds of the employees at Sacramento, we are most desirous of extending a welcome to the representatives of the people of California in the State Legislature that we may meet on a common ground in an endeavor to correctly present from our viewpoint the true relationship which should exist between the people of the great State of California and the transportation corporations and their employees.

Earnestly hoping for a large attendance from your body, and assuring you all a most enjoyable time, I remain,

Yours very sincerely,
RAILWAY EMPLOYEES WELFARE ASSOCIATION,
W. F. MAHLER, Secretary-Treasurer.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Andrew J. Burke of San Francisco.

On request of Senator Irwin, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James M. Burk of Visalia and Miss Katherine Burk of Concord.

On request of Senator Mott, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. E. B. Root of Los Angeles.

On request of Senator Campbell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Ed. E. Leake of Woodland.

On request of Senator Flint, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. F. E. Royle of Hollister.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April, 12, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 219—An Act to amend section 791 of the Political Code, relating to notaries public—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KEHOE, Chairman.

Senate Bill No. 219 ordered on file for second reading.

Also:

SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 404—An Act to amend section 654*a* of the Penal Code, relating to false representations as to property advertised to be sold and service advertised to be performed—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KEHOE, Chairman.

Senate Bill No. 404 ordered on file for second reading.

Also:

SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1082—An Act to amend section 67*a* of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of two additional Superior Court judges in counties of the first class and providing for their compensation—has had the same under consideration, and respectfully reports the same back and recommends that it do pass and be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 1082 ordered re-referred to Committee on Finance.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Commerce and Navigation to which was referred Senate Bill No. 991—An Act confirming, ratifying and adopting a certain agreement by the city of Richmond, concerning its harbor, harbor lines and certain tide and submerged lands, and granting to it certain submerged land and authorizing it to convey certain small parcels of such land not needed for commerce and navigation—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Judiciary.

BROWN, Chairman.

Senate Bill No. 991 ordered re-referred to Committee on Judiciary.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Brown, the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON INTRODUCTION OF BILLS.

SACRAMENTO, CALIFORNIA, April 9, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills to which was referred the request of Senator Strebridge to introduce a bill entitled: "An Act to amend section 778 of the Political Code relating to contract for the publishing of Supreme and District Courts of Appeal reports";

Also: The request of Senator Tyrrell to introduce a bill entitled: "An Act to appropriate money to pay the deficiency in the appropriation for the support of the Commission of Immigration and Housing of California for the sixty-sixth fiscal year";

Also: The request of Senator Strobridge to introduce a bill entitled: "An Act to amend section 1 of an Act entitled 'An Act to amend section 1 of an Act entitled "An Act amending an Act making an appropriation for the establishment of a permanent fund for the purchase of jute to be manufactured at the state prison at San Quentin, approved March 9, 1885," approved March 16, 1889, and to provide for the disposition and use of the surplus money received from the sale of jute goods and not needed for the "revolving fund" provided for in said Act,' approved March 24, 1911";

Also: The request of Senator Thompson to introduce a bill entitled: "An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 1235, relating to dissolution of trust companies";

Also: The request of Senator Kehoe to introduce a bill entitled: "An Act authorizing the Governor to appoint a commission to investigate and report at the forty-second session of the Legislature concerning the adoption of a system of social insurance and making an appropriation therefor";

Also: The request of Senator Gerdes to introduce a bill entitled: "An Act re-appropriating the money appropriated to carry out the provisions of the Water Commission Act, approved June 16, 1913, and making the same available for the purpose of said Act during the sixty-seventh and sixty-eighth fiscal years";

Has had the same under consideration and respectfully reports the same back and recommends that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with the above report:

By Senator Strobridge: Senate Bill No. 1249—An Act to amend section 778 of the Political Code, relating to contract for the publishing of Supreme and District Courts of Appeal reports.

Bill read first time, and referred to Committee on Finance.

By Senator Tyrrell: Senate Bill No. 1250—An Act to appropriate money to pay the deficiency in the appropriation for the support of the Commission of Immigration and Housing of California for the sixty-sixth fiscal year.

Bill read first time, and referred to Committee on Finance.

By Senator Strobridge: Senate Bill No. 1251—An Act to amend section 1 of an Act entitled "An Act to amend section 1 of an Act entitled 'An Act amending an Act making an appropriation for the establishment of a permanent fund for the purchase of jute to be manufactured at the state prison at San Quentin, approved March 9, 1885,' approved March 16, 1889, and to provide for the disposition and use of the surplus money received from the sale of jute goods and not needed for the 'revolving fund' provided for in said Act," approved March 24, 1911.

Bill read first time, and referred to Committee on Finance.

By Senator Thompson: Senate Bill No. 1252—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 1235, relating to dissolution of trust companies.

Bill read first time, and referred to Committee on Judiciary.

By Senator Kehoe: Senate Bill No. 1253—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-second session of the Legislature concerning the adoption of a system of social insurance and making an appropriation therefor.

Bill read first time, and referred to Committee on Insurance.

By Senator Gerdes: Senate Bill No. 1254—An Act re-appropriating the money appropriated to carry out the provisions of the Water Commission Act, approved June 16, 1913, and making the same available for the purpose of said Act during the sixty-seventh and sixty-eighth fiscal years.

Bill read first time, and referred to Committee on Finance.

BILLS RE-COMMITTED.

Senator Anderson asked for and was granted unanimous consent to have Senate Bill No. 229—An Act to add a new section to the Code of Civil Procedure to be numbered 1020, relating to the service of summons in actions for divorce or annulment of marriage;

Also: Senate Bill No. 230—An Act to add a new section to the Civil Code, to be numbered 128*a*, providing for the service of summons and complaint on the district attorney in actions for divorce or annulment of marriage, and conditioning the court's jurisdiction thereon;

Also: Senate Bill No. 231—An Act to add a new section to the Political Code, to be numbered 4153*a*, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and to authorize the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes, and providing for their compensation—which were made a special order for Tuesday, April 13, 1915, at eleven o'clock, re-committed to Committee on Judiciary.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 570—An Act to add a new section to the Political Code to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or the acceptance of rebates on insurance or surety bonds and providing penalty therefor and for the revoking of the license of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto;

Also: Senate Bill No. 900—An Act to amend section 596 of the Political Code concerning certificate of authority of insurance companies; prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof;

Also: Senate Bill No. 1236—An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of education;

Also: Senate Bill No. 524—An Act to amend section 4258 of the Political Code relating to salaries and fees of officers and to the fees to be allowed trial and grand jurors of counties of the twenty-ninth class;

Also: Senate Bill No. 610—An Act to provide for the establishment, government, and maintenance of city planning commissions within municipalities, and prescribing their powers and duties;

And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act;

Also: Senate Bill No. 118—An Act to amend section 4232 of the Political Code of the State of California relating to the salaries, fees, and expenses of officers in counties of the third class;

Also: Senate Bill No. 421—An Act to add to the Civil Code a new section to be numbered 302*a*, providing for the sending of a financial statement to the stockholders of every corporation prior to the annual meeting;

Also: Senate Bill No. 531—An Act to amend section 1750 of the Political Code, relating to adoption of course of study and textbooks by high school boards;

Also: Senate Bill No. 736—An Act to amend section 1619 of the Political Code, relating to rights and privileges in school districts;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

On motion of Senator Jones, Senate Bill No. 720 was passed on file.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 2 of article IX of the Constitution of the said State, relating to the election and salary of a Superintendent of Public Instruction and also by repealing section 10 of article XXII of said Constitution, relating to the term of officers first elected under the Constitution and also to the election and term of office of the successors of such officers and also to the election of judicial officers and the Superintendent of Public Instruction.

On motion of Senator Jones, Senate Constitutional Amendment No. 12 ordered re-referred to Committee on Education.

Senate Bill No. 239—An Act creating a Board of Retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, the Sonoma State Home, state prison at Folsom and state prison at San Quentin, providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement.

On motion of Senator Rush, Senate Bill No. 239 was passed on file.

Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

On motion of Senator Finn, Senate Bill No. 55 was passed on file.

Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a Board of Examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act.

On motion of Senator Scott, Senate Bill No. 310 was passed on file; to retain its place.

Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 954 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Purkitt, Rush, Scott, Slater, Stuckenbruck, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 570—An Act to add a new section to the Political Code to be numbered 633*b*, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or the acceptance of rebates on insurance or surety bonds and providing penalty therefor and for the revoking of the license of any agent or broker violating the same, and prescribing the powers and duties of the insurance commissioner in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 570 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—Senator Ballard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 572—An Act to amend section 633 of the Political Code, concerning the licensing of insurance and surety agents; providing for the revoking of such licenses and providing a penalty for violation thereof.

On motion of Senator Benedict, Senate Bill No. 572 was passed on file.

Senate Bill No. 900—An Act to amend section 596 of the Political Code, concerning certificate of authority to insurance companies; prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 900 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 610—An Act to provide for the establishment, government, and maintenance of city planning commissions within municipalities, and prescribing their powers and duties.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Carr moved to refer to Senator Butler as a Special Committee of One, to amend Senate Bill No. 610, as amended April 8, 1915, as follows:

AMENDMENT NUMBER ONE.

In line 7, of page 3, of the printed bill as amended April 8, 1915, after the word "the", insert the following: "approval or disapproval of maps or".

AMENDMENT NUMBER TWO.

In line 37, of page 3, after the word "uses", insert the word "of".

AMENDMENT NUMBER THREE.

In line 4, of page 4, strike out all after "6." and insert in lieu thereof the word "Any".

AMENDMENT NUMBER FOUR.

In line 9, of page 4, strike out the final word "of" and insert in lieu thereof the word "to".

AMENDMENT NUMBER FIVE.

In line 13, of page 4, after the word "utility", insert a comma.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 610, with instructions to amend, respectfully reports the same back, amended as per instructions.

BUTLER, Committee.

Report read and, on motion of Senator Carr, adopted.

Senate Bill No. 1236—An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of education.

Bill read third time previously.

On motion of Senator Irwin, Senate Bill No. 1236 was passed on file.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 751—An Act to amend section 2287 of the Civil Code of the State of California, relating to appointment of trustees.

On motion of Senator Maddux, Senate Bill No. 751 was passed on file.

Senate Bill No. 783—An Act to amend section 681 of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes.

On motion of Senator Finn, Senate Bill No. 783 was passed on file.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Finn, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Finn, Senate Bill No. 60 was passed on file.

Senate Bill No. 604—An Act to amend sections 2, 6, 8, 11 and 13 of "An Act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof; for the constructions therein or thereon of sidewalks, sewers, manholes, bridges, cesspools, gutters, tunnels, curbing, and cross walks; for the issue of bonds representing the costs and expenses thereof; for a special fund derived in part from the county road fund and in part by special assessment upon a 'district' and for the establishment of such districts. (approved March 21, 1907)."

On motion of Senator Carr, Senate Bill No. 604 was passed on file.

Senate Bill No. 761—An Act to provide for the establishment and maintenance by fire insurance companies of guaranty surplus funds and special reserve funds and thereby limiting liability.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 761 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Campbell gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 954 was passed.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 884—An Act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such and imposing certain duties and functions in connection with such upon certain county officers.

On motion of Senator Breed, Senate Bill No. 884 was passed on file.

Senate Bill No. 314—An Act to amend section 2189 of the Political Code, relating to the discharge of patients from state hospitals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 314 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 315—An Act to amend section 2192 of the Political Code, relating to the commitment of incompetents other than insane persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 315 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the legislature and also reserving to the people of the State of California the power to approve or reject at the polls any Act, or section or part of any Act of the legislature.

COMMITTEE AMENDMENTS.

During the reading of the constitutional amendment, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 18, strike out the word "canned" and insert in lieu thereof the word "called".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 20, after the word "bonded" strike out the following words: "or other".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6, line 24, strike out all of said line after the period; also strike out all of lines 25, 26 and 27 and down to and including the period following the word "legislature" in line 28.

Amendment adopted.

Constitutional amendment ordered to print, and engrossment.

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

On motion of Senator Thompson, Senate Bill No. 1078 was passed on file.

Senate Bill No. 118—To amend section 4232 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in counties of the third class.

On motion of Senator Tyrrell, Senate Bill No. 118 was passed on file.

Senate Bill No. 421—An Act to add to the Civil Code a new section to be numbered 302*a*, providing for the sending of a financial statement to the stockholders of every corporation prior to the annual meeting.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 421 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 842—An Act to amend section 1685 of the Political Code, relating to causes for the suspension or expulsion of school children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 842 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 736—An Act to amend section 1619 of the Political Code, relating to rights and privileges in school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 736 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 74—An Act to amend section two hundred twenty-seven of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan, Senate Bill No. 74 was passed on file.

Senate Bill No. 531—An Act to amend section 1750 of the Political Code, relating to adoption of course of study and textbooks by high school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 531 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

SECOND READING OF SENATE BILLS.

Senate Bill No. 986—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistes the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by adding thereto a new section to be numbered 12*a*.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 15, of the printed bill, strike out the words "for an indefinite period or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 22, of the printed bill, strike out the word "three" in said line and insert in lieu thereof the following: "two".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 22, of the printed bill, strike out the period in said line and insert in lieu thereof a semicolon and the following: "*provided, however*, that in no case shall the fee charged and collected for any position exceed the sum of fifteen dollars."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 189—An Act to be known as the usury law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections 1917, 1918, 1919 and 1920 of the Civil Code and all Acts or parts of Acts in conflict with this Act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, after the comma following the word "demand" strike out the words "or on judgments rendered in any court of this State".

AMENDMENT NUMBER TWO.

On page 1, line 4, after the word "of" strike out the word "six" and insert in lieu thereof the word "seven".

AMENDMENT NUMBER THREE.

On page 2, line 5, after the word "annum" strike out the rest of the line; also all of lines 6, 7, 8, 9, and down to and including the period after the word "therewith" in line 10 and insert in lieu thereof a period.

AMENDMENT NUMBER FOUR.

On page 2, line 22, after the word "payment" strike out the word "of" and insert in lieu thereof the word "or".

On motion of Senator Duncan, the further consideration of the amendments to Senate Bill No. 189 was postponed until the next legislative day.

RECALL OF BILL FROM PRINT.

Senator Butler moved that Assembly Bill No. 240 be recalled from print.

Motion carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 821—An Act to amend sections 2 and 3 of an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913 has had the same under consideration, and respectfully reports and recommends that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 821 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Strobridge, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 24—Relative to the death of the Honorable Frank M. Rutherford.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-FOUR.

Relative to drafting resolutions in memory of the late Honorable Frank M. Rutherford.

WHEREAS, In the disposition of an all-wise Providence, a sad duty has this day fallen to our lot, arising from the death of our esteemed colleague and associate, Honorable Frank M. Rutherford; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Speaker of the Assembly appoint five members of this body, and the President of the Senate appoint five members of the Senate, to act as a joint committee to draft suitable resolutions in memory of our late and esteemed colleague, Honorable Frank M. Rutherford.

Concurrent resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 24 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—37.

NOES—None.

Resolution ordered transmitted to the Assembly.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced in accordance with the above resolution the appointment as such committee: Senators Benedict, Tyrrell, Slater, Rush, and Wolfe.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

SACRAMENTO, April 12, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 25—Relative to the death of the Honorable Frank M. Rutherford.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-FIVE.

Relative to the appointment of a committee to take charge of all arrangements for the funeral services of the late Honorable Frank M. Rutherford.

Resolved by the Assembly, the Senate concurring, That a committee of eight consisting of five members of the Assembly and three members of the Senate, to be named by the Speaker of the Assembly and the President of the Senate, respectively, be appointed, together with the Chief Clerk of the Assembly and the Secretary of the Senate, to take charge of all arrangements for the funeral services of the late Honorable Frank M. Rutherford.

Concurrent resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 25 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

NOES—None.

Resolution ordered transmitted to the Assembly.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced in accordance with the above resolution the appointment of such committee: Senators Birdsall, Breed, Brown, and Secretary Edwin F. Smith.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 316—An Act to amend section 329 of the Civil Code, relating to lost, destroyed or stolen bonds of a corporation;

Also: Senate Bill No. 611—An Act to amend sections 1 and 4 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended June 11, 1913;

And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof;

Also: Senate Bill No. 1034—An Act to amend section 605 of the Political Code of the State of California, relating to the fees of the Insurance Department;

Also: Senate Bill No. 1009—An Act to amend section 1723 of the Code of Civil Procedure of the State of California, relating to disposition of life estates or homesteads, on owner's death, in certain cases;

Also: Senate Bill No. 1010—An Act to amend section 1669 of the Code of Civil Procedure of the State of California, relating to payment of taxes and decree of distribution of estates;

Also: Senate Bill No. 1011—An Act to amend section 1444 of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

MOTION TO RESCIND.

Senator Butler moved that the action, whereby Senate committee amendments to Assembly Bill No. 240 were adopted, April 9, be rescinded, and that the same be recommitted to the Committee on Public Health and Quarantine.

Motion carried.

RECESS.

At twelve o'clock and twenty-eight minutes p.m., on motion of Senator Thompson, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORT OF SELECT COMMITTEE.

By consent of the Senate, the following report of Select Committee was received and read, out of the regular order:

REPORT OF THE SELECT COMMITTEE ON PROGRAM OF ARRANGEMENTS FOR THE FUNERAL SERVICES OF FRANK M. RUTHERFORD.

MR. PRESIDENT: Your Select Committee appointed by Assembly Concurrent Resolution No. 25 begs leave to submit the following order of arrangements for the funeral services:

The services will commence in the Assembly Chamber promptly at 10:30 o'clock a.m. on Tuesday, April 13, 1915. The Senate and Assembly are requested to be in their seats in the Assembly Chamber at 10:00 o'clock.

The Senators are requested to be seated with their respective Assemblymen, in so far as practicable in the same order as in joint convention.

ORDER OF SERVICES.

Selection ---------- Male Quartette
Prayer ---------- Rev. James Whittaker
Prayer ---------- Rev. Father Henry I. Stark, Chaplain of Senate
Sermon ---------- Rev. James Whittaker, Chaplain of Assembly
Remarks—Kenton A. Miller, Grand Chancellor Knights of Pythias of California.
Selection—"Jesus Lover of My Soul" ---------- Male Quartette
Brief Eulogies by Honorable C. C. Young, Speaker of the Assembly and Honorable John M. Eshleman, President of the Senate.
Selection ---------- Male Quartette

At the west end of the Capitol the funeral march will be taken up and the Senators and Assemblymen will be expected to march to the Northern

Electric Depot at Eighth and J streets, where the funeral train will be waiting to take the funeral party to Wyandotte, Butte County, where interment will take place.

BIRDSALL.
BREED.
BROWN.
SMITH.
Committee of the Senate.
JUDSON.
SISSON.
CHENOWETH.
HARRIS.
SHARTEL.
MALLORY.
Committee of the Assembly.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 662—An Act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and electric power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

On motion of Senator Finn, Assembly Bill No. 662 was passed on file.

Assembly Bill No. 36—An Act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bed clothes or bed covering in such hotels; repealing all Acts or parts of Acts in conflict with this Act, providing for its enforcement by the State Board of Health, and providing a penalty for the violation of any of its provisions.

Bill read third time previously.

The question being on the passage of Assembly Bill No. 36.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Cohn moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Beban, Birdsall, Butler, Carr, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddox, Mott, Scott, Shearer, Slater, Stuckenbruck, and Thompson—25.

The Secretary announced the absentees.

Time, two o'clock and fifteen minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At two o'clock and nineteen minutes p.m., Senators Ballard, Wolfe, and Benson were brought to the bar of the Senate, and, on motion of Senator Gerdes, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and twenty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Gerdes.

The Secretary was directed to call the roll, on passage of the bill, of Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 36 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Butler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—25.

NOES—Senators Campbell, Carr, Lyon, and Owens—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 444—An Act to add a new section to the Political Code of the State of California to be numbered section 1752, relating to conventions of high school principals.

On motion of Senator Anderson, Assembly Bill No. 444 was passed on file; to retain its place.

Assembly Bill No. 643—An Act validating the formation and organization, and determining the boundaries of the Pleasanton Township County Water District in the county of Alameda, State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 643 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR FINN IN THE CHAIR.

At two o'clock and twenty-five minutes p.m., Senator Finn of the Twenty-third District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

ASSEMBLY CONCURRENT RESOLUTION NUMBER SIXTEEN.

Providing for the appointment of a committee to devise an improved method of handling bills after introduction.

Resolved by the Assembly of the State of California, the Senate concurring, That a committee consisting of three members of the Senate and three members of the Assembly be appointed for the purpose of devising a suitable method by which bills may be more expeditiously handled after introduction, particularly by providing some acceptable method by which bills proposing amendments to existing laws shall show on their face the matter proposed to be eliminated and the matter proposed to be added, so that members may be saved the time and labor necessary in making comparisons with the existing laws. The President of the Senate shall appoint the Senate members of the committee, and the Speaker of the Assembly shall appoint the Assembly members of said committee. It shall be the duty of the said committee to embody their findings and recommendations in a bill which shall be introduced in the Legislature as soon as possible in the present session.

Concurrent resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 16 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.
NOES—None.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; creating a liability on the part of the employers to pay damages in certain cases; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act.

On motion of Senator Flaherty, Assembly Bill No. 487 was passed on file.

Assembly Bill No. 405—An Act to revise and amend sections 3209, 3215, 3216 and 3222 of the Political Code of the State of California, all relating to weights and measures and the standards thereof, and forming part of chapter VIII, title VII, part III of said Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 405 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 167—An Act to add a new section to the Code of Civil Procedure, to be numbered 981, providing for the payment by parties appealing from judgments in justices' courts of filing fees and calendar fees in the superior court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 167 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 58—An Act to amend section 205 of the Code of Civil Procedure of the State of California, relating to the selection and listing of jurors.

On motion of Senator Campbell, Senate Bill No. 58 was passed on file.

Assembly Bill No. 59—An Act to amend section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

On motion of Senator Campbell, Assembly Bill No. 59 was passed on file.

Assembly Bill No. 83—An Act to amend section 99 of the Code of Civil Procedure of California, relating to justices' courts and justices in townships having population between 250,000 and 400,000.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 83 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 303—An Act to carry into effect the provisions of section 1¼ of article XIII of the Constitution of California, exempting property from taxation in certain instances, and to that end adding a new section to the Political Code to be numbered 3612.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 303 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 737—An Act to amend section 4259 of the Political Code, relating to the salaries and fees of officers in counties of the thirtieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 737 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 912—An Act to amend section 4267 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the thirty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 912 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin,

Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1515—An Act to repeal section 2189 of the Civil Code, relating to passenger who has not paid fare upon a railroad train.

On motion of Senator Strobridge, Assembly Bill No. 1515 was passed on file.

Assembly Bill No. 623—An Act to amend section 4240 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 623 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 393—An Act to amend section 4221*a* of the Political Code of the State of California, relating to the amount of money that the boards of supervisors of the several counties may set apart and pay into the "Law Library Fund."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 393 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 373—An Act to add a new section to the Penal Code of the State of California to be numbered 504*a*, relating to embezzlement, removal and disposal of leased property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 373 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1491—An Act to add a new section to the Political Code to be numbered 3408*f*, relating to indemnity certificates of location of scrip issued pursuant to the provisions of section 3408*d* of said code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1491 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 589—An Act to amend section 7 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

On motion of Senator Butler, Assembly Bill No. 589 was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At three o'clock and five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1502—An Act to amend sections 717 and 718 of the Civil Code of the State of California, relating to the leasing of agricultural lands and to the leasing of lands for agriculture and horticultural purposes, and to the leasing of property of a municipality, a minor or incompetent person, and to the leasing of city or town lots.

On motion of Senator Kehoe, Assembly Bill No. 1502 was passed on file.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 699—An Act to amend section 632 and to repeal section 632½ of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 251—An Act to provide the manner in which protection districts may be dissolved;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 1012—An Act to amend chapter 595 of the laws of the session of the Legislature of California of 1913, approved June 16, 1913, known as the "Inheritance Tax Act," by amending sections 6 and 9 thereof;

Also: Senate Bill No. 899—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section 188, relating to the disposition of funds paid by order of court;

Also: Senate Bill No. 1036—An Act to provide for the regulation of the sale of shingles by makers, manufacturers and dealers thereof;

Also: Senate Bill No. 377—An Act to amend section 225 of the Code of Civil Procedure, relating to the manner of serving jurors by the sheriff;

Also: Senate Bill No. 1077—An Act to amend section 13 of an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913;

Also: Senate Bill No. 344—An Act to add a new section to the Civil Code to be numbered 485*a*, relating to crossings over railroads;

Also: Senate Bill No. 414—An Act to amend section 1251 of the Code of Civil procedure of the State of California, relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed;

Also: Senate Bill No. 957—An Act to amend section 10 of an Act entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as amended February 6, 1911, April 21, 1911, December 18, 1911, December 24, 1911, and May 6, 1913;

Also: Senate Bill No. 1229—An Act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law;

Also: Senate Bill No. 801—An Act providing for the establishment by the Commission of Immigration and Housing of California of zones or areas on docks where immigrants are landed; prescribing the powers and duties of the said commission with regard thereto; and providing a penalty for violation of the provisions hereof;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, have examined Senate Bill No. 499—An Act to provide for the formation, organization and government of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and water courses, canyons, washes or swales, for the purpose of saving and conserving any storm water, flood water or snow water for beneficial and useful purposes, for the prevention of the overflow thereof, by widening, deepening and straightening and otherwise improving the said channels, and by constructing new channels, for the condemnation of property therefor, and for the construction of the necessary works for the protection against, and conservation of said storm, flood or snow waters by said district, and for the issuance of bonds representing the costs and expenses thereof, and for levying assessments to pay the interest and principal of such bonds, and for levying an assessment to extend, repair or maintain such work;

Also: Senate Bill No. 1035—An Act to amend section 634 of the Political Code of the State of California, relating to the registration of policies of life insurance companies;

Also: Senate Bill No. 571—An Act to prohibit insurance companies, associations, or societies and their agents from misrepresenting the terms of any policy of insurance;

Also: Senate Bill No. 1197—An Act to add a new section to the Penal Code to be numbered 508*a*, relating to insurance premiums;

Also: Senate Bill No. 857—An Act to make lawful certain agreements between employees and laborers, and to limit the issuing of injunctions in certain cases;

Also: Senate Bill No. 595—An Act to amend section 4014 of the Political Code of the State of California;

Also: Senate Bill No. 1196—An Act to amend section 398 of the Code of Civil Procedure relating to the transfer of actions in the Superior Court;

Also: Senate Bill No. 749—An Act to amend section 1167 of the Code of Civil Procedure relating to service of summons in unlawful detainer;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of the motion of Senator Campbell to reconsider the vote whereby Senate Bill No. 452—An Act to amend sections 1768 and 1770 of the Political Code of the State of California, relating to the nomination, appointment and organization of county boards of education—was passed, heretofore set as a special order for this time, the same was taken up for consideration.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 452 was passed, lost by the following vote:

AYES—Senators Duncan, and Stuckenbruck—2.

NOES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—30.

Senate Bill No. 452 ordered transmitted to the Assembly.

PRIVILEGE OF THE FLOOR EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Walter N. Parrish, of Oakland, ex-Secretary of the Senate.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 510, heretofore set as a special order for this time, the same was taken up for consideration. Senate Bill No. 510—An Act to amend sections 2, 12, 13, 15, 16, 17, 19, 20, 22, 24, 25, 26, 29, 30, 31, 32, 33, 34, 36, 37, 46, 47, 57, 71, 72, 75, 76, 77 and 81 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'state compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913, and to add thereto a new section to be numbered 75*a*.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Luce moved to refer Senate Bill No. 510 to Senator Flaherty as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 32, of the printed bill, strike out the word "fifteenth" and insert in lieu thereof the word "eighth".

AMENDMENT NUMBER TWO.

On page 6, line 1, of the printed bill strike out the word "two" and insert the word "one".

AMENDMENT NUMBER THREE.

On page 6, line 4, of the printed bill, strike out the word "two" and insert in lieu thereof the word "one".

AMENDMENT NUMBER FOUR.

On page 6, line 7, of the printed bill, strike out the words "two weeks" and insert the word "week".

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Finn, Gerdes, and Luce.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One carried by the following vote:

AYES—Senators Beban, Birdsall, Brown, Butler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, King, Luce, Lyon, Owens, Rush, Scott, Slater, Tyrell, and Welfe—20.

NOES—Senators Anderson, Ballard, Benedict, Benson, Breed, Campbell, Cogswell, Irwin, Jones, Kehoe, Maddux, Mott, Purkitt, Shearer, Strobridge, Stuckenbruck, and Thompson—17.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 510, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLAHERTY, Committee.

Report read.

The question being on the adoption of the report.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Campbell, Jones, and Shearer.

Thereupon the Secretary was directed to call the roll.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Campbell moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon,, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Welfe—37.

The Secretary announced the absentees.

Time, four o'clock and seven minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and ten minutes p.m., Senators Chandler and Carr were brought to the bar of the Senate, and, on motion of Senator Slater, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and fourteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Benson.

The Secretary was directed to call the roll, on adoption of the report of Senators who had not answered to their names.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Beban, Birdsall, Brown, Butler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, King, Luce, Lyon, Owens, Scott, Slater, Tyrrell, and Wolfe—19.

NOES—Senators Anderson, Ballard, Benedict, Benson, Breed, Campbell, Carr, Chandler, Cogswell, Irwin, Jones, Kehoe, Maddux, Mott, Purkitt, Rush, Shearer, Strobridge, Stuckenbruck, and Thompson—20.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Luce moved to refer Senate Bill No. 510 to Senator Flaherty, as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

On page 5 of the printed bill, line 29, strike out the period at the end of said line and insert the following: "*provided, however*, that the injured employee shall have the right to the services of his usual physician or surgeon and that the compensation for the services of said physician or surgeon in such cases, if there arises any dispute in regard thereto, shall be determined by the Commission; *and provided, further*, that the Commission may upon the request of the employer or insurance carrier and upon good cause being shown therefor, order the said employee to submit to the care and treatment of a physician or surgeon, selected by the Commission and to be paid by said employer or insurance carrier, such fee as may be, in case of dispute, fixed by said Commission; *and provided, further*, that said employee shall submit himself at all reasonable times, during treatment for any injury, to an examination by a physician or surgeon employed by said employer or insurance carrier."

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll coll was demanded by Senators Luce, Duncan, and Purkitt.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One lost by the following vote:

AYES—Senators Beban, Birdsall, Brown, Butler, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, King, Luce, Lyon, Rush, Scott, and Wolfe—16.

NOES—Senators Anderson, Ballard, Benedict, Benson, Breed, Campbell, Carr, Chandler, Cogswell, Flint, Jones, Kehoe, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—21.

SENATOR COGSWELL IN THE CHAIR.

At five o'clock and five minutes p.m., Senator Cogswell of the Thirty-third District in the chair.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED TEN—(RESUMED).

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 510 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At five o'clock and twelve minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committee were received and read, out of the regular order:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 715—An Act to provide for and regulate primary elections and providing for the election of party committees, and to repeal the Act providing for and regulating primary elections known as the direct primary law and approved June 16, 1913, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act;

Also: Assembly Bill No. 1456—An Act to amend section 1197 of the Political Code, relating to form of ballots;

Also: Assembly Bill No. 1526—An Act to amend sections 1073, 1079, 1083*a*, 1094, 1096, 1097, 1113, 1115, 1127, 1129, 1130, 1133, 1192, 1288, 1290, 1294 and 4025 of the Political Code, relating to elections; to add a new section to the same code to be numbered 1083*b* relating to the same subject-matter, and to repeal sections 1097*a*, 1102, 1143, 1253, 1285, 1286, 1287, 1334, 1335, 1344, 1345, 1359, 1361*a*, 1366*a* and 4026 of the Political Code, also relating to the same subject matter;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass, as amended.

BENSON, Chairman.

Assembly Bills Nos. 715, 1456 and 1526 ordered on file for second reading.

Also:

SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1457—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for nomination by their party for president of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an Act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BENSON, Chairman.

Assembly Bill No. 1457 ordered on file for second reading.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Benson asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from committee on this legislative day.

Assembly Bill No. 715—An Act to provide for and regulate primary elections and providing for the election of party committees, and to repeal the Act providing for and regulating primary elections known as the direct primary law and approved June 16, 1913, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, lines 11 and 12 of the printed bill, strike out the words: "enacted at the fortieth" and insert in lieu thereof: "amended at the forty-first".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, lines 23 and 24 of the printed bill, strike out the words "by one political party for any office", and insert in lieu thereof the words: "for a congressional office by one political party".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 9, line 15 of the printed bill, after the word "electors" insert the word "resident".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 9, just before line 18, of the printed bill, insert a paragraph containing a new subdivision, as follows:

3. When verification deputies have been appointed by either of the two methods set out in section 12 of this Act, verification deputies shall not be appointed in behalf of the same candidate for the same office by the other method; *provided, however*, that in case verification deputies shall have been appointed contrary to this provision the candidate in whose behalf said verification deputies have been appointed shall elect which of the two methods shall be followed and only the signatures secured by the verification deputies by the method so elected by such candidate shall be received and filed as provided in this Act; *and provided, further*, that in the case of a candidate for congressional office the above provision shall not prevent the appointment of verification deputies to secure signatures to a nomination paper in one party by one method and to secure signatures to a nomination paper in another party by the other method set out in said section 12 nor affect the validity of such signatures so secured."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 9 of the printed bill, renumber the present subdivision "3" as "4", and renumber the present subdivision "4" as "5".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 9, line 19 of the printed bill, before the "," insert the words: "or the office of delegate to a national party convention".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 9, line 24 of the printed bill, strike out the "." and in lieu thereof insert a "," and the following: "and we each do hereby declare it our intention to affiliate with said -------------- party at said primary election."

Amendment adopted.

AMENDMENT NUMBER EIGHT

On page 9, line 30 of the printed bill, before the "," insert the words: "or the office of delegate to a national party convention".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 9, line 33 of the printed bill, strike out the word "shall" and omit all of line 34 and insert in lieu thereof the following: "the office of Presidential Elector, or the office of delegate to a national party convention, shall any candidate for any office be the candidate of any political party; and other than those candidates nominated by political parties as herein excepted, the candidates nominated by electors for all offices shall be non-partisan candidates, and the offices for which they are nominated shall be non-partisan offices".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 11, line 34 of the printed bill, before the "," insert the words: "or for the office of delegate to a national party convention".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 14, line 37 of the printed bill, strike out the word "which" and insert in lieu thereof the words: "of a person who is not registered or whose signature upon the nomination paper".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 22, line 25 of the printed bill, strike out the word "officers" where it occurs the second time in said line and insert in lieu thereof the word "offices"; and in line 27 of the same page, omit the word "officers" and insert in lieu thereof the word "offices".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On the back of the ballot and immediately below the center thereof, print in 18 point gothic capital type the words:

"OFFICIAL PRIMARY ELECTION BALLOT.
"EIGHTH CONGRESSIONAL DISTRICT.
"SEVENTEENTH SENATORIAL DISTRICT.
"FORTY-EIGHTH ASSEMBLY DISTRICT.
"THIRD SUPERVISORIAL DISTRICT OF MONTEREY COUNTY."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 27, line 3 of the printed bill, strike out the words "in any", and insert in lieu thereof the words: "or registrar of voters in every county or".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 27, line 12 of the printed bill, strike out the words: "one sample ballot".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 27, line 15 of the printed bill, strike out the words: "ten nor less than five" and insert in lieu thereof the words: "twenty nor less than seven".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 39, line 15 of the printed bill, strike out the word "primary" and insert in lieu thereof the word "final".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 40, line 16 of the printed bill, after the word "county" insert the words "in which a contest may be had".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 40, strike out lines 24 to 31, inclusive, of the printed bill, and insert in lieu thereof, the following: "with. If the office contested is one to be voted upon in more than one county, the time within which such contest may be brought in any county involved shall begin to run at the time of the declaration of the official canvass by the board of supervisors of the county last making such declaration."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1456—An Act to amend section 1197 of the Political Code, relating to form of ballots.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On the ballot containing the electors of President and Vice President, in the third column before the words "congressional district" insert the word "First"; also, before the words "senatorial district" insert the word "First"; also, before the words "assembly district" insert the word "First"; also strike out the word "supervisor" and insert in lieu thereof the words "First supervisorial".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, before the word Section, insert the word and figure "SECTION 1" and a period.

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1526—An Act to amend sections 1073, 1079, 1083*a*, 1094, 1096, 1097, 1113, 1115, 1127, 1129, 1130, 1133, 1192, 1288, 1290, 1294 and 4025 of the Political Code relating to elections; to add a new section to the same code to be numbered 1083*b* relating to the same subject-matter, and to repeal sections 1097*a*, 1102, 1143, 1253, 1285, 1286, 1287, 1334, 1335, 1344, 1345, 1359, 1361*a*, 1366*a* and 4026 of the Political Code, also relating to the same subject-matter.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the line near the top of the affidavit commencing with the words "one year" strike out the "." and the words "I am", and all in the next line as far as the ",".

Amendment adopted.

AMENDMENT NUMBER TWO.

Above the line commencing with the figure "1" insert the following:

"1. I have not (have) registered from any other precinct in the State since January 1st, 1916" (or the year when registration commenced) (Mark out words "have not" or "have" as the case may be, and if applicant has so previously registered or has previously registered under another name, fill out the appropriate blanks at the top of the affidavit)".

Amendment adopted.

AMENDMENT NUMBER THREE.

Change the numbers on the affidavit "1 to 7' inclusive, respectively, to "2 to 8" inclusive.

Amendment adopted.

AMENDMENT NUMBER FOUR.

Omit the line on the affidavit beginning with the figure "8" and omit the three following lines (including the blank line).

Amendment adopted.

AMENDMENT NUMBER FIVE.

Insert on the form of the affidavit above the words "Affidavit of Registration" as follows: "Statement of Transfer or Change of Name. I am registered under the name of ---------------- from the following precinct or address ------------ in this county; (or in -------------------- county; and I hereby authorize the cancellation of my last previous registration in said ------------------ county)."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 13, lines 16 and 17 of the printed bill, strike out the words "in any county or city and county".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 13, line 18 of the printed bill, after the word "in" insert the words "the margin of".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1457—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for nomination by their party for president of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an Act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 209—An Act to amend section 9 of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 404—An Act to amend section 654 *a* of the Penal Code, relating to false representations as to property advertised to be sold and service advertised to be performed.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, strike out all of lines 15 and 16 and insert in lieu thereof the following: "and which is known, or which by the exercise of reasonable care should be known, to be false or untrue, deceptive or misleading, by the person, firm, corporation or association making, publishing, disseminating, circulating or placing before the public said advertisement, shall be guilty of a misdemeanor; *provided, however*, that this Act shall not apply to any publisher of a newspaper, magazine, or other publication, who publishes said advertisement in good faith, without knowledge of its false, deceptive, or misleading character."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 821—An Act to amend sections 2 and 3 of an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the

University of California, and to provide penalties for violation thereof," approved June 12, 1913.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, after the words "An Act", strike out all of the title, and insert in lieu thereof the following: "to amend sections 1 and 11 of an Act entitled 'An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof," approved June 12, 1913.' "

Amendment adopted.

AMENDMENT NUMBER TWO.

After the enacting clause of the printed bill, strike out all of lines 1 to 4 inclusive on page 1, all of lines 1 to 37 on page 2, and all of lines 1 to 9 inclusive on page 3, and insert in lieu thereof the following:

"SECTION 1. Section 1 of an Act entitled 'An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled "An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof," approved June 12, 1913,' is hereby amended to read as follows:

" 'Section 1. Within thirty days after this Act takes effect the State Board of Health shall establish and maintain a department of examination and registration of graduate nurses, as hereinafter provided. The State Board of Health shall appoint a director whose salary shall be fixed by the board and said director shall have been graduated from an accredited training school for nurses, as defined in this Act, and shall be duly registered under the provisions of this Act. Said director shall visit and inspect all training schools in this State, subject to the provisions of this Act, at such times as may be required by the Secretary of the board, and shall perform all duties required by this Act and such other duties as may be required by the State Board of Health in order to carry out the objects and provisions of this Act. Lists of accredited training schools for nurses and a register of the names of all nurses duly registered under this Act shall be prepared and kept by the department. An annual report shall be prepared and filed before January first of each year.'

"SEC. 2. Section 11 of said Act is hereby amended to read as follows:

" 'Sec. 11. Within ten days after the beginning of each month the Secretary of the State Board of Health shall report to the Controller the amount and source of all collections made under the provisions of this Act, and at the same time all such amounts shall be paid into the state treasury and shall be placed to the credit of the special fund to be known as the fund for examination and registration of nurses. All amounts paid into this fund shall be held subject to the order of the State Board of Health, to be used only for the purpose of meeting necessary expenses in the performance of the purposes of and the duties imposed by this Act. Claims against the fund shall be audited by the State Board of Health and by the Board of Control and shall be paid by the State Treasurer upon warrants drawn by the State Controller.' "

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

RECALL OF BILL FROM PRINT.

Senator Breed moved that Senate Bill No. 986 be recalled from print and that the same be restored to its place on the second reading file.

Motion carried.

NOTICE OF MOTION TO RECONSIDER.

Senator Luce gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 510 was passed.

REQUESTS FOR INTRODUCTION OF BILLS.

Senator Lyon requested permission to introduce a Senate bill entitled "An Act to appropriate money to pay the expense of street improvements fronting the property of the University of California Medical School in the city of Los Angeles."

Request referred to Committee on Introduction of Bills.

Also: Senator Breed requested permission to introduce a Senate bill entitled "An Act to appropriate money for purchase and installation of heating system at the California school for the Deaf and the Blind."

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 1123 An Act to amend section 1272 of the Code of Civil Procedure, relating to escheated property and the procedure in relation thereto;

Also: Senate Bill No. 1124 An Act to add a new section to the Code of Civil Procedure, to be numbered 1269*a* relating to escheated property and the procedure in relation thereto;

Also: Senate Bill No. 497—An Act to amend the Political Code by changing the headings of the title to chapter II of title V of part III of said Political Code; also by changing the headings of the title to article I of chapter II of title V of part III of said Political Code; and to repeal section 2236 of said Political Code; and to amend sections 2238, 2239 and 2240 of said Political Code; and to repeal sections 2241 and 2242 of said Political Code; and to amend section 2243 of said Political Code; and to amend said Political Code by changing the headings of the title to article II of chapter II of title V of part III of said Political Code; and to amend sections 2254 and 2255 of said Political Code; and to repeal section 2256 of said Political Code; and to amend said Political Code by changing the headings of article III of chapter II of title V of part III of said Political Code; and to amend sections 2267 and 2268 of said Political Code; and to repeal section 2269 of said Political Code; and to amend said Political Code by changing the headings of article IV of chapter II of title V of part III of said Political Code; and to amend section 2280 of said Political Code; and to repeal section 2281 of said Political Code, all relating to the California School for the Deaf and the Blind.

Also: Senate Bill No. 757—An Act to amend section 626 of the Penal Code of the State of California, relating to the protection of fish and game:

Also: Senate Bill No. 257—An Act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of an Act entitled "An Act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an Act approved April 14, 1911, as further amended by an Act approved June 2, 1913; and to add to said Act three new sections to be numbered 16, 17 and 18, respectively, relating to the employment and hours of labor of children, providing for the administration of the provisions of the Act, and repealing all Acts inconsistent herewith: And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 597—An Act to amend sections 190, 192, 193, 194, 195 and 201 of the Code of Civil Procedure, relating to jurors—and reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 848—An Act to amend section 4279 of the Political Code, relating to salaries of county officers for counties of the fiftieth class;

Also: Senate Bill No. 29—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules and providing a penalty therefor;

Also: Senate Bill No. 831—An Act to amend section 626f of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 853—An Act to add a new section to the Penal Code of the State of California, to be numbered 626s, relating to the protection of game;

Also: Senate Bill No. 413—An Act to amend section 1247 of the Code of Civil Procedure, relating to the jurisdiction of a court to regulate the mode of making crossings;

Also: Senate Bill No. 415—An Act to amend section 465 of the Civil Code, relating to the powers of railroad corporations;

Also: Senate Bill No. 719—An Act to amend section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under title VII, part III of the Code of Civil Procedure;

Also: Senate Bill No. 565—An Act empowering municipal corporations to secure and enforce payment of rates and charges for water, gas or electricity furnished by them;

Also: Senate Bill No. 1169—An Act enabling any city or town maintaining a free public swimming bath to take water therefor from a public utility water ditch, and after such use to return the water to the ditch, provided the latter is not used for domestic or municipal purposes;

Also: Senate Bill No. 895—An Act to amend an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof'," approved June 12, 1913, by adding thereto a new section to be known as section 12, limiting the hours of employment of female pupil or student nurses in hospitals, prescribing penalties for the violation thereof, and providing for the enforcement of the restrictions imposed;

Also: Senate Bill No. 1227—An Act to prevent the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service, and to prescribe penalties for violation of the provisions hereof;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF SENATE BILL—(OUT OF ORDER).

Senator Shearer asked for, and was granted, unanimous consent to take up Senate Bill No. 524 for third reading at this time, out of the regular order.

Senate Bill No. 524—An Act to amend section 4258 of the Political Code, relating to salaries and fees of officers and to the fees to be allowed trial and grand jurors of counties of the twenty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 524 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Crowley asked for, and was granted, unanimous consent to take up the consideration at this time of Senate Bill No. 517, out of the regular order.

Senate Bill No. 517—An Act granting municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railroad, canal, ditch or flume.

On motion of Senator Crowley, Senate Bill No. 517 was ordered to the file of Unfinished Business.

THIRD READING OF SENATE BILL—(OUT OF ORDER).

Senator Tyrrell asked for, and was granted, unanimous consent to take up the third reading at this time of Senate Bill No. 316, out of the regular order.

Senate Bill No. 316—An Act to amend section 329 of the Civil Code, relating to lost, destroyed or stolen bonds of a corporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 316 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Carr, Cegswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Irwin, Jones, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompsen, Tyrrell, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At five o'clock and forty-five minutes p.m., on motion of Senator Kehoe, the President pro tem. declared the Senate adjourned out of respect to the memory of the late Honorable Frank M. Rutherford, Assemblyman from the Ninth District, until Wednesday, April 14, 1915, at 10 o'clock a.m.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Wednesday, April 14, 1915.

Pursuant to adjournment, the Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry L. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 12, 1915, the further reading was dispensed with, on motion of Senator Rush.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By the Secretary:

PASADENA, CALIFORNIA, April 12, 1915.

California State Senators, Sacramento, Cal:

HONORABLE GENTLEMEN: I wish to endorse the Chandler bill (Senate Bill No. 861) in the interests of California horticulture and pomology. Kindly give it your personal, careful consideration, and your material support by voting for its passage.

Any effort you may use in the support of this bill will be greatly appreciated.

Yours to command,

J. B. WAGNER.

Also:

By the Secretary:

LOS ANGELES, CALIFORNIA, April 8, 1915.

Hon. Members of the State Legislature, Sacramento, California:

GENTLEMEN: I, the undersigned, a teacher of music, do hereby protest against the passage of Assembly Bill No. 543, in its original or amended form, and do most emphatically endorse the action of protest of the Los Angeles Music Teachers' Association against the said bill, and I furthermore petition you, each and every member of the Assembly, to vote against the said Assembly Bill No. 543 in any form in which it may be presented to the Assembly for action.

W. P. CHAMBERS.

Also:

NORTHERN AMADOR COUNTY MERCHANTS' ASSOCIATION.

A resolution protesting against the proposed abandonment of the State Highway in Amador County.

WHEREAS, An Act has been introduced in this State Legislature for the abandonment of the State Highway in Amador County; and

WHEREAS, The State has very efficiently expended many thousands of dollars in the building and maintenance of said highway, which sum of money should not be wasted; and

WHEREAS, This State Highway is a great convenience to the traveling public, hundreds of people traveling over the route, especially during the summer vacation season; and

WHEREAS, This highway route traverses a portion of California rich in historical interest as well as scenic beauty, and tends to open up a territory well worthy of investigation and of great and growing interest to all Californians; therefore, be it

Resolved, That the State Highway in Amador County should not be abandoned; and be it further

Resolved, By the Northern Amador County Merchants' Association, by this resolution adopted, that Hon. J. W. Stuckenbruck, State Senator from this district, and Hon. Robt. I. Kerr, Assemblyman from this district, be requested to vote against, and to use all honorable means to defeat any law tending toward the abandonment of the State Highway in Amador County; and be it further

Resolved, That a copy of this resolution be sent to his Excellency, Governor Hiram W. Johnson; a copy be sent to Senator J. W. Stuckenbruck; a copy be sent to Assemblyman Robert I. Kerr, and a copy be spread on the minutes of this meeting.

Adopted April 9, 1915.

NORTHERN AMADOR COUNTY MERCHANTS' ASSOCIATION.
C. E. RICHARDS, President.

Attest: VIRGIL W. HORTON, Secretary.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 6 passed Assembly Bill No. 67—An Act to protect any child or person enrolled or in attendance upon any public or private school, or other educational institution, within the State of California, from compulsory vaccination; and to prevent vaccination being made a condition precedent or a prerequisite to admission to or attendance upon any of the public or private schools or other educational institutions within the State of California; making violations thereof a misdemeanor; providing penalties, making exceptions as to private educational institutions; and repealing an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An Act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1889," approved March 7, 1911.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 67 read first time, and referred to Committee on Education.

Also:

SACRAMENTO, April 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1286—An Act to amend section 1105 of the Political Code, relating to the cancellation of registrations;

Also: Assembly Bill No. 1289—An Act to amend section 1284 of the Political Code, relating to certificates of election;

Also: Assembly Bill No. 851—An Act to establish a standard for the packing in the State of California of the kinds of fresh fruits specified in this Act, for sale or for transportation for sale, for interstate and foreign shipment, and to prevent deception in the packing; also to establish a system of inspection for the same.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1286 and 1289 read first time, and referred to Committee on Elections.

Assembly Bill No. 851 read first time, and referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations to which was referred Assembly Bill No. 1535—An Act to amend sections 3, 5, 6, 7, 9, 11, 12, 18, 21, 23, 25, 27, 42, 43, 60, 63, 66, 67, 74 and 75 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and repealing section 36, and sections 84, 85, 86, 87, 88 and 89 thereof, relating to work in unincorporated territory—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Assembly Bill No. 1535 ordered on file for second reading.

Also:

SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations to which was referred Senate Bill No. 1180—An Act to amend an Act to amend sections 1, 2, 3, 4 and 5 of an Act entitled "An Act to provide for the division of municipalities into sewer districts and for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14. 1911—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 1180 ordered on file for second reading.

THIRD READING OF SENATE BILL—OUT OF ORDER.

Senator Tyrrell asked for, and was granted, unanimous consent to take up Senate Bill No. 1007 for third reading at this time, out of the regular order.

Senate Bill No. 1007—An Act to provide for the re-assessments by municipal corporations on property benefited by street work done under authority of the governing bodies thereof; providing for the method of making and collecting such assessments and for the payment of contractors and others performing labor or supplying materials for the work done out of funds so raised or bonds issued by municipal corporations.

Bill read third time.

REPORTS OF STANDING COMMITTEES—RESUMED.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was re-referred Senate Bill No. 1007—An Act to provide for re-assessments by Municipal Corporations on property benefited by street work done under authority of the governing bodies thereof; providing for the method of making and collecting such assessments and for the payment of contractors and others performing labor or supplying materials for the work done out of funds so raised or bonds issued by municipal corporations—has had the same under consideration, and respectfully reports the same back and recommends that it be referred to Senator Purkitt as a Special Committee of One to amend, as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, strike out the word "the" at the end of the line.

AMENDMENT NUMBER TWO.

On page 1, strike out all of lines 6, 7 and 8, commencing with the word "owners" on line 6, down to and including the word "and" in line 8.

AMENDMENT NUMBER THREE.

On page 1, line 9, after the word "assessment," insert: "or the ordinance under which such street work was done or improvement made,".

AMENDMENT NUMBER FOUR.

On page 1, line 9, strike out "set aside or".

AMENDMENT NUMBER FIVE.

On page 2, line 3, after the word "levied", insert "and there had been no objection made prior to the commencement of the work,".

AMENDMENT NUMBER SIX.

On page 2, line 19, strike out the word "of", and insert in lieu thereof the word "for".

AMENDMENT NUMBER SEVEN.

On page 5, line 10, after the word "assessment", strike out the period and add "and that on the ---------- day of --------------------, 1915, the board of trustees (city council) will meet at ---------------------, in the town (city) of ----------------------, at ---------- o'clock ----m., for the purpose of hearing any and all objections to such re-assessment".

AMENDMENT NUMBER EIGHT.

On page 5, line 29, strike out the words "show that", and insert in lieu thereof "appear before the board and make known his objections to such assessment".

AMENDMENT NUMBER NINE.

On page 5, strike out all of lines 30, 31 and 32, commencing with the word "he" in line 30, and down to and including the word "made" in line 32.

AMENDMENT NUMBER TEN.

On page 5, line 35, strike out "and where it is found".

AMENDMENT NUMBER ELEVEN.

On page 5, strike all of lines 36 and 37, and lines 1 and 2, page 6, and the words "owned by such owners" on line 3, page 6.

AMENDMENT NUMBER TWELVE.

On page 8, line 30, strike out the line between the words "of" and "per", and insert in lieu thereof the word "six".

AMENDMENT NUMBER THIRTEEN.

On page 9, line 12, strike out the line between the words "of" and "per", and insert in lieu thereof the word "six".

TYRRELL, Chairman.

Report adopted.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the President appointed Senator Purkitt a Special Committee of One to amend Senate Bill No. 1007 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1007, with instructions to amend, respectfully reports the same back, amended as per instructions.

PURKITT, Committee.

Report read and, on motion of Senator Tyrrell, adopted.
Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 908—An Act amending section 3466½ of the Political Code of the State of California, relating to invalid assessments in reclamation districts, and providing for the re-assessments of said lands:

Also: Assembly Bill No. 286—An Act authorizing the issuance of letters patent to P. W. Fahey for certain swamp and overflowed land in Tuolumne County, California:

Has had the same under consideration, and respectfully reports the same back and recommends that they be re-referred to the Committee on Judiciary.

CHANDLER, Chairman.

Assembly Bills Nos. 908 and 286 ordered re-referred to Committee on Judiciary.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 737—An Act to amend section 4259 of the Political Code, relating to the salaries and fees of officers in counties of the thirtieth class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 14, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 20—Relative to the liberty bell.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Thompson asked for, and was granted, unanimous consent to take up for adoption at this time Assembly Concurrent Resolution No. 20, without reference to committee.

ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY.

Relative to the Liberty Bell.

WHEREAS, The Panama-Pacific International Exposition celebrates the successful completion by the United States of the Panama Canal, one of the greatest achievements of science the world has ever witnessed; and

WHEREAS, The "Liberty Bell," the historic relic that first announced to the world the establishment by these United States of the freedom of our citizens, is cherished by our entire nation; and

WHEREAS, It would seem most appropriate that the people of the world, while celebrating the one great event, should be impressed by the significance, and reminded of our national history by the presence at such exposition of the "Liberty Bell"; and

WHEREAS, Respect of our country, its history and government, the admiration for the founders of our nation, was fostered and stimulated by the patriotic courtesy of the authorities of Philadelphia in exhibiting the "Liberty Bell" at the world's expositions held in Chicago and St. Louis; and

WHEREAS, The building at the Panama-Pacific International Exposition representing the participation therein of the commonwealth of Pennsylvania has been specifically designed and constructed to exhibit, protect and safeguard this national treasure; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That we most earnestly request and urge the honorable Mayor and the Council of Philadelphia to consent and provide that the "Liberty Bell" be exhibited at the Panama-Pacific International Exposition, and that we assure them that if they so consent, we pledge ourselves that every means will be exercised to preserve the safety of the bell that they and we and all the people of these United States so deeply revere.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 20 adopted by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—31.

NOES—None.

Assembly Concurrent Resolution No. 20 ordered transmitted to the Assembly.

MOTION.

Senator Thompson moved that the message of adoption of Assembly Concurrent Resolution No. 20 immediately be transmitted to the Assembly.

Motion carried.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Brown, the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Campbell moved to reconsider the vote whereby Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12—was passed.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Campbell, the consideration of the above motion to reconsider was postponed until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice on a previous day, Senator Luce moved to reconsider the vote whereby Senate Bill No. 510—An Act to amend sections 2, 12, 13, 15, 16, 17, 19, 20, 22, 24, 25, 26, 29, 30, 31, 32, 33, 34, 36, 37, 46, 47, 57, 71, 72, 75, 76, 77 and 81 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'state compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913, and to add thereto a new section to be numbered 75*a*—was passed.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Luce, the consideration of the above motion to reconsider was postponed until the next legislative day.

REQUEST FOR INTRODUCTION OF BILL.

Senator Flaherty requested permission to introduce a Senate bill entitled:

"An Act providing for the printing and binding of the decisions of the Supreme Court and the District Courts of Appeal of the State of

California, by the Superintendent of State Printing, and for the sale and distribution thereof."

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 597—An Act to amend sections 190, 192, 193, 194, 195 and 201 of the Code of Civil Procedure, relating to jurors.

Bill read third time.

On motion of Senator Butler, Senate Bill No. 597 was passed on file.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

On motion of Senator Jones, Senate Bill No. 720 was passed on file.

Senate Bill No. 239—An Act creating a Board of Retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, the Sonoma State Home, state prison at Folsom and state prison at San Quentin, providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement.

Bill read third time previously.

MOTION TO REFER TO COMMITTEE OF ONE.

Senator Rush moved to refer to Senator Finn as a Special Committee of One to amend Senate Bill No. 239 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, strike out the period and insert in lieu thereof the following: "to keep, invest, maintain and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, the Sonoma State Home, state prison at Folsom and state prison at San Quentin."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 239, with instructions to amend, respectfully reports the same back, amended as per instructions.

FINN, Committee.

Report read and, on motion of Senator Rush, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 611—An Act to amend sections 1 and 4 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907.

On motion of Senator Carr, Senate Bill No. 611 was passed on file, to retain its place.

Senate Bill No. 1236—An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of education.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Duncan moved to refer to Senator Luce as a Special Committee of One, to amend Senate Bill No. 1236 as follows:

AMENDMENT NUMBER ONE.

By striking out of section 2, page 4, line 16, the words found on lines 16 to 21, inclusive.

Motion lost.

On motion of Senator Jones, further consideration of Senate Bill No. 1236 was passed temporarily.

Senate Bill No. 604—An Act to amend sections 2, 6, 8, 11 and 13 of "An Act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof; for the constructions therein or thereon of sidewalks, sewers, manholes, bridges, cesspools, gutters, tunnels, curbing, and cross walks; for the issue of bonds representing the costs and expenses thereof; for a special fund derived in part from the county road fund and in part by special assessment upon a 'district' and for the establishment of such districts, (approved March 21, 1907)."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 604 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 884—An Act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the constructon of works and for the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such and imposing certain duties and functions in connection with such upon certain county officers.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 884 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 677—An Act to amend an Act entitled "An Act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances, and providing the punishment for the violation thereof," approved April 22, 1911, by amending sections 1 and 3 thereof, and by adding two sections thereto to be known and designated as section 7 and section 8;

Also: Senate Bill No. 219—An Act to amend section 791 of the Political Code, relating to notaries public;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 610—An Act to provide for the establishment, government, and maintenance of city planning commissions within municipalities, and prescribing their powers and duties; and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls independent of the Legislature and also reserving to the people of the State of California the power to approve or reject at the polls any Act or section or part of any Act of the Legislature:

Also: Senate Bill No. 404—An Act to amend section 654*a* of the Penal Code, relating to false representations as to property advertised to be sold and service advertised to be performed:

Also: Senate Bill No. 821—An Act to amend sections 1 and 11 of an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

PRIVILEGE OF THE FLOOR EXTENDED.

On request of Senator Anderson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Honorable Clyde Bishop, of Santa Ana.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

On motion of Senator Thompson, Senate Bill No. 1078 was passed on file.

Senate Bill No. 118—An Act to amend section 4232 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in counties of the third class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Tyrrell moved to refer to Senator Hans as a Special Committee of One, to amend Senate Bill No. 118 as follows:

AMENDMENT NUMBER ONE.

On page 1, in line 13, after the comma, strike out "twenty-three" and, in lieu thereof, insert "twenty-two".

AMENDMENT NUMBER TWO.

On page 3, in line 27, after the word "of", strike out the word "each" and, in lieu thereof, insert the word "such".

AMENDMENT NUMBER THREE.

On page 5, in lines 10 and 11, strike out the word "general" and, in lieu thereof, insert the word "salary".

AMENDMENT NUMBER FOUR.

On page 5, in line 35, strike out the words "the county of Alameda" and, in lieu thereof, insert the following: "counties of this class".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 118, with instructions to amend, respectfully reports the same back amended as per instructions.

HANS, Committee.

Report read and, on motion of Senator Tyrrell, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan, Senate Bill No. 74 was passed on file.

Senate Bill No. 757—An Act to amend section 626 of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 757 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1236—An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of education.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Irwin as a Special Committee of One, to amend Senate Bill No. 1236 as follows:

AMENDMENT NUMBER ONE.

On page 5, lines 7 to 12, inclusive, strike out all of the subdivision designated as "(*g*)" and beginning with the letter "(*g*)" on line 7 and extending to and including the word "granted" on line 12 and insert all of said subdivision "(*g*)" after line 12 on page 6 of the printed bill.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1236, with instructions to amend, respectfully reports the same back, amended as per instructions.

IRWIN, Chairman.

Report read and, on motion of Senator Jones, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 699—An Act to amend section 632 of the Political Code of the State of California, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 699 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 251—An Act to provide the manner in which protection districts may be dissolved.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 251 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Breed, Campbell, Chandler, Cohn, Crowley, Duncan, Flaherty, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 499—An Act to provide for the formation, organization and government of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and water courses, canyons, washes, or swales, for the purpose of saving and conserving any storm water, flood water or snow water for beneficial and useful purposes, for the prevention of the overflow thereof, by widening, deepening and straightening and otherwise improving the said channels, and by constructing new channels, for the condemnation of property therefor, and for the construction of the necessary works for the protection against, and conservation of said storm, flood, or snow waters by said district, and for the issuance of bonds representing the costs and expenses thereof, and for levying assessments to pay the interest and principal of such bonds, and for levying an assessment to extend, repair or maintain such work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 499 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof.

On motion of Senator Thompson, Senate Bill No. 1049 was passed on file, to retain its place.

Senate Bill No. 1035—An Act to amend section 634 of the Political Code of the State of California, relating to the registration of policies of life insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1035 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 571—An Act to prohibit insurance companies, associations, or societies and their agents from misrepresenting the terms of any policy of insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 571 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the legislature and also reserving to the people of the State of California the power to approve or reject at the polls any Act, or section or part of any Act of the Legislature.

Resolution read.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Chandler moved to refer to Senator Flint as a Special Committee of One, to amend Senate Constitutional Amendment No. 22 as follows:

AMENDMENT NUMBER ONE.

By striking out of line 21, on page 2, the period and inserting in lieu thereof the following: "without the assent of two-thirds of the qualified electors voting thereon".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Constitutional Amendment No. 22, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Committee.

Report read and, on motion of Senator Chandler, adopted.

Amendment ordered to print, and re-engrossment.

Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act.

On motion of Senator Scott, Senate Bill No. 310 was re-committed to Committee on Public Health and Quarantine, to retain its place on file.

Senate Bill No. 1197—An Act to add a new section to the Penal Code to be numbered 508*a*, relating to insurance premiums.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1197 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1034—An Act to amend section 605 of the Political Code of the State of California, relating to the fees of the insurance department.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1034 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 29—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules and providing a penalty therefor.

On motion of Senator Kehoe, Senate Bill No. 29 was passed on file.

Senate Bill No. 857—An Act to make lawful certain agreements between employees and laborers, and to limit the issuing of injunctions in certain cases.

SPECIAL ORDER.

On motion of Senator Lyon, Senate Bill No. 857 was made a special order for Thursday, April 15, 1915, at eleven o'clock a.m.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1009—An Act to amend section 1723 of the Code of Civil Procedure of the State of California, relating to disposition of life estates or homesteads, on owner's death, in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1009 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—31.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

SENATOR KEHOE IN THE CHAIR.

At eleven o'clock and fifty minutes a.m., Senator Kehoe of the First District, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1010—An Act to amend section 1669 of the Code of Civil Procedure of the State of California, relating to payment of taxes and decree of distribution of estates.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1010 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Wolfe—32.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

SPECIAL ORDER.

On motion of Senator Benson, Assembly Bill No. 715—An Act to provide for and regulate primary elections and providing for the election of party committees, and to repeal the Act providing for the regulating primary elections known as the "Direct Primary Law" and approved June 16, 1913, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act;

Also: Assembly Bill No. 1456—An Act to amend section 1197 of the Political Code, relating to form of ballots;

Also: Assembly Bill No. 1526—An Act to amend sections 1073, 1079, 1083*a*, 1094, 1096, 1097, 1113, 1115, 1127, 1128, 1129, 1130, 1133, 1192, 1288, 1290, 1294 and 4025 of the Political Code; to add a new section to the same code to be numbered 1083*b*, relating to the same subject-matter; and to repeal sections 1285, 1286, 1287, etc.;

Also: Assembly Bill No. 1457—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for nomination by their party for president of the United States through the election of the delegates of said political parties to their respective national conventions, etc.—were made a special order for Friday, April 16, 1915, at eleven o'clock a.m.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1011—An Act to amend section 1444 of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1011 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Kehoe, King, Luce, Maddux, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1012—An Act to amend chapter 595 of the laws of the session of the Legislature of California of 1913, approved June 16, 1913, known as the "Inheritance Tax Act," by amending sections 6 and 9 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1012 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Hans, Irwin, Kehoe, King, Luce, Maddux, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 899—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section 188, relating to the disposition of funds paid by order of court.

On motion of Senator Birdsall, Senate Bill No. 899 was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At twelve o'clock m. Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1036—An Act to provide for the regulation of the sale of shingles by makers, manufacturers and dealers thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1036 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 377—An Act to amend section 225 of the Code of Civil Procedure, relating to the manner of serving jurors by the sheriff.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 377 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Irwin, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1196—An Act to amend section 398 of the Code of Civil Procedure, relating to the disqualification of judges of the transfer of actions in the Superior Court.

Bill read third time.

On motion of Senator Benedict, Senate Bill No. 1196 was passed on file, to retain its place.

Senate Bill No. 749—An Act to amend section 1167 of the Code of Civil Procedure, relating to service of summons in unlawful detainer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 749 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Hans, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR FLINT IN THE CHAIR.

At twelve o'clock and fifteen minutes p.m., Senator Flint of the Eleventh District, in the chair.

Senate Bill No. 1123—An Act to amend section 1272 of the Code of Civil Procedure, relating to escheated property and the procedure in relation thereto.

Bill read third time.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the hour of recess was extended until twelve o'clock and thirty-two minutes p.m.

CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED TWENTY-THREE—(RESUMED).

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1123 passed by the following vote:

Ayes—Senators Ballard, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Hans, Kehoe, King, Lyon, Maddux, Mott, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At twelve o'clock and thirty-two minutes p.m., the Acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Minute Clerk Clifton E. Brooks at the desk.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committee were received and read, out of the regular order:

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 13, 1915.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 1215—An Act to add a new section to the Civil Code to be known and numbered as section 1829, relating to the opening of safe deposit boxes or vaults by safe deposit companies—has had the same under consideration and respectfully reports the same back with amendments and recommends that it do pass as amended.

HANS, Chairman.

Senate Bill No. 1215 ordered on file for second reading.

Also:

SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Committee on Banking to which was referred Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding thereto a new section to be numbered 642*a*, relating to building and loan associations;

Also: Assembly Bill No. 51—An Act to amend an Act known as "The Building and Loan Commission Act"—Chapter 354, Laws of 1911, approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section, to be numbered 9*a*, relating to the powers and duties of the Building and Loan Commissioner, fixing the grade and penalty for non-compliance with his orders, providing for the assistance of a peace officer to enforce his demands and fixing the grade of evidence required for the confirmation of his action:

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

HANS, Chairman.

Assembly Bills Nos. 50 and 51 ordered on file for second reading.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Lyon, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. K. F. Edson.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 662—An Act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and electric power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Crowley moved to refer to Senator Irwin as a Special Committee of One, to amend Assembly Bill No. 662, as amended in the Senate April 9, 1915, as follows:

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill as amended in the Senate April 9, 1915, insert after the first word "lines" a comma.

AMENDMENT NUMBER TWO.

In line 7 of the title strike out the word "and" and insert in lieu thereof the word "any".

AMENDMENT NUMBER THREE.

In line 4, page 2, strike out the first word "railway" and the comma following said word.

AMENDMENT NUMBER FOUR.

In line 8, page 2, after the comma following the word "way" insert the following: "railway,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 662, with instructions to amend, respectfully reports the same back, amended as per instructions.

IRWIN, Committee.

Report read and, on motion of Senator Irwin, adopted.

Bill ordered to print.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; creating a liability on the part of the employers to pay damages in certain cases; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Lyon moved to refer to Senator Carr as a Special Committee of One, to amend Assembly Bill No. 487 as follows:

AMENDMENT NUMBER ONE.

On page 1, at the end of line 8 add the following: "The words 'private employments' used in this Act shall mean and include all employments other than those mentioned in section 6 hereof and those under the direct management, supervision and control of the State of California, any county, city and county, incorporated city or town, or other municipal corporation or political subdivision of the State of California, or any officer or department thereof. But nothing contained herein shall be construed as prohibiting the payment of wages at more frequent periods than semi-monthly."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 487, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, Committee.

Report read and, on motion of Senator Lyon, adopted.

Bill ordered to print.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 589—An Act to amend section 7 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act was amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

On motion of Senator Butler, Assembly Bill No. 589, was passed on file.

Assembly Bill No. 1502—An Act to amend sections 717 and 718 of the Civil Code of the State of California, relating to the leasing of agricultural lands and to the leasing of lands for agriculture and horticultural purposes, and to the leasing of property of a municipality, a minor or incompetent person, and to the leasing of city or town lots.

On motion of Senator King, Assembly Bill No. 1502 was passed on file.

ACTION RESCINDED.

Senator Benson moved that the action of the Senate in making Assembly Bills Nos. 715, 1456, 1526 and 1457 a special order for Friday, April 16, 1915, at eleven o'clock a.m., be rescinded.

Motion carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 12, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 455—An Act to provide for the issuance of street improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property secured thereby and for the payment of the bonds so issued—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

TYRRELL, Chairman.

Assembly Bill No. 455 ordered on file for second reading.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 497—An Act to amend the Political Code by changing the headings of the title to chapter II of title V of part III of said Political Code; also by changing the headings of the title to article I of chapter II of title V of part III of said Political Code; and to repeal section 2236 of said Political Code; and to amend sections 2238, 2239 and 2240 of said Political Code; and to repeal sections 2241 and 2242 of said Political Code; and to amend section 2243 of said Political Code; and to amend said Political Code by changing the headings of the title to article II of chapter II of title V of part III of said Political Code; and to amend sections 2254 and 2255 of said Political Code; and to repeal section 2256 of said Political Code; and to amend said Political Code by changing the headings of article III of chapter II of title V of part III of said Political Code; and to amend sections 2267 and 2268 of said Political Code; and to repeal section 2269 of said Political Code; and to amend said Political Code by changing the headings of article IV of chapter II of title V of part III of said Political Code; and to amend section 2280 of said Political Code; and to repeal section 2281 of said Political Code; all relating to the California School for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 497 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Tyrrell—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR STROBRIDGE IN THE CHAIR.

At two o'clock and twenty minutes p.m., Senator Strobridge of the Thirteenth District, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1077—An Act to amend section 13 of an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,'' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act,'' approved June 2, 1913.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Flaherty moved to refer to Senator Finn as a Special Committee of One, to amend Senate Bill No. 1077 as follows:

AMENDMENT NUMBER ONE.

On page 2, of the printed bill, strike out all of line 11 after the word "issue" and all of lines 12 to 24, inclusive, and insert in lieu thereof the following: ", on the payment of a registration fee of fifty dollars, a certificate to practice a system or mode of treating the sick or afflicted recognized by this Act or by any Act in the State of California regulating the practice of any system or mode of treating the sick or afflicted, to any applicant of good moral character without examination, authorizing the holder thereof to practice a system or mode of treating the sick or afflicted issued either by the medical examining board or any board or officer authorized by law to issue a license or certificate entitling such applicant to practice any system or mode of treating the sick or afflicted either in the District of Columbia, or in any state or territory of the United States; *provided, however,* that the applicant's preliminary and medical educational".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1077, with instructions to amend, respectfully reports the same back, amended as per instructions.

FINN, Committee.

Report read and, on motion of Senator Finn, adopted.

Bill ordered to print, and re-engrossment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 848—An Act to amend section 4279 of the Political Code, relating to salaries of county officers for counties of the fiftieth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 848 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Breed, Butler, Chandler, Cohn, Duncan, Flaherty, Flint, Hans, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Tyrrell—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 831—An Act to amend section 626*f* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 831 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cohn, Duncan, Flaherty, Flint, Hans, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1124—An Act to add a new section to the Code of Civil Procedure, to be numbered 1269*a*, relating to escheated property and the procedure in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1124 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones,

Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—33.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Brown, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Margaret Z. Kelley, teacher of the Mary J. Watson Grammar School, and the following pupils of the eighth B class:

Fred Baker, Phillip Delano, Joseph Dyer, Frank Genshlea, Herbert Goodpastor, Maynard Harms, Melton Ilsley, Frank Kraus, Don Moffit, Frances Smith, Ward Stearns, Eddie Wittemore, Hale Brown, Evelyn Armstrong, Mildred Blair, Evelyn Cadle, Lucile Cohn, Marie Decker, Clariesce Greer, Blanche Kimball, Georgia Lowry, Edna Dickson, Gladys Maiden, Martha Marshall, Thelma Mitchell, Gertrude Moon, Helen Palm, Pearl Roberts, Eleanor Sheehan, Margaret Skeahan, Helen Tucker, Nannie Thompson, Emma Wells, Bernice Wittenbrock, and Nellie Lewis.

SECRETARY EDWIN F. SMITH AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 257—An Act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of an Act entitled "An Act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an Act approved April 14, 1911, as further amended by an Act approved June 2, 1913; and to add to said Act three new sections to be numbered 16, 17 and 18 respectively, relating to the employment and hours of labor of children, providing for the administration of the provisions of this Act, and repealing all Acts inconsistent herewith.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 257 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Scott, Shearer, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—31.
NOES—Senators Irwin, Maddux, Rush, and Slater—4.

Title read and approved.
Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 640—An Act to amend section 408 of the Political Code, relating to the duties of the Secretary of State;

Also: Senate Bill No. 826—An Act to amend section 628*f* of the Penal Code of the State of California, relating to protection of shellfish;

Also: Senate Bill No. 979—An Act to amend section 789 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relative to the duties of city attorney in cities of the fifth class;

Also: Senate Bill No. 671—An Act to add a new section to the Code of Civil Procedure to be numbered 1273 relating to escheated property;

Also: Senate Bill No. 672—An Act to amend section 1278 of the Code of Civil Procedure relating to hearing application for change of name, and remonstrance, and requiring production of the certificate of the superintendent of banks, by banking corporations, that name desired does not resemble so closely as to be likely to cause confusion, the name of any other bank previously formed under the laws of this State;

Also: Senate Bill No. 716—An Act to amend section 868 of the Code of Civil Procedure of California, relating to writs of attachment;

Also: Senate Bill No. 1048—An Act to amend section 21 of an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907;

Also: Senate Bill No. 454—An Act to amend section 4263 of the Political Code, relating to the compensation of officers in counties of the thirty-fourth class;

Also: Senate Bill No. 487—An Act to amend section 941*b* of the Code of Civil Procedure of the State of California, relating to a new or alternative method by which appeals may be taken from judgments, orders or decrees of the Superior Court of the State of California to the Supreme Court or District Courts of Appeal thereof;

Also: Senate Bill No. 490—An Act to amend section 663*a* of the Code of Civil Procedure of the State of California, relating to the setting aside of a judgment of the Superior Court and the rendition of a new judgment without a new trial;

Also: Senate Bill No. 559—An Act to amend section 939 of the Code of Civil Procedure of the State of California, relating to the time within which an appeal may be taken;

Also: Senate Bill No. 562—An Act to amend section 131 of the Civil Code of the State of California, relating to actions for divorce;

Also: Senate Bill No. 563—An Act to amend section 963 of the Code of Civil Procedure of the State of California, relating to cases in which an appeal may be taken;

Also: Senate Bill No. 564—An Act authorizing any municipality to incur indebtedness by the issuance and sale of bonds for the purpose of investing the proceeds arising from the sale thereof in other bonds, evidences of debt or liens issued for public improvements in said municipality;

Also: Senate Bill No. 4—An Act to amend section 570 of the Code of Civil Procedure of the State of California, relating to the disposition of unclaimed funds in the hands of a receiver;

Also: Senate Bill No. 99—An Act to validate bonds of school districts and high school districts and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 100—An Act confirming and validating the organization of school districts;

Also: Senate Bill No. 101—An Act to amend section 1885 of the Political Code of the State of California, relating to the form of bonds of school districts;

Also: Senate Bill No. 235—An Act to amend section 542*a* of the Code of Civil Procedure of the State of California, relating to attachment liens;

And reports that the same have been correctly enrolled and presented the same to the Governor on this fourteenth day of April, 1915, at 11 o'clock a.m.

FLAHERTY, Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 853—An Act to add a new section to the Penal Code of the State of California, to be numbered 626*s*, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 853 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 344—An Act to add a new section to the Civil Code to be numbered 485*a*, relating to crossings over railroads.

On motion of Senator Slater, Senate Bill No. 344 was passed on file.

Senate Bill No. 413—An Act to amend section 1247 of the Code of Civil Procedure, relating to the jurisdiction of a court to regulate the mode of making crossings.

On motion of Senator Slater, Senate Bill No. 413 was passed on file.

Senate Bill No. 414—An Act to amend section 1251 of the Code of Civil Procedure of the State of California, relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed.

On motion of Senator Slater, Senate Bill No. 414 was passed on file.

Senate Bill No. 415—An Act to amend section 465 of the Civil Code, relating to the powers of railroad corporations.

On motion of Senator Slater, Senate Bill No. 415 was passed on file.

Senate Bill No. 719—An Act to amend section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under title VII, part III of the Code of Civil Procedure.

On motion of Senator Slater, Senate Bill No. 719 was passed on file.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 565—An Act empowering municipal corporations to secure and enforce payment of rates and charges for water, gas or electricity furnished by them.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 565 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 957—An Act to amend section 10 of that certain Act of the legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as amended February 6, 1911, April 21, 1911, December 18, 1911, December 24, 1911, and May 6, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 957 passed by the following vote:

Ayes—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—32.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1229—An Act to amend section two hundred eighty *b* of the Code of Civil Procedure, relating to licenses to practice law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1229 passed by the following vote:

Ayes—Senators Anderson, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Kehoe, King, Maddux, Mott, Owens, Rush, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—26.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 895—An Act to amend an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,' " approved June 12, 1913, by adding thereto a new section to be known as section 12, limiting the hours of employment of female pupil or student nurses in hospitals, prescribing penalties for the violation thereof, and providing for the enforcement of the restrictions imposed.

On motion of Senator Birdsall, Senate Bill No. 895 was passed on file.

Senate Bill No. 1227—An Act to prevent the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service, and to prescribe penalties for violation of the provisions hereof.

On motion of Senator Shearer, Senate Bill No. 1227 was passed on file.

Senate Bill No. 677—An Act to amend an Act entitled "An Act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances, and providing the punishment for the violation thereof," approved April 22, 1911, by amending sections 1 and 3 thereof, and by adding two sections thereto to be known and designated as section 7 and section 8.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 677 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Brown, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted tc the Assembly.

Senate Bill No. 572—An Act to amend section 633 of the Political Code, concerning the licensing of insurance and surety agents; providing for the revoking of such licenses and providing a penalty for violation thereof.

On motion of Senator Benedict, Senate Bill No. 572 was passed on file.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 751—An Act to amend section 2287 of the Civil Code of the State of California, relating to appointment of trustees.

On motion of Senator Maddux, Senate Bill No. 751 was passed on file.

Senate Bill No. 783—An Act to amend section 681 of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Flaherty as a Special Committee of One, to amend Senate Bill No. 783 as follows:

AMENDMENT NUMBER ONE.

By striking out of page 2, line 2, the words "third degree".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 783, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLAHERTY, Committee.

Report read and, on motion of Senator Finn, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Finn, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Finn, Senate Bill No. 60 was passed on file.

Senate Bill No. 219—An Act to amend section 791 of the Political Code, relating to notaries public.

By order of the Acting President Senate Bill No. 219 was passed on file.

Senate Bill No. 404—An Act to amend section 654*a* of the Penal Code, relating to false representations as to property advertised to be sold and service advertised to be performed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 404 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 821—An Act to amend sections 1 and 11 of an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the board of regents of the University of California, and to provide penalties for violation thereof,' " approved June 12, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 821 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Lyon to introduce a bill entitled: "An Act to appropriate money to pay the expense of street improvements fronting the property of the University of California Medical School in the city of Los Angeles";

Also: The request of Senator Breed to introduce a bill entitled: "An Act to appropriate money for purchase and installation of heating system at the California School for the Deaf and the Blind";

Also: The request of Senator Flaherty to introduce a bill entitled: "An Act providing for the printing and binding of the decisions of the Supreme Court and the

District Courts of Appeal of the State of California, by the Superintendent of State Printing, and for the sale and distribution thereof";
Has had the same under consideration and respectfully reports the same back and recommends that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with the above report:

By Senator Lyon: Senate Bill No. 1255—An Act to appropriate money to pay the expense of street improvements fronting the property of the University of California Medical School in the city of Los Angeles.

Bill read first time, and referred to Committee on Finance.

By Senator Breed: Senate Bill No. 1256—An Act to appropriate money for purchase and installation of heating system at the California School for the Deaf and the Blind.

Bill read first time, and referred to Committee on Finance.

By Senator Flaherty: Senate Bill No. 1257—An Act providing for the printing and binding of the decisions of the Supreme Court and the District Courts of Appeal of the State of California, by the Superintendent of State Printing, and for the sale and distribution thereof.

Bill read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committee were received and read, out of the regular order:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 162—An Act to amend section 4290*a* of the Political Code, relating to the fees of county clerks—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KEHOE, Chairman.

Senate Bill No. 162 ordered on file for second reading.

Also:

SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 55—An Act to amend section 792 of the Political Code of the State of California relating to qualifications and application to become notaries—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass. Minority report: Do pass.

KEHOE, Chairman.

Assembly Bill No. 55 ordered on file for second reading.

Also:

SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1072—An Act to add a new section to the Civil Code to be numbered 330 relating to debts owing to and stock standing in the name of decedents—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KEHOE, Chairman.

Senate Bill No. 1072 ordered on file for second reading.

Also:

SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Constitutional Amendment No. 1—Proposed amendment to article VI of the Constitution, relative to the method of selecting the Justices of the Supreme Court, Justices of the District Courts of Appeal and Judges of the Superior Courts;

Also: Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1½ of article XIII thereof, relating to the exemption of churches from taxation;

Has had the same under consideration, and respectfully reports the same back and recommends that they be adopted as amended.

KEHOE, Chairman.

Senate Constitutional Amendment No. 1 ordered on file.

Assembly Constitutional Amendment No. 15 ordered on file.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 533—An Act placing under the jurisdiction of the Railroad Commission every employer who provides hospital service for his employees and makes a charge therefor; requiring every such charge to be just and reasonable and to be devoted to no other purpose than such hospital service; and prescribing penalties for violations of the provisions hereof;

Also: Senate Bill No. 837—An Act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains, except in case of urgency;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

CARR, Chairman.

Senate Bills Nos. 533 and 837 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

Senator Carr requested permission to introduce a Senate bill entitled: "An Act to prevent waste in the production and in the storage of crude oil or petroleum, and to confer upon the Railroad Commission certain powers and duties in connection therewith."

Request referred to Committee on Introduction of Bills.

SECOND READING OF SENATE BILLS.

Senate Bill No. 189—An Act to be known as the usury law relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections 1917, 1918, 1919 and 1920 of the Civil Code and all Acts or parts of Acts in conflict with this Act.

On motion of Senator Brown, Senate Bill No. 189, with the pending amendments, was ordered re-referred to Committee on Banking.

Senate Bill No. 986—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act,'' approved June 3, 1913, by adding thereto a new section to be numbered 12*a*.

ACTION RESCINDED.

Senator Breed moved that the action of the Senate in adopting amendments numbers two and three to Senate Bill No. 986 be rescinded.

Motion carried.

On motion of Senator Breed, Senate Bill No. 986, with pending amendments, was ordered re-committed to Committee on Labor and Capital.

THIRD READING OF SENATE BILL—(OUT OF ORDER).

Senator Benedict asked for, and was granted, unanimous consent to take up Senate Bill No. 1196 for third reading at this time, out of the regular order.

Senate Bill No. 1196—An Act to amend section 398 of the Code of Civil Procedure, relating to the disqualification of judges of the transfer of actions in the Superior Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1196 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Finn, Flaherty, Flint, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER.

Senator Wolfe moved that Assembly Bills Nos. 58 and 59 be made a special order for Monday, April 19, 1915, at two o'clock p.m.

Motion carried.

Senator Butler asked for, and was granted, unanimous consent to take up for third reading at this time of Senate Bill No. 1169, out of the regular order.

Senate Bill No. 1169—An Act enabling any city or town maintaining a free public swimming bath to take water therefor from a public utility water ditch, and after such use to return the water to the ditch, provided the latter is not used for domestic or municipal purposes.

Bill read third time.

THIRD READING OF SENATE BILL—(OUT OF ORDER).

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Butler moved to refer to Senator Carr, as a Special Committee of One, to amend Senate Bill No. 1169 as follows:

AMENDMENT NUMBER ONE.

In line 5 of the title after the word "provided", strike out the two words "the latter" and insert in lieu thereof the two words "such water".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1169, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, Committee.

Report read and, on motion of Senator Butler, adopted.

Bill ordered to print, and re-engrossment.

THIRD READING OF SENATE BILL—(OUT OF ORDER).

Senator Flaherty asked for, and was granted, unanimous consent to take up Senate Bill No. 801 for third reading at this time, out of the regular order.

Senate Bill No. 801—An Act providing for the establishment by the Commission of Immigration and Housing of California of zones or areas on docks where immigrants are landed; prescribing the powers and duties of the said commission with regard thereto; and providing a penalty for violation of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 801 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Duncan, Finn, Flaherty, Flint, Irwin, Jones, King, Lyon, Maddux, Mott, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At four o'clock and ten minutes p.m., on motion of Senator Purkitt, the Acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Thursday, April 15, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 14, 1915, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF THE FLOOR EXTENDED.

On motion of Senators Hans and Strobridge, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the following instructors and students of the John C. Fremont High School, of Oakland, Cal:

STUDENTS: Josephine Anderson, Aubrey Angus, Gaynor Aitkin, Dorothy Benham, Vance Baumgartner, Rowena Britt, William Brooks, Christine Berham, Walton Clevinger, Cloyd Clevinger, Josephine Caldwell, Ethel Cluff, Kenneth Craft, Beranice Davis, Ellen Deruchie, Adrienne Dennison, Carleton Domes, Francis Evans, Clyde Gibbs, Harris Gregory, Nancy Goody, Alex Gardner, Gladys Gibson, Fay Gilmore, Myrtle Granlund, Paul Girsch, Marguerite Hink, Charles Hart, Henry Hale, Theresa Hanson, Lois Hoffman, Dewett Jones, Marie Johnson, Jessie Jones, Leonard Kwett, Irene Lorimer, Geraldine La Mott, Harry Lloyd, Frank Lewis, Leona Lowe, Mildred Marey, Florence Mole, Berna Mahoney, Maurice Marks, Beatrice Meltzer, George Magee, Roger Murray, Ellen Moore, Lillian Mahar, Frances Pearce, Grace Powers, Alexander Powers, Loretta Pratt, James Perkins, Olivette Perdeaux, Emile Rillac, Cecil Rehmet, Florence Rodriquez, Ruby Reckart, Chas. Rugh, Ada Strangeland, Ethel Stoakes, Nellie Soo, Frances Stromberg, Helen Smith, Ada Tocher, Marion Van Horn, Gladys Van Maren, George Wheeler, Chas. Wheeler, Harold Wurtts, Laurence Wetzel, Alice Weisser.

INSTRUCTORS: F. S. Rosseter, Principal; Mrs. F. S. Rosseter, Mr. C. L. Goodwin, Miss Frances Murray, Miss Lucia Wallace, Miss Anna M. Goetz, Miss Florence Weeks, Mrs. Sybil Heyer.

On request of Senator Gerdes, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. L. F. Henry, of Stafford, Kansas.

On request of Senator Irwin, the privilege of the floor of the Senate Chamber for this day, was unanimously extended to Mrs. G. S. McCallum, of San Francisco.

PETITIONS.

The following petitions were presented and ordered printed in the Journal:

By Senator Slater:

To Senator Slater and Members of the Legislature:

WHEREAS, The State of California, since 1862, has encouraged the viticultural industry by sending abroad commissioners to secure grape cuttings from all the principal wine producing countries of Europe; by establishing a separate department in the State University at Berkeley, to teach the grape growing and wine making; by adding an agricultural school at Davis, where viticultural commissioners are employed; and by appropriating nearly $300,000 to foster all this work; and

WHEREAS, The Department of Agriculture, U. S. A., has also aided in the development of the viticultural industry by conducting valuable experiments at a dozen stations in different parts of the State for the benefit of the vineyardists; and

WHEREAS, The Federal government has protected our dry wines by favorable tariff laws and encouraged the production of pure sweet wines under the act of 1890; and

WHEREAS, In view of all this encouragement, 15,000 settlers have invested money in the grape industry in the belief that they would be protected; and

WHEREAS, There are today in California 330,000 acres in vines, which, with the 700 wineries and numerous packing houses and shipping plants, represent an investment of $150,000,000, from which the State derives an annual income of $30,000,000; and

WHEREAS, Efforts are being made to destroy this valuable industry by preventing the manufacture of wine, thus wiping out the sole market for the grapes of thousands of desirable vineyardists; therefore, be it

Resolved by the Occidental Grape Growers' Association, That we heartily endorse the sentiments expressed in Assembly Constitutional Amendment No. 40, introduced by the Hon. Bismarck Bruck, which provides that "no law or constitutional amendment which shall damage, injure or destroy the value of or prevent the use of any vineyard, wine cellar, hop field, brewery, distillery or other property used in producing, growing or raising grapes or hops, or in manufacturing or producing or shipping wine, beer, malt or distilled liquors, existing at the time of the passage or adoption of such law or constitutional amendment, shall take effect until just compensation shall have been first made to or paid into court for the owner"; and be it further

Resolved, That this resolution be spread on the minutes of this meeting and a copy be forwarded to Governor Hiram Johnson and to our representatives in the Senate and Assembly, with the request that they do all in their power to bring about the adoption of Assembly Constitutional Amendment No. 40.

OCCIDENTAL GRAPE GROWERS' ASSOCIATION.
T. L. ORR, President.
L. G. MORELLI, Secretary.

Also:

By Senator Thompson:

To the Honorable Senate of the State of California, Sacramento, California:

GENTLEMEN: We, the undersigned residents of the State of California, respectfully petition your honorable body for an early passage of Senate Bill No. 1078, thereby enacting a law which will properly and equitably license chiropractors and regulate their practice; also protect the people against incompetency and inefficiency, and guarantee and perpetuate to them the great benefits which result from the application of the principles upon which the science of chiropractic is based.

F. A. MERRIMAN, and 1299 others.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 7, 1915, refused passage of Senate Bill No. 481—An Act to repeal section 55*a* of the Penal Code relative to soliciting, demanding, or pledging votes for or against any particular bill or measure.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on April 8, 1915, passed as amended, Senate Bill No. 392—An Act to amend section 1667 of the Political Code of the State of California—and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 392.

Senate Bill No. 392—An Act to amend section 1667 of the Political Code of the State of California.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED NINETY-TWO.

AMENDMENT NUMBER ONE.

On page 1, line 6, strike out the word "other" and everything on line 8 after the word "science" and all of lines 9 and 10.

AMENDMENT NUMBER TWO.

On page 1, line 11, strike out the word "other".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 392?"

The roll was called, and Assembly amendments to Senate Bill No. 392 were concurred in by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Senate Bill No. 392 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 5, 1915, refused passage of Senate Bill No. 405—An Act to select, designate and adopt a State song to be known as "California's State Song."

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 945—An Act to amend section 1 of an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880, as amended June 11, 1913;

Also: Assembly Bill No. 1047—An Act to amend section 8 of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911;

Has had the same under consideration, and respectfully recommends that they do pass as amended.

KING, Chairman.

Senate Bill No. 945 ordered on file for second reading.

Assembly Bill No. 1047 ordered on file for second reading.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 1006—An Act prohibiting the preparation, sale, barter, shipment or exchange of any worthless, contaminated, dangerous or harmful hog cholera serum or virus; requiring every establishment for the preparation of hog cholera serum or virus to be inspected and licensed by the director of the Agricultural Experiment Station of the University of California; and providing penalties for violation of any of the provisions hereof;

Also: Assembly Bill No. 1304—An Act to prevent deception in the manufacture, packing and sale of raisins, and providing a penalty for the violation thereof;

Also: Senate Bill No. 737—An Act to amend an Act entitled "An Act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, by amending sections 3, 4, 7 and 9 thereof, and by adding a new section thereto to be known and numbered as section 11½, all relating to the licensing of stallions and jacks, and providing for the reporting of the collection of fees to the State Controller and the creation of a fund to be known as the Stallion Registration Board Contingent Fund;

Has had the same under consideration, and respectfully recommends that they do pass.

KING, Chairman.

Senate Bills Nos. 1006 and 737 ordered on file for second reading.

Assembly Bill No. 1304 ordered on file for second reading.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Public Morals to which was referred Senate Bill No. 1202—An Act to provide for the regulation and supervision of racing meetings; establishing a State Racing Commission for the purpose of administering the provisions hereof, and defining its powers and duties; prohibiting bookmaking; and prescribing penalties for violation of the provisions of the Act—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

LUCE, Chairman.

Senate Bill No. 1202 ordered on file for second reading.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Public Morals to which was referred Assembly Bill No 22—An Act declaring all buildings and places nuisances, wherein or upon which any spirituous, vinous, malt or other alcoholic liquor is unlawfully sold, served or given away, or which are used for the purpose of unlawfully selling, serving or giving away such liquors; and providing for the abatement of such nuisances—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

LUCE, Chairman.

Assembly Bill No. 22 ordered on file for second reading.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Public Morals to which was referred Assembly Bill No. 1184—An Act to amend section 397 of the Penal Code, relating to the sale of intoxicating liquors to habitual drunkards or Indians—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

LUCE, Chairman.

Assembly Bill No. 1184 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands to which was referred Assembly Bill No. 370—An Act to amend sections 2, 3, 4, 5, 6, 7, 8 and 12 of an Act entitled "An Act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie," approved March 21, 1903, and to add ten new sections to said Act, to be numbered *8a*, *8b*, *8c*, *8d*, *8e*, *8f*, *8g*, *8h*, *8i* and *8j*, respectively, all relating to the issuance of bonds to cover the cost of draining wet, swamp and overflowed lands—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

CHANDLER, Chairman.

Assembly Bill No. 370 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 986—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by adding thereto a new section to be numbered 12*a*—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass as amended.

LYON, Chairman.

Senate Bill No. 986 ordered on file for second reading.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 1204—An Act providing for the manner of construction and equipment of window sashes in certain classes of windows—has had the same under consideration, and respectfully reports the same back and recommends that the same do not pass as amended.

LYON, Chairman.

Senate Bill No. 1204 ordered on file for second reading.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Joint Resolution No. 1—Relative to aid from the government of the United States for furnishing means of employment and sustenance to citizens of the United States who have been thrown out of employment by reason of the use of labor saving machinery and devices; setting aside of certain lands to be used in establishing farming colonies and providing for the disposition of the products of such lands—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass.

LYON, Chairman.

Senate Joint Resolution No. 1 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 918—An Act authorizing certain suits against the State, and regulating the procedure therein;

Also: Assembly Bill No. 908—An Act amending section 3466½ of the Political Code of the State of California, relating to invalid assessments in reclamation districts, and providing for the re-assessments of said lands;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bill No. 918 ordered on file for second reading.

Assembly Bill No. 908 ordered on file for second reading.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Carr to introduce a bill entitled: "An Act to prevent waste in the production and in the storage of crude oil or petroleum, and to confer upon the Railroad Commission certain powers and duties in connection therewith"—has had the same under consideration and respectfully reports the same back and recommends that such request be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with the above report:

By Senator Carr:

Senate Bill No. 1258—An Act to prevent waste in the production and in the storage of crude oil or petroleum, and to confer upon the Railroad Commission certain powers and duties in connection therewith.

Bill read first time, and referred to Committee on Oil Industries.

SPECIAL ORDER CONTINUED.

On motion of Senator Wolfe, the consideration of Assembly Bills Nos. 58 and 59, heretofore set as special orders for Monday, April 19, 1915, at two o'clock p.m., was continued until Wednesday, April 21, 1915, at two o'clock p.m.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 158—An Act to add a new section to the Political Code, to be numbered 620*b*, relating to the withdrawal of deposits of securities by insurance companies—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BENEDICT, Chairman.

Senate Bill No. 158 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 240—An Act to amend an Act entitled, "An Act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food for human beings when sold or offered or exposed for sale in containers, and providing penalties for the violation thereof," approved May 24, 1913, by amending sections 3, 5 and 6 of said Act and adding a new section thereto to be known as section 13 thereof, relating to the manner in which quantity shall be designated—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BUTLER, Chairman.

Assembly Bill No. 240 ordered on file for second reading.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Brown, the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage was continued until the next legislative day.

REQUEST FOR INTRODUCTION OF BILL.

Senator Luce requested permission to introduce a Senate bill entitled: "An Act authorizing the Governor of the State of California to appoint a commission to investigate and report at the forty-second session of the Legislature concerning unemployment and making an appropriation therefor."

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 597—An Act to amend sections 190, 192, 193, 194, 195 and 201 of the Code of Civil Procedure, relating to jurors.

Bill read third time.

SPECIAL ORDER—(CONTINUED).

The hour having arrived for the consideration of Senate Bill No. 857 heretofore set as a special order for eleven o'clock a.m. on motion of Senator Lyon the consideration was continued until after the consideration of Senate Bill No. 597 should be concluded.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED NINETY-SEVEN—(RESUMED).

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Duncan moved to refer to Senator Irwin as a Special Committee of One, to amend Senate Bill No. 597 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 28 of the amended bill, after the word "excused" insert the following: "Any woman desiring to be excused from jury duty may communicate either to the officer summoning her or to the judge of the court or officer before whom she is required to appear the fact that she desires to be excused from jury duty and thereupon the officer summoning such woman, or the court, officer, or tribunal before whom she is required to appear must excuse such woman from the duty as a juror."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 597, with instructions to amend, respectfully reports the same back, amended as per instructions.

IRWIN, Committee.

The question being on the adoption of the report of Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Wolfe, Carr, and Strobridge.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the report of Special Committee of One refused adoption by the following vote:

AYES—Senators Duncan, Gerdes, Irwin, King, Luce, Maddux, and Slater—7.

NOES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Finn, Flaherty, Flint, Hans, Jones, Kehoe, Lyon, Mott, Owens, Rush, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

The question being on the passage of Senate Bill No. 597.

The roll was called and Senate Bill No. 597 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Finn, Flaherty, Hans, Jones, Kehoe, Luce, Lyon, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—24.

NOES—Senators Ballard, Campbell, Chandler, Cogswell, Cohn, Duncan, Flint, Gerdes, Irwin, King, Maddux, Mott, Owens, and Shearer—14.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 857, heretofore set as special order after the consideration of Senate Bill No. 597 should be concluded, the same was taken up for consideration.

Senate Bill No. 857—An Act to make lawful certain agreements between employees and laborers, and to limit the issuing of injunctions in certain cases.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Lyon moved to refer to Senator Carr as a Special Committee of One to amend Senate Bill No. 857 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, between the words "others" and "so" insert the words "by peaceful means".

AMENDMENT NUMBER TWO.

On page 2, line 5, of the printed bill, at the end of said line insert the word "peacefully".

AMENDMENT NUMBER THREE.

On page 2, line 8, of the printed bill, after the word "others" insert the words "by peaceful and lawful means".

AMENDMENT NUMBER FOUR.

On page 2, line 11, of the printed bill, between the words "from" and "assembling" insert the word "peacefully".

SENATOR STROBRIDGE IN THE CHAIR.

At twelve o'clock and ten minutes p.m., Senator Strobridge of the Thirteenth District, in the chair.

CONSIDERATION OF MOTION TO REFER TO SPECIAL COMMITTEE OF ONE—(RESUMED).

PRESIDENT OF SENATE IN THE CHAIR.

At twelve o'clock and twenty minutes p.m., Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

CONSIDERATION OF MOTION TO REFER TO SPECIAL COMMITTEE OF ONE—(RESUMED).

RECESS.

At twelve o'clock and thirty minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Senator Cogswell of the Thirty-third District in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1535, substitute for Assembly Bills Nos. 456 and 1126—An Act to amend sections 3, 5, 6, 7, 9, 11, 12, 18, 21, 23, 25, 27, 42, 43, 60, 63, 66, 67, 74 and 75, of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and repealing section 36, and sections 84, 85, 86, 87, 88 and 89 thereof, relating to work in unincorporated territory.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding thereto a new section to be numbered 642*a*, relating to building and loan associations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 51—An Act to amend an Act known as "The Building and Loan Commission Act"—chapter 354, laws of 1911, approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be numbered 9*a*, relating to the powers and duties of the Building and Loan Commissioner, fixing the grade and penalty for non-compliance with his orders, providing for the assistance of a peace officer to enforce his demands and fixing the grade of evidence required for the confirmation of his action.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 455—An Act to provide for the issuance of street improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property secured thereby and for the payment of the bonds so issued.

On motion of Senator Slater, Assembly Bill No. 455 was passed on file.

Assembly Bill No. 55—An Act to amend section 792 of the Political Code of the State of California, relating to qualifications and application to become notaries.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

CALL OF THE SENATE.

During the consideration of the third reading of Assembly bills, Senator Wolfe moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Benedict, Breed, Campbell, Chandler, Cogswell, Crowley, Duncan, Flaherty, Gerdes, Hans, Irwin, Kehoe, King, Luce, Lyon, Mott, Owens, Slater, Strobridge, and Wolfe—21.

The Secretary announced the absentees.

Time, two o'clock and thirteen minutes p.m.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and fifteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wolfe.

Assembly Bill No. 444—An Act to add a new section to the Political Code of the State of California to be numbered section 1752, relating to conventions of high school principals.

By order of the Acting President, Assembly Bill No. 444 was passed on file.

Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; creating a liability on the part of the employers to pay damages in certain cases; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act.

By order of the Acting President, Assembly Bill No. 487 was passed on file.

Assembly Bill No. 1515—An Act to repeal section 2189 of the Civil Code, relating to passenger who has not paid fare upon a railroad train.

On motion of Senator Strobridge, Assembly Bill No. 1515 was passed on file.

Assembly Bill No. 589—An Act to amend section 7 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

By order of the Acting President, Assembly Bill No. 589 was passed on file.

Assembly Bill No. 1502—An Act to amend sections 717 and 718 of the Civil Code of the State of California, relating to the leasing of agricultural lands and to the leasing of lands for agriculture and horticultural purposes, and to the leasing of property of a municipality, a minor or incompetent person, and to the leasing of city or town lots.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator King moved to refer to Senator Ballard as a Special Committee of One to amend Assembly Bill No. 1502 as follows:

AMENDMENT NUMBER ONE.

By striking out all of the bill after the period following the word "years" in line 6, on page 2.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1502, with instructions to amend, respectfully reports the same back amended as per instructions.

BALLARD, Committee.

Report read and, on motion of Senator King, adopted.

Bill ordered to print, and re-engrossment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1007—An Act to provide for re-assessments by municipal corporations on property benefited by street work done under authority of the governing bodies thereof; providing for the method of making and collecting such assessments and for the payment of contractors and others performing labor or supplying materials for the work done out of funds so raised or bonds issued by municipal corporations;

Also: Senate Bill No. 239—An Act creating a board of retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, the Sonoma State Home, state prison at Folsom and state prison at San Quentin; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said board of retirement;

And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committee were received and read, out of the regular order:

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 2, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 505—An Act to amend section 9 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to deputies of Labor Commissioner—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass as amended.

LYON, Chairman.

Senate Bill No. 505 ordered on file for second reading.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 850—An Act to amend the Penal Code by adding thereto two new sections to be known and numbered as section 349*b* and section 349*c*, relating to labor unions—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass as amended.

LYON, Chairman.

Assembly Bill No. 850 ordered on file for second reading.

CONSIDERATION OF CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

Senator Chandler asked for, and was granted unanimous consent to take up out of the regular order for the purpose of amendment Senate Constitutional Amendment No. 1—Proposed amendment to article VI of the Constitution, relative to the method of selecting the Justices of the Supreme Court, Justices of the District Courts of Appeal and Judges of the Superior Courts.

Constitutional amendment read.

AMENDMENT FROM FLOOR.

The following amendment was offered and its adoption moved by Senator Chandler:

AMENDMENT NUMBER ONE.

On page 2, line 8, of the amended bill, after the period, insert the following: "Justices appointed under the provisions of this section shall be ineligible to any other office or public employment than a judicial office or employment during the term for which they shall have been appointed."

Amendment adopted.

Constitutional amendment ordered to print, and engrossment.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senator Campbell asked for and was granted unanimous consent to take up at this time out of the regular order the second reading of Senate bills.

Senate Bill No. 1180—An Act to amend an Act to amend sections 1, 2, 3, 4 and 5 of an Act entitled "An Act to provide for the division of municipalities into sewer districts and for the construction of, or acquisition and maintenance of sewers therein providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the second line in the title strike out the word "five" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 9, page 1, after the figure "1", insert the following:

"The legislative body of any city, town or municipal corporation, incorporated under the laws of the State may create from time to time, as hereinafter provided, within such city, town or municipal corporation separate sewer districts whenever in the judgment of such legislative body it may be necessary or convenient for the proper sanitation and drainage of such districts to construct or acquire any sewer or sewers therein, and may designate such districts by distinctive names and numbers and may as hereinafter provided, provide for the incurring of indebtedness to pay for the cost of the construction or acquisition of sewers in such districts."

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 12, page 1, after the figure "2", add the following:

"Whenever the legislative body of such city, town or municipal corporation shall, by resolution passed by a vote of two-thirds of all its members and approved by the executive of such municipality, determine that the public interest or convenience requires the construction of, or acquisition by purchase or otherwise of a sewer or any sewers in any part of the territory of such municipality, said legislative body shall describe in said resolution a district describing the boundaries thereof, naming and numbering the same as hereinabove provided, and declare said district to be the district benefited by said work or improvement or acquisition of such sewer, which said resolution shall name a day for the hearing of any and all objections by all or any persons interested in the formation of such sewer district or in the including of any of the lots, pieces or parcels of land within the boundaries so described in said resolution, within such sewer district, which said resolution, together with the names of the members of said legislative body, voting for and against said resolution and the name of the executive approving said resolution shall be published for at least two weeks successively in some newspaper of general circulation printed and published in such municipality, next before the day fixed for said hearing. On the day fixed for said hearing, or any day to which said hearing may have been adjourned, said legislative body shall hear and consider any and all objections presented either to the formation of said sewer district or to the including of any lands in the boundaries of said sewer district, and, if, after the hearing of said objections, it shall be determined by a vote of two-thirds of all the members of said legislative body that the public interest requires the formation of such sewer district, then said legislative body shall proceed to fix and determine the boundaries thereof, making all necessary and proper changes in the boundaries as proposed and fixed in said resolution and shall, by a resolution passed by a vote of two-thirds of all its members, and approved by the executive of such municipality, establish such sewer district, permanently fix and determine the boundaries thereof, which said resolution, together with the names of the members of said legislative body voting for and against said resolution, together with the name of the executive approving said resolution, be spread upon the minutes of said legislative body. And at any subsequent meeting after the passage and recording of the said resolution, the said legislative body may, by ordinance passed by a vote of two-thirds of all of its members, and also approved by the said executive, adopt plans and specifications for the proposed sewer work, if to be constructed, and also describe the territorial district upon which the expense of such proposed sewer work or improvement, or acquisition, shall be chargeable, as hereinafter provided, and shall provide therein for a special election to be held in such city, town or municipal corporation. At such election there shall be submitted to the qualified electors of such city, town or municipal corporation the proposition of incurring indebtedness for the purposes set forth in said resolution, and no question other than the incurring of the indebtedness for such purposes shall be submitted at such special election. The ordinance calling such special election shall also recite the objects and purposes for which the proposed indebtedness is to be incurred, the estimated cost of the proposed sewer work, improvement or sewer system to be acquired, the amount of the principal of the indebtedness to be incurred therefor, and the rate of interest to be paid on said indebtedness, and shall fix the date on which such special election shall be held, the manner of holding such election, and the manner of voting for or against the incurring of such indebtedness. In all particulars not recited in such ordinance, such election shall be held as is provided by law for holding general municipal elections in such city, town or municipal corporations. The maximum rate of interest to be paid on such indebtedness shall be six per centum (6%) per annum, payable semi-annually.

"SEC. 3. Said ordinance shall be published once a day for five days prior to the date set for such election, in some newspaper of general circulation printed and published in such municipality, designated by the legislative body of said city, town or municipal corporation, which newspaper is published once a day for at least six days a week in such municipality, or such ordinance shall be published once a week for two weeks prior to the date set for such election, in some newspaper of general circulation, printed and published in such municipality, designated by said legislative body, and published less than six days a week in such municipality, and one insertion thereof in such last described newspaper each week for two succeeding weeks prior to the date set for such election by the legislative body of said city, town or municipal corporation, shall be a sufficient publication in such newspaper published less than six days a week. In municipalities where no newspaper is published, such ordinance shall be posted in three public places in the said sewer district for two successive weeks prior to the date set for such election by the legislative body of said city, town or municipal corporation. No other notice of such election need be given. It shall require the affirmative votes of two-thirds of all the aforesaid qualified electors of said city, town, or municipal corporation voting at such election, to authorize the incurring of said indebtedness and the issuance of bonds therefor as provided herein; *provided, however*, if the proposition so submitted at such election fail to receive the requisite number of votes of the aforesaid qualified electors of such city, town or municipal corporation, voting at such election to incur the indebtedness for the purpose specified, the legislative branch of such municipality shall have no power or authority within six months after such election, to pass any ordinance calling another election for incurring any indebtedness for sewer work within any sewer district which has within its boundaries any of the territory of the district in which, at said election, the requisite number of votes for the issuance of said bonds has not been cast therefor.

"SEC. 4 of said Act is hereby amended to read as follows:

"'SEC. 4. All bonds issued under the provisions of this Act shall be issued in the name of the city, town or municipal corporation in which such sewer district has been formed, and shall be payable in the following manner: A part to be determined by the legislative body of the municipality, which part shall not be less than the one-fortieth part of the whole amount of such indebtedness, shall be payable each and every year on a day and date, and at a place within the United States, to be fixed by the legislative body of the city, town or municipal corporation issuing the said bonds, and designated in such bonds, together with the interest on all sums unpaid at such date, until the whole of said indebtedness shall have been paid. The bonds issued in such denominations as the legislative body of the municipality may determine, except that no bonds shall be of a less denomination than one hundred dollars, nor of a greater denomination than one thousand dollars, and shall be payable on the day, and at the place fixed in such bonds, and with interest at the rate specified in such bonds, which rate shall not be in excess of six per cent. per annum, and shall be payable semi-annually, and said bonds shall be signed by any officer of said city, town or municipal corporation designated for that purpose by the city council, board of trustees or other legislative body of such city, town or municipal corporation, by resolution adopted by a two-thirds vote of all its members, and shall also be signed by the treasurer thereof, and shall be countersigned by the clerk of such city, town or municipal corporation. The coupons of said bonds shall be numbered consecutively and signed by the treasurer. In case any of such officers whose signatures appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such signatures or counter signatures shall nevertheless be valid and sufficient for all purposes, the same as if such officers had remained in office until the delivery of the bonds.'

"SEC. 5. The legislative body of the city, town or municipal corporation within whose territory such sewer district has been erected as herein provided, may issue and sell said bonds at not less than their par value, and the proceeds of the sale of such bonds shall be placed in the municipal treasury to the credit of the proper sewer district fund and shall be applied exclusively to the purposes and objects mentioned in the said ordinance.

"SEC. 6 of said Act is hereby amended to read as follows:

"'Sec. 6. Before the legislative body of such city, town or municipal corporation shall award the contract for doing any sewer work or improvement, the expense of which is to be paid out of the proceeds of sales of the bonds issued in accordance with the provisions of this Act, said legislative body of said city, town or municipal corporation, shall cause notice with specifications to be posted conspicuously for five days on or near the chamber door of said legislative body, inviting sealed proposals or bids for doing said sewer work or improvement, and shall also cause notice of said work inviting said proposals and referring to the specifications posted or on file, to be published for two consecutive insertions in a daily, semi-weekly, or weekly newspaper, published and circulated in said city, town or municipal corporations, designated by said legislative body for that purpose, and in case there is no newspaper published in said city, town or municipal corporation, then it shall only be posted as hereinbefore provided. All proposals or bids offered shall be accompanied by a check, payable to the order of the executive officer of said city, town or municipal corporation, certified by a responsible bank for an amount which shall be not less than ten per cent (10%) of the aggregate of the proposal, or by a bond for the said amount, and so payable, signed by the bidder and by two sureties who shall justify before an officer competent to administer an oath, in double such amount, and over and above all statutory exemptions. Said proposals or bids shall be delivered to the clerk of said legislative body, and said legislative body shall in open session examine and publicly declare the same. Said legislative body may reject any or all proposals or bids should it deem this for the public good, and shall reject all proposals or bids other than the lowest proposal or bid of any responsible bidder, and may award the contract for said work or improvement to the lowest responsible bidder at the price named in his bid, which award shall be approved by the executive officer of said city, town or municipal corporation, or a three-fourths vote of the legislative body of said city, town or municipal corporation. If not approved by said executive officer or a three-fourths vote of said legislative body, without further proceedings the said legislative body may readvertise for proposals or bids for the performance of the work as in the first instance, and thereafter proceed in the manner in this section provided, and shall thereupon return to the proper parties the respective checks and bonds corresponding to the bid so rejected. But the checks accompanying such accepted proposals or bids shall be held by the clerk of said city, town or municipal corporation, until the contract for doing said work has been entered into by said lowest bidder, whose bid is accepted and approved. But if said bidder fails, neglects or refuses to enter into the contract to perform said work within ten days after said contract shall have been awarded, then the certified check accompanying his bid and the amount therein mentioned, shall be declared to be forfeited to said city, town or municipal corporation. The said legislative body shall have the right to require such bonds as they may deem adequate from the bidder to whom the contract for said work or improvement is awarded, to insure the faithful performance of said contract. Such officer of said city, town or municipal corporation as the legislative body thereof shall designate is authorized, in his official capacity, to make all written contracts and to receive all bonds authorized by this Act, and is authorized to fix the time for the commencement, which shall not be more than fifteen days from the date of the contract, and for the completion of the work under all contracts entered into by him, which work shall be prosecuted with diligence from day to day until completion, and he may extend the time so fixed from time to time under the direction of said legislative body of said city, town or municipal corporation; *provided, however*, that nothing herein contained shall be construed as prohibiting such city, town or municipal corporation itself from constructing or completing such sewer or improvement, and buying the material, and employing the labor necessary therefor; *provided, however*, that this section shall not apply where sewer systems, or any part of a sewer system, already constructed has been, or is to be acquired under this Act; *and provided, further*, that in cities, town and municipal corporations operating under a charter heretofore or hereafter framed, under section 8, article XI of the Constitution of the State of California, and providing for a board or department of public works, all the things required in this section to be done and performed by the legislative body of the municipality shall be done and performed by the board or department of public works of such city, town or municipal corporation, and in case such charter also prescribed the manner of letting and entering into contracts for the furnishing of labor, material or supplies for the construction or completion of public works or improvements, all contracts for the construction or completion of sewer work or improvement shall be let and entered into in conformify with the provisions of such charter.'

"SEC. 7. The legislative body of said city, town or municipal corporation shall, at the time of fixing the general tax levy, and in the manner for such general tax levy provided, levy and collect each year upon the property situated within such sewer district formed as hereinbefore set forth, and upon such property only, and until such bonds are paid or until there shall be a sum in the treasury of such city, town or municipal corporation set apart for that purpose, sufficient to meet all sums coming due for the principal and interest on such bonds, a tax sufficient to pay the annual interest on such bonds, and also such part of the principal thereof as shall become due before the time for fixing the next general tax levy; *provided, however*, that if the maturity of the indebtedness created by the issue of said bonds or any part thereof, be made to begin more than one year after the date of the issuance of such bonds, such tax shall be levied and collected at the time and in the manner aforesaid, annually, each year, sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof, on or before the payments herein provided for, shall become due. The taxes herein required to be levied and collected shall be in addition to all other taxes levied for the municipal purposes, and shall be collected at the time, and in the manner, as other municipal taxes are collected, and shall be used for no other purpose than the payment of the sum or sums of money due on said bonds and the accruing interest thereon.

"SEC. 8. It shall be the duty of the legislative body of every city, town or municipal corporation, wherein sewer work or improvement is being made or acquired under the provisions of this Act, to make all needful rules and regulations for carrying out and maintaining such sewer work or improvement, to appoint all needful agents, superintendents and engineers to properly look after the construction and operation of such sewers; *provided*, that in cities, towns and municipal corporations operating under a charter heretofore or hereafter framed under section 8, of article XI of the Constitution of the State of California, and having a board or department of public works all the matters and things required in this section to be done and performed by the legislative body of the municipality shall be done and performed by the board or department of public works of such city, town or municipal corporation.

"SEC. 9. This Act shall in no wise affect any other Act by the provisions of which sewer work or improvement may be done within or by any city, town or municipal corporation, but it is intended to and does provide an alternate system of proceedings for sewer work and improvements, and it shall be within the discretionary powers of the legislative body of any city, town or municipal corporation to proceed in making such improvements either under the provisions of this Act, or under the provisions of any other Act. But when any proceedings are commenced under this Act the provisions of this Act and such amendments thereto as may hereafter be adopted, shall thereafter apply to all work done under such proceedings until the completion thereof. If, after certain sewer work or improvement has been done or sewers acquired under provisions of this Act, the legislative body of any city, town or municipal corporation shall deem it necessary or convenient to construct or acquire any additional sewer or sewers, it shall be within the discretionary powers of the legislative body of any city, town or municipal corporation to proceed in making such improvement either under the provisions of this Act or under the provisions of any other Act relative thereto. But any provisions contained in any other Acts in conflict with the provisions hereof shall be void as to, and of no effect upon, proceedings commenced under the provisions of this Act, except, as herein provided.

"The word 'sewer' as used in this Act, shall be deemed to, and is hereby declared to, include sewers for sanitary or drainage purposes, drains or conduits for surface or storm water, and the outlets therefor.

"SEC. 10. This Act shall take effect immediately."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

PRESIDENT OF SENATE IN CHAIR.

At two o'clock and twenty-five minutes p.m., Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1215—An Act to add a new section to the Civil Code to be known and numbered as section 1829, relating to the opening of safe deposit boxes or vaults by safe deposit companies.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 13 and 14, strike out the words "state Superintendent of Banks" and insert in lieu thereof the following: "treasurer of the county wherein such safe deposit box or vault is located".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, lines 2 and 3, strike out the words "Superintendent of Banks" and insert in lieu thereof the following: "county treasurer".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 162—An Act to amend section 4300*a* of the Political Code, relating to the fees of county clerks.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1072—An Act to add a new section to the Civil Code to be numbered 330, relating to debts owing to and stock standing in the name of decedents.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, after the word "corporation" strike out the word "in" and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, after the word "presenting" insert the words "to the corporation".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 13, after the comma following the word "stock" strike out the word "duly".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 23, after the word "presenting" insert the words "to the corporation".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 24, after the comma following the word "shares" strike out the "duly".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 533—An Act placing under the jurisdiction of the Railroad Commission every employer who provides hospital service for his employees and makes a charge therefor; requiring every such charge to be just and reasonable and to be devoted to no other purpose than such hospital service; and prescribing penalties for violations of the provisions hereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend title of printed bill to read as follows: "An Act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records and accounts of all such charges, and to make an annual written report thereof; requiring each such charge to be just and reasonable and to be devoted to no other purpose than such hospital service; and prescribing penalties for violations of the provisions thereof."

Amendment adopted.

AMENDMENT NUMBER TWO.

Amend by striking out on page 2, line 4, of the printed bill, in section 2, the word "tenth" and all of line 5 of said section, and the words "this State" in line 6 thereof, and insert in lieu thereof the following: "thirtieth day of January thereof, file as hereinafter provided".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 7, strike out at the end of the line the words "the salaries", strike out all of line 8, and in line 9 up to and including the figure 2 enclosed in brackets; and in line 11, strike out all of said line commencing with the figure 3 enclosed in brackets, and in line 12 to and including the figure 4 enclosed in brackets, and insert before the word "an" the figure 2, in brackets, in line 14, strike out the figure 5 and insert in lieu thereof the figure 3.

Amendment adopted.

AMENDMENT NUMBER FOUR.

Amend by striking out of section 3, page 2, line 20, of the printed bill, the last word of said line 20, and strike out all of lines 21 and 22 and insert in lieu thereof the following: "The Railroad Commission is hereby given authority to decide what is an unreasonable charge in all cases where such charge is made by a hospital maintained by a public utility, and in all cases where the charge is made by a hospital maintained by other than a public utility, the Industrial Accident Commission is hereby given authority to decide what is an unreasonable charge."

Amendment adopted.

AMENDMENT NUMBER FIVE.

Amend in section 5, of the printed bill, line 27, by inserting after the word "every" the following: "public utility".

Amendment adopted.

AMENDMENT NUMBER SIX.

Amend printed bill, page 3, line 3, after the period following the figures "1913" by striking out the period and inserting in lieu thereof the following: "and all Acts amendatory thereof or supplemental thereto. Every employer coming under the provisions of this Act shall be required to post a copy of this statement or report upon all bulletin boards at terminals or in a conspicuous place where employees can read such statement or report. Every employer other than a public utility, who is under a duty to render the report referred to in section 2 of this Act, shall be subject to the jurisdiction, control and regulation of the Industrial Accident Commission in respect to the auditing and inspection of all books, records and accounts and the authority is hereby conferred upon said Industrial Accident Commission to enforce by appropriate orders and processes the provisions of this Act."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 6, of the printed bill, strike out the last three words "to exceed fifty"; strike out all of line 7 and insert the following: "less than one hundred dollars or more than two thousand dollars for each offense".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, strike out all of section 7, lines 8 to 17, inclusive.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 837—An Act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains, except in cases of urgency.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend by striking out of the title, in line 7, printed bill, the words "case of urgency" and insert in lieu thereof the following: "such cases or classes of cases as may be permitted by the Railroad Commission."

Amendment adopted.

AMENDMENT NUMBER TWO.

Amend by adding on page 1, line 7, printed bill, after the semicolon (;) after the word "train" the following: "except in such cases or classes of cases as may be permitted by the Railroad Commission."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

SPECIAL ORDER CONTINUED.

Senator Wolfe asked for and was granted unanimous consent that the further consideration of Senate Bill No. 857, the special order heretofore set for two o'clock and thirty minutes p.m., until two o'clock and forty-five minutes p.m.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1007—An Act to provide for the re-assessments by municipal corporations on property benefited by street work done under authority of the governing bodies thereof; providing for the method of making and collecting such assessments and for the payment of contractors and others performing labor or supplying materials for the work done out of funds so raised or bonds issued by municipal corporations.

Bill read third time.

The question being on the passage of Senate Bill No. 1007.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Purkitt moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brede, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Slater, Thompson, Tyrrell, and Wolfe—32.

The Secretary announced the absentees.

Time, two o'clock and thirty-nine minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Purkitt.

The Secretary was directed to call the roll, on the passage of the bill, of Senators who had not answered to their names.

The roll was called, and Senate Bill No. 1007 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Campbell, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Maddux, Owens, Purkitt, Slater, Thompson, Tyrrell, and Wolfe—25.

NOES—Senators Ballard, Benedict, Brown, Carr, Cogswell, King, Luce, and Lyon—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

Senate Bill No. 857—An Act to make lawful certain agreements between employees and laborers, and to limit the issuing of injunctions in certain cases.

The further consideration of motion to refer Senate Bill No. 857 to Special Committee of One was resumed.

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Duncan, Gerdes, and Crowley.

Thereupon the Secretary was directed to call the roll.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Campbell moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Slater, Thompson, Tyrrell, and Wolfe—33.

The Secretary announced the absentees.

Time, two o'clock and forty-six minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At two o'clock and forty-eight minutes p.m., Senators Strobridge, Shearer, Stuckenbruck, Scott, Butler, and Mott were brought to the bar of the Senate, and, on motion of Senator Gerdes, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and ten minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Kehoe.

The Secretary was directed to call the roll, on the motion to refer to Special Committee of One, of Senators who had not answered to their names.

The roll was called, and the motion to refer to Special Committee of One adopted by the following vote:

AYES—Senators Beban, Benson, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, King, Luce, Lyon, Scott, Slater, Stuckenbruck, and Wolfe—20.

NOES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Chandler, Cogswell, Irwin, Jones, Kehoe, Maddux, Mott, Owens, Purkitt, Shearer, Strobridge, Thompson, and Tyrrell—19.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 857, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, Committee.

Report read and, on motion of Senator Lyon, adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benedict moved to refer to Senator Brown as a Special Committee of One to amend Senate Bill No. 857 as follows:

AMENDMENT NUMBER ONE.

On page 2, strike out all of line 21 and the word "place" in line 22 and the semicolon following the word "place".

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Purkitt, Owens, and Carr.

The Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One was carried by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Flint, Jones, King, Maddux, Mott, Owens, Purkitt, Shearer, Stuckenbruck, and Thompson—21.

NOES—Senators Beban, Benson, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Irwin, Kehoe, Luce, Lyon, Scott, Slater, Tyrrell, and Wolfe—17.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 857, with instructions to amend, respectfully reports the same back, amended as per instructions.

BROWN, Committee.

Report read and, on motion of Senator Benedict, adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benedict moved to refer to Senator Brown as a Special Committee of One, to amend Senate Bill No. 857 as follows:

AMENDMENT NUMBER ONE.

Beginning on page 2, line 14, strike out everything after the word "individual" and also all of lines 15 and 16 down to the period in line 16.

The question being on motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Thompson, Duncan and Gerdes.

The Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One carried by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Flint, Jones, Maddux, Mott, Owens, Purkitt, Shearer, Stuckenbruck, and Thompson—20.

NOES—Senators Beban, Benson, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Haus, Irwin, Kehoe, King, Luce, Lyon, Scott, Slater, Tyrrell, and Wolfe—18.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 857, with instructions to amend, respectfully reports the same back, amended as per instructions.

BROWN, Committee.

Report read and, on motion of Senator Benedict, adopted.

Bill ordered to print and re-engrossment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 162—An Act to amend section 4300*a* of the Political Code, relating to the fees of county clerks—and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Luce, the consideration of the motion to reconsider the vote whereby Senate Bill No. 510 was passed, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Senator Benson asked for, and was granted, unanimous consent to take up at this time out of the regular order for the purpose of amendment, Assembly Bills Nos. 715, 1456, 1526 and 1457.

Assembly Bill No. 715—An Act to provide for and regulate primary elections and providing for the election of party committees, and to repeal the Act providing for the regulating primary elections known as the direct primary law and approved June 16, 1913, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benson moved to refer to Senator Thompson as a Special Committee of One to amend Assembly Bill No. 715 as amended in Senate April 12, 1915, as follows:

AMENDMENT NUMBER ONE.

On page 4, line 3, insert after the word "offices" a comma and the following: "nominated under the provisions of this Act,".

AMENDMENT NUMBER TWO.

On page 5, strike out the comma at the end of line 8, and insert in lieu thereof the following: "of each political party participating in such primary election,".

AMENDMENT NUMBER THREE.

On page 5, insert in line 36, after the word "election" and preceding the comma, the following: "held under the provisions of this Act".

AMENDMENT NUMBER FOUR.

On page 6, insert in line 18, after the word "election" and preceding the comma, the following: "held under the provisions of this Act".

AMENDMENT NUMBER FIVE.

On page 7, line 34, after the word "is" insert the following: "a candidate for an office".

AMENDMENT NUMBER SIX.

On page 9, insert in line 12, after the word "is" the following: "a candidate for an office".

AMENDMENT NUMBER SEVEN.

Strike out all of lines 4 to 7, inclusive, on page 10, and insert in lieu thereof the following: "The nomination herein referred to is the nomination as candidate of the ________________ party."

If the form prescribed by subdivision 2 of this section be used there shall also be inserted therein immediately following said paragraph the following declaration: "We each do hereby declare it our intention to affiliate with said ________________ party at said primary election."

AMENDMENT NUMBER EIGHT.

On page 10 insert before the comma following the word "committeeman", in line 9, the following: "or delegate to a national party convention,".

AMENDMENT NUMBER NINE.

On page 13, insert in line 3, before the comma following the word "man" the following: "or delegate to a national party convention,".

AMENDMENT NUMBER TEN.

On page 13, insert in line 23, after the word "election" preceding the comma the following: "held under the provisions of this Act".

AMENDMENT NUMBER ELEVEN.

On page 14, insert in line 2, after the comma following the word "office" the following: "or the office of delegate to a national party convention,".

AMENDMENT NUMBER TWELVE.

On page 14, insert in line 18, after the word "office" a comma and the following: "or the office of delegate to a national party convention,".

AMENDMENT NUMBER THIRTEEN.

On page 14, insert in line 37, after the comma following the word "office" the following: "or the office of delegate to a national party convention,".

AMENDMENT NUMBER FOURTEEN.

On page 16, strike out of lines 6 and 7, the words "or, in the case of a municipal election, to the city clerk" and the parentheses enclosing said words.

AMENDMENT NUMBER FIFTEEN.

On page 16, strike out all of line 16, following the period, all of lines 17, 18, 19 and 20, all of line 21 down to and including the period, and insert in lieu thereof the following: "The county clerk shall in substantially the manner above provided examine the signatures to all other nomination papers which shall be delivered to him for examination under the provisions of this Act and certify to the signatures thereto and to the result of such examination and shall within ten days after the receipt by him of any such nomination papers required by this Act to be filed in his office so file the same with such certificate attached and within five days after the receipt by him of any nomination paper required by this Act to be filed in the office of the city clerk of any municipality forward it with such certificate attached to the city clerk of such city."

AMENDMENT NUMBER SIXTEEN.

On page 16, strike out all of lines 26, 27 and 28 and all of line 29 down to and including the comma and insert in lieu thereof the following:

"SEC. 18. Whenever the boundaries of any political subdivision of the State are legally changed,".

AMENDMENT NUMBER SEVENTEEN.

On page 17, strike out of line 8, the words "the counties combined to form" and insert in lieu thereof the following: "that portion of the original county or counties comprising".

AMENDMENT NUMBER EIGHTEEN.

On page 17, insert in line 13, after the comma the following: "delegates to a national party convention,".

AMENDMENT NUMBER NINETEEN.

On page 18 strike out the period in line 25 and insert in lieu thereof a comma and the following: "but the county clerk shall, notwithstanding the provisions of this subdivision, examine the signatures to all nomination papers presented to him under the provisions of this Act and certify the result of such examination as required by the provisions of section 17 of this Act."

AMENDMENT NUMBER TWENTY.

On page 19, after line 5, insert a new subdivision reading as follows:

"10. The Secretary of State, county clerk or city clerk with whom the nomination papers of any candidate are filed pursuant to the provisions of this Act shall, if the same be found sufficient, unless the filing fee therefor has been paid, forthwith notify such candidate in writing of the filing of such nomination papers and demand payment of the required filing fee."

AMENDMENT NUMBER TWENTY-ONE.

On page 19 insert in line 34 after the comma the following: "or the office of delegate to a national party convention,"

AMENDMENT NUMBER TWENTY-TWO.

On page 19 insert in line 36 after the word "publish" and before the comma the following: "a notice setting forth,".

AMENDMENT NUMBER TWENTY-THREE.

On page 19 insert in line 37 after the word "office" the following: "and of the office of delegate to a national party convention".

AMENDMENT NUMBER TWENTY-FOUR.

On page 20 strike out of line 8 the word "and" and insert in lieu thereof the following "which notice".

AMENDMENT NUMBER TWENTY-FIVE.

On page 20 strike out of lines 10 and 11 the words "He shall also publish" and insert in lieu thereof the following: "Such notice shall also set forth".

AMENDMENT NUMBER TWENTY-SIX.

On page 20 strike out of line 13 the word "places" and insert in lieu thereof the word "place"

AMENDMENT NUMBER TWENTY-SEVEN.

On page 21 strike out of line 9 the word "office" and insert in lieu thereof the word "offices".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 21, strike out of line 13 the word "such".

AMENDMENT NUMBER TWENTY-NINE.

On page 21 strike out of lines 21 and 22 the words "other than the August primary election or the May presidential primary election" and insert in lieu thereof the following: "held within the municipality of which he is an officer for the purpose of nominating candidates to be voted on therein at a municipal election."

AMENDMENT NUMBER THIRTY.

On page 21 insert in line 25 after the word "ballots" the following: "to be used at any August primary election,".

AMENDMENT NUMBER THIRTY-ONE.

On page 23 strike out of lines 36 and 37 the words "group of names of candidates" and insert in lieu thereof the word "candidate".

AMENDMENT NUMBER THIRTY-TWO.

On page 24 strike out of line 1, the word "group" and insert in lieu thereof the word "candidate".

AMENDMENT NUMBER THIRTY-THREE.

On page 24, strike out of line 4 the period and insert in lieu thereof a comma and the following: "preceding the respective groups of names of candidates."

AMENDMENT NUMBER THIRTY-FOUR.

On page 24 strike out of line 5 the word "list" and insert in lieu thereof the word "names".

AMENDMENT NUMBER THIRTY-FIVE.

On page 24 insert in line 6 after the word "ballot" the following: "to be used at any election held under the provisions of this Act other than the May presidential primary election."

AMENDMENT NUMBER THIRTY-SIX.

On page 27 insert in line 1 after the word "ballots" the following: "to be used at any August primary election".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 27 strike out of line 3 the word "gothin" and insert in lieu thereof the word "gothic".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 27 strike out of line 31 the words "in section 28 of this Act" and insert in lieu thereof the following: "by law".

AMENDMENT NUMBER THIRTY-NINE.

On page 30, strike out of line 9 the word "The" and insert in lieu thereof the following: "At the August primary election, the".

AMENDMENT NUMBER FORTY.

On page 30, strike out of line 28 the word "He" and insert in lieu thereof the words "The voter".

AMENDMENT NUMBER FORTY-ONE.

On page 30, insert in line 36, after the word "candidate" the following: "or group of candidates".

AMENDMENT NUMBER FORTY-TWO.

On page 31, strike out of lines 12 and 13 the words "the printed designation" and insert in lieu thereof the following: "such printed designation as the law may require to appear".

AMENDMENT NUMBER FORTY-THREE.

On page 31, strike out of line 16, the word "register" and insert in lieu thereof the words: "affidavit of registration".

AMENDMENT NUMBER FORTY-FOUR.

On page 32, insert in line 18, after the comma, the following: "or for the office of delegate to a national party convention".

AMENDMENT NUMBER FORTY-FIVE.

On page 33, insert in line 12, after the comma, the following: "except the office of delegate to a national party convention,".

AMENDMENT NUMBER FORTY-SIX.

On page 34, insert in line 5, after the word "election" the following: "held under the provisions of this Act".

AMENDMENT NUMBER FORTY-SEVEN.

On page 34, strike out of line 8 the following: "in the office of the county clerk" and insert in lieu thereof the following: "in accordance with the provisions of this Act".

AMENDMENT NUMBER FORTY-EIGHT.

On page 34, insert in line 30, after the word "office" the following: "or for the office of elector of President and Vice President of the United States,".

AMENDMENT NUMBER FORTY-NINE.

On page 34, strike out of line 32, the word "congressional".

AMENDMENT NUMBER FIFTY.

On page 35, insert in line 1, after the word "party" the following: "who have received their party nomination".

AMENDMENT NUMBER FIFTY-ONE.

On page 36, insert in line 9, after the word "election" and preceding the comma, the following: "held under the provisions of this Act".

AMENDMENT NUMBER FIFTY-TWO.

On page 36, insert in line 34, after the word "board" and before the comma, the following: "charged by law with the duty of canvassing the vote at the election".

AMENDMENT NUMBER FIFTY-THREE.

On page 37, strike out of lines 13 and 14, the words "in any city and county".

AMENDMENT NUMBER FIFTY-FOUR.

On page 37, insert in line 23, after the word "election" and preceding the comma, the following: "held under the provisions of this Act".

AMENDMENT NUMBER FIFTY-FIVE.

On page 33, line 26, following the semicolon, insert the following: "*and provided, further*, that in case there are two or more persons to be elected at the November election to any office not a congressional office, and in case any candidates for such office receive at the August primary election the votes of a majority of all the voters participating in the primary election in the State or political subdivision in which said office is voted upon (such candidates being herein designated as "majority candidates"), said 'majority candidates' shall, if their number is not less than the number of persons to be elected to such office, be the only candidates for such office whose names shall be printed on the ballot at the ensuing November election; and if the number of such 'majority candidates' falls short of the number of persons to be elected to such office, the names of said 'majority candidates' shall be printed on the ballot at the ensuing November election, together with such number of additional names only of such other candidates receiving the next highest number of votes for nomination to such office as may equal twice the number to be elected to such office less twice the number of 'majority candidates' (or a smaller number, if the list of said other candidates is exhausted)."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 715, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Committee.

Report read and, on motion of Senator Benson, adopted.

Bill ordered to print.

Assembly Bill No. 1456—An Act to amend section 1197 of the Political Code, relating to form of ballots.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benson moved to refer to Senator Jones as a Special Committee of One, to amend Assembly Bill No. 1456 as follows:

AMENDMENT NUMBER ONE.

On page 4, line 3, of the printed and amended bill, after the words "county clerk" insert the words "or registrar of voters".

AMENDMENT NUMBER TWO.

On page 4, line 22, of the printed and amended bill, after the figures "1188" insert the words "of the Political Code".

AMENDMENT NUMBER THREE.

On page 9, line 3, of the printed and amended bill, omit the words "or any" and insert in lieu thereof the words "of any".

AMENDMENT NUMBER FOUR.

On page 10, line 16, of the printed and amended bill, after the word "person" insert the words "whose name is".

AMENDMENT NUMBER FIVE.

In pasting the sample ballots in the bill, change the order, placing the ballot containing names of presidential electors after the other ballot; and on the back of said ballot containing names of presidential electors change the words "Third Assembly District" to the words "First Assembly District".

AMENDMENT NUMBER SIX.

On page 3 of the bill as amended in Senate April 12, 1915, strike out of line 16 the words "primary election" and insert in lieu thereof the words "direct primary".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1456, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read and, on motion of Senator Benson, adopted.

Bill ordered to print.

Assembly Bill No. 1526—An Act to amend sections 1073, 1079, 1083*a*, 1094, 1096, 1097, 1113, 1115, 1127, 1128, 1129, 1130, 1133, 1192, 1288, 1290, 1294 and 4025 of the Political Code; to add a new section to the same code to be numbered 1083*b*, relating to the same subject-matter; and to repeal sections 1285, 1286, 1287, etc.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benson moved to refer to Senator Jones as a Special Committee of One to amend Assembly Bill No. 1526 as follows:

AMENDMENT NUMBER ONE.

On the top margin of the affidavit, just above the words

"AFFIDAVIT OF REGISTRATION."

insert the following, including the dotted blank line:

"NAME OR NUMBER OF PRECINCT"

AMENDMENT NUMBER TWO.

After the word "affidavit" just before line 2, omit the period and parenthesis, and insert in lieu thereof the following: "under 'statement of transfer or change of name'.)"

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1526, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read and, on motion of Senator Benson, adopted.

Bill ordered to print.

Assembly Bill No. 1457—An Act to provide for the indication by the registered qualified electors of the several political parties of their choice for nomination by their party for President of the United States through the election of the delegates of said political parties to their respective national conventions, etc.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benson moved to refer to Senator Jones as a Special Committee of One to amend Assembly Bill No. 1457 as follows:

AMENDMENT NUMBER ONE.

Amend the title by omitting the words "of the several political parties of their choice for nomination by their party" and insert in lieu thereof the words "of their choice for nomination by their respective political parties".

AMENDMENT NUMBER TWO.

On page 1, line 6 of the printed bill, omit the words "of the several political parties".

AMENDMENT NUMBER THREE.

On page 1, line 8 of the printed bill, before the word "parties" insert the word "political".

AMENDMENT NUMBER FOUR.

On page 1, line 10, of the printed bill, omit the four letters "d a t e" and insert in lieu thereof the letters "d a t e s".

AMENDMENT NUMBER FIVE.

On page 2, line 33 of the printed bill, omit the word "candidate" and insert in lieu thereof the word "candidates".

AMENDMENT NUMBER SIX.

On page 4, line 23 of the printed bill, omit the words "has received" and insert in lieu thereof the words "has had first filed".

AMENDMENT NUMBER SEVEN.

On page 4, line 37 of the printed bill, omit the word "be".

AMENDMENT NUMBER EIGHT.

On page 6, line 28 of the printed bill, spell the word "candidates" correctly.

AMENDMENT NUMBER NINE.

On page 8, line 2 of the printed bill, omit the word "states" and insert in lieu thereof the words "writes, or has written, and declares".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1457, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read and, on motion of Senator Benson, adopted.

Bill ordered to print.

ADJOURNMENT OUT OF RESPECT.

On motion of Senator Scott, seconded by Senators Thompson and Wolfe, the Senate decided by rising vote that when adjournment for this day should be had that such adjournment should be out of respect to the memory of Abraham Lincoln, on account of this day being the fiftieth anniversary of his death.

RUSH ORDER TO PRINTER.

On motion of Senator Benson, the Secretary was directed to issue a rush order for printing Assembly Bills Nos. 715, 1456, 1526 and 1457.

SPECIAL ORDER.

Senator Benson moved that Assembly Bills Nos. 715, 1456, 1526 and 1457 be made a special order for Friday, April 16, 1915, at two o'clock p.m.

Motion carried.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At four o'clock and fifteen minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

RESOLUTION—(OUT OF ORDER).

By consent of the Senate, the following resolution was offered, out of the regular order:

By Senator Breed:

Resolved, That the Secretary of the Senate be and he is hereby authorized to order printed one thousand copies of the revised edition of the "Legislative Manual and Form Book" for distribution to the libraries and educational institutions of the State that they may be available for use as reference books on legislative and kindred subjects, one hundred twenty copies of which shall be delivered to the Legislative Counsel Bureau with instructions to forward one copy to each of the members of the forty-second session as soon as their election shall have been determined.

Resolution read and, on motion of Senator Breed, adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 668—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," by amending sections 1, 3, 11, 15, 20, 25, 28, 32, 36, 43, 46, 47, 48, 49, 56, 61, 65, 67, 68, 80, 83, 96, 101, 127, 144 and 145 thereof and by adding a new section thereto, to be numbered section 57, all relating to the definition and regulation of the business of banking—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

HANS, Chairman.

Senate Bill No. 668 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 562—An Act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain state buildings and grounds—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Public Morals.

KEHOE, Chairman.

Senate Bill No. 562 ordered re-referred to Committee on Public Morals.

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: The minority of your Committee on Public Morals, to which was referred Senate Bill No. 1202—An Act to provide for the regulation and supervision of racing meetings; establishing a state racing commission for the purpose of administering the provisions hereof, and defining its powers and duties; prohibiting bookmaking; and prescribing penalties for violation of the provisions of the Act—has had the same under consideration and respectfully reports the same back and recommends that it do pass.

FLAHERTY, Chairman.

SPECIAL ORDER.

Senator Kehoe moved that Senate Bill No. 29 be made a special order for Friday, April 16, 1915, at eleven o'clock a.m.

Motion carried.

SECRETARY EDWIN F. SMITH AT THE DESK.

LEAVE OF ABSENCE.

Senator Butler asked for, and was granted, leave of absence for the balance of this legislative day.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

On motion of Senator Jones, Senate Bill No. 720 was passed on file; to retain its place.

Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons.

Read third time previously.

The question being on the passage of Senate Bill No. 55.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Kehoe moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

The Secretary announced the absentees.

Time, four o'clock and thirty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and thirty-three minutes p.m., Senators Owens, Benson, and Scott were brought to the bar of the Senate, and, on motion of Senator Finn, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and thirty-six minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Finn.

The Secretary was directed to call the roll, on passage of the bill, of Senators who had not answered to their names.

The roll was called, and Senate Bill No. 55 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Breed, Brown, Campbell, Carr, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Irwin, King, Lyon, Purkitt, Scott, Slater, Stuckenbruck, Tyrrell, and Wolfe.—23.

NOES—Senators Anderson, Birdsall, Chandler, Cogswell, Cohn, Flint, Jones, Kehoe, Luce, Maddux, Owens, Shearer, and Thompson—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Campbell moved to reconsider the vote whereby Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12—was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 954 was passed, carried by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

CONSIDERATION OF SENATE BILL—(OUT OF ORDER).

Senator Campbell asked for and was granted unanimous consent to take up at this time out of the regular order Senate Bill No. 954 for the purpose of amendment.

Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections eight, eleven and twelve.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Campbell moved to refer to Senator Lyon as a Special Committee of One, to amend Senate Bill No. 954 as follows:

AMENDMENT NUMBER ONE.

By striking out of section 1, page 2, lines 12 and 13, the word "persons", and inserting in lieu thereof the following: "women and minors under 18 years of age".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 954, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Committee.

Report read and, on motion of Senator Campbell, adopted.

Bill ordered to print, and re-engrossment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate the following report of standing committee was received and read, out of the regular order:

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 1192—An Act to repeal article III of chapter III of title VII of part IV of the Civil Code of the State of California, and to enact a new article III of chapter III of title VII of part IV of the Civil Code of the State of California, relating to bills of lading—has had the same under consideration, and respectfully recommends that same be re-referred to Committee on Judiciary.

CARR, Chairman.

Senate Bill No. 1192 ordered re-referred to Committee on Judiciary.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 610—An Act to provide for the establishment, government, and maintenance of city planning commissions within municipalities, and prescribing their powers and duties.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 610 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Scott, Slater, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 611—An Act to amend sections 1 and 4 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 611 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Scott, Slater, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 899—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section 188, relating to the disposition of funds paid by order of court.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 899 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Scott, Slater, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 344—An Act to add a new section to the Civil Code to be numbered 485*a*, relating to crossings over railroads.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 344 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flint, Gerdes, Kehoe, King, Luce, Lyon, Owens, Purkitt, Slater, Thompson, Tyrrell, and Wolfe—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Kehoe gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 597 was passed.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 475—An Act to amend section 599 of the Civil Code of the State of California, relating to what may be provided for in the by-laws, ordinances, constitutions or articles of incorporation of corporations now organized or that may hereafter be organized for purposes other than profit;

Also: Senate Bill No. 584—An Act to amend section 2466 of the Political Code and to add thereto a new section to be numbered 2466*a*, relating to rates of pilotage at San Francisco;

Also: Senate Bill No 586—An Act to amend section 53 of the "Bank Act" of the State of California, approved March 1, 1909, approved as amended April 21, 1911;

Also: Senate Bill No. 639—An Act to amend section 442 of the Code of Civil Procedure, relating to cross complaints;

Also: Senate Bill No. 982—An Act to amend an Act entitled "An Act providing for the time of payment of wages," approved May 1, 1911, by amending section 3 thereof, providing penalties for the violation of said Act.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 475, 584, 586, 639 and 982 ordered to enrollment.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1025—An Act amending an Act entitled "An

Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, by amending sections 1, 5, 6, 7 and 11 thereof;

Also: Senate Bill No. 1089—An Act to amend the Political Code of the State of California by adding a new section thereto to be designated section 1194, relating to the preservation and subsequent destruction by the Secretary of State of initiative, referendum and recall petitions;

Also: Senate Bill No. 1201—An Act to amend section 1989 of the Code of Civil Procedure, relating to the attendance of a witness before a court, Judge, Justice or other officer out of the county in which the witness resides.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1025, 1089 and 1201 ordered to enrollment.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 486—An Act to amend sections 953*a* and 953*b* of the Code of Civil Procedure relating to a new and alternative method for the preparation of records to be used on appeal from judgments, orders or decrees from the Superior Court to the Supreme Court or District Courts of Appeal;

Also: Senate Bill No. 972—An Act to amend section 636½ of the Penal Code, relating to the protection of fish;

Also: Senate Bill No. 1058—An Act to amend section 5 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 19, 1889, as amended;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 486, 972 and 1058 ordered to the file of Unfinished Business.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 592—An Act to amend section 192 of the Penal Code defining manslaughter;

Also: Assembly Bill No. 582—An Act to amend section 765 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883;

Also: Assembly Bill No. 239—An Act to amend section 1 of an Act entitled "An Act to enforce the eduactional rights of children and providing penalties for violation of the Act," approved March 24, 1903, as amended by Act approved March 20, 1905, and as further amended by an Act approved April 21, 1911, and relating to the age of school children;

Also: Assembly Bill No. 1338—An Act to amend sections 3682, 3692, 3696, 3714, 3732, 3737, 3746, 3756 of the Political Code, relating to the assessment, equalization and collection of taxes.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 592 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 582 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 239 read first time, and referred to Committee on Education.

Assembly Bill No. 1338 read first time, and referred to Committee on Revenue and Taxation.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1081—An Act to provide county boards of public welfare and to define the powers and duties thereof;

Also: Assembly Bill No. 1297—An Act to amend section 1211 of the Political Code relating to the marking of election ballots.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1081 read first time, and referred to Committee on County Government.

Assembly Bill No. 1297 read first time, and referred to Committee on Elections.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1037—An Act to amend section 623 of the Political Code of the State of California, relating to the bonds of insurance companies;

Also: Senate Bill No. 560—An Act to amend sections 950, 951 and 952 of the Code of Civil Procedure, all relating to appeals;

Also: Senate Bill No. 881—An Act to add to the Code of Civil Procedure a new section to be known and numbered section 103*b*, relating to Justices' Court Clerk and fixing the powers and duties;

Also: Senate Bill No. 1026—An Act to amend an Act entitled "An Act to provide for the consolidation of municipal corporations," approved June 11, 1913, by amending sections 5, 7, 10, 11 and 14, and by adding a new section thereto to be numbered section 13½, relating to certain noncontiguous municipal corporations.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1037, 560, 881 and 1026 ordered to enrollment.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 825—An Act to amend section 626*e* of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 658—An Act regulating the sale and shipment of citrus fruits damaged by frost, and prescribing penalties for the violation of the provisions thereof;

Also: Senate Bill No. 1057—An Act to amend section 4 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901;

Also: Senate Bill No. 106—An Act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an Act entitled "An Act to survey and dispose of certain marsh and tide lands belonging to the State of California," approved March 30, 1868, or any of the Acts supplementary thereto and amendatory thereof, and regulating the procedure therein;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 825, 658, 1057 and 106 ordered to the file of Unfinished Business.

ADJOURNMENT.

At five o'clock and five minutes p.m., on motion of Senator Kehoe, the President pro tem. declared the Senate adjourned out of respect to the memory of Abraham Lincoln, on account of this day being the fiftieth anniversary of his death.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Friday, April 16, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 15, 1915, the further reading was dispensed with, on motion of Senator Rush.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Luce to introduce a bill entitled: "An Act authorizing the Governor of the State of California to appoint a commission to investigate and report at the forty-second session of the Legislature concerning unemployment and making an appropriation therefor"—has had the same under consideration and respectfully reports the same back and recommends that such request be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with the above report:

By Senator Luce:

Senate Bill No. 1259—An Act authorizing the Governor of the State of California to appoint a commission to investigate and report at the forty-second session of the Legislature concerning unemployment and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 489—An Act to amend section 14 of an Act entitled "An Act creating a Board of Pilot Commissioners for the harbor of San Diego, defining their duties and fixing their compensation," approved March 2, 1911—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BROWN, Chairman.

Assembly Bill No. 489 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 118—An Act to amend section 4232 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in counties of the third class;

Also: Senate Bill No. 1236—An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of education;

Also: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls independent of the Legislature and also reserving to the people of the State of California the power to approve or reject at the polls any Act or section or part of any Act of the Legislature;

Also: Senate Bill No. 1077—An Act to amend section 13 of an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913;

Also: Senate Bill No. 783—An Act to amend section 681 of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes;

Also: Senate Bill No. 1169—An Act enabling any city or town maintaining a free public swimming bath to take water therefor from a public utility water ditch, and after such use to return the water to the ditch, provided such water is not used for domestic or municipal purposes;

And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Brown, the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage was continued until the next legislative day.

REQUEST FOR INTRODUCTION OF BILL.

Senator Scott requested permission to introduce a Senate bill entitled: "An Act to amend an Act entitled 'An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any Act may be authorized,' by amending section 4 of said Act."

Request referred to Committee on Introduction of Bills.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Kehoe moved to reconsider the vote whereby Senate Bill No. 597—An Act to amend sections 190, 192, 193, 194, 195 and 201 of the Code of Civil Procedure, relating to jurors—was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 597 was passed, carried by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—33.

NOES—None.

Senate Bill No. 597—An Act to amend sections 190, 192, 193, 194, 195 and 201 of the Code of Civil Procedure, relating to jurors.

The question being on the passage of the bill.

SPECIAL ORDER.

Senator Campbell moved that further consideration of Senate Bill No. 597 be made a special order for Tuesday, April 20, 1915, at 11 o'clock a.m.

Motion carried.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Thompson the Senate took up for consideration Assembly amendments to Senate Bills Nos. 972, 1058, 825, 658, 1057 and 106, out of the regular order.

Senate Bill No. 972—An Act to amend section 636½ of the Penal Code of the State of California, relating to the protection of fish.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINE HUNDRED SEVENTY-TWO.

AMENDMENT NUMBER ONE.

On page 1, lines 1 and 2, strike out the words "of the State of California".

The question being, "Shall the Senate concur in Assembly amendment No. 1 to Senate Bill No. 972?"

The roll was called, and Assembly amendment No. 1 to Senate Bill No. 972 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Scott, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.

NOES—None.

Also:

AMENDMENT NUMBER TWO.

On page 1, lines 7, 8, 9, 10, 11 and 12, strike out the comma after the word "misdemeanor" in line 7 also all the following: "and upon conviction shall be punishable by a fine of not less than two hundred and fifty dollars, or by imprisonment in the county jail in the county in which the conviction shall be had, not less than one hundred and twenty-five days, or by both such fine and imprisonment;".

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, after the word "California" insert "or has such nets in possession in fish and game district nineteen,".

AMENDMENT NUMBER FOUR.

On page 1, line 7, of the printed bill, after the word "misdemeanor" strike out the period and the remaining portion of said line and insert in lieu thereof ", and upon conviction shall be punishable by a fine of not less than three hundred dollars, or by imprisonment in the county jail in the county in which the conviction shall be had, not less than one hundred and fifty days, or by both such fine and imprisonment; and all".

The question being, "Shall the Senate concur in Assembly amendments Nos. 2, 3 and 4 to Senate Bill No. 972?"

The roll was called, and Assembly amendments Nos. 2, 3 and 4 to Senate Bill No. 972 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—33.

NOES—None.

Senate Bill No. 972 ordered to enrollment.

Also:

Senate Bill No. 1058—An Act to amend section 5 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporation, incorporated under the laws of this State,' " approved March 19, 1889, as amended.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE THOUSAND FIFTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 2, strike out all of line 8 after "SEC. 5" and all of lines 9 to 20, inclusive, and insert in lieu thereof the following: "No city, town or municipal corporation shall incur indebtedness for public improvements which shall in the aggregate exceed twenty-five per cent. of the assessed value of all the taxable real and personal property of such city, town or municipal corporation; nor shall any city, town or municipal corporation incur, for public improvements other than for the purchase or original construction of public works for supplying its inhabitants with water, an indebtedness which shall in the aggregate exceed fifteen per cent. of the assessed value of all the taxable real estate and personal property of such city, town or municipal corporation."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1058?"

The roll was called, and Assembly amendment to Senate Bill No. 1058 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.

NOES—None.

Senate Bill No. 1058 ordered to enrollment.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(RESUMED).

Senate Bill No. 825—An Act to amend section 626c of the Penal Code of the State of California, relating to the protection of game.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED TWENTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, lines 1 and 2, of the title of the printed bill, strike out the words "of the State of California".

AMENDMENT NUMBER TWO.

On page 1, line 2, strike out the words "of the State of California."

AMENDMENT NUMBER THREE.

On page 1, line 5, after the word "deer" insert a comma and strike out the word "or" following the word "deer".

AMENDMENT NUMBER FOUR.

On page 1, line 6, after the word "fawn" insert a comma and strike out the word "or" following the word "fawn"; also, strike out the word "or" following the word "buck" in the same line; also, in line 6, after the word "antelope" strike out the comma and the word "elk".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 825?"

The roll was called, and Assembly amendments to Senate Bill No. 825 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—33.

NOES—None.

Senate Bill No. 825 ordered to enrollment.

Senate Bill No. 658—An Act regulating the sale and shipment of citrus fruits damaged by frost, and prescribing penalties for the violation of the provisions thereof.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED FIFTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, line 6, strike out the words "mark of" and insert in lieu thereof the word "marked".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 658?"

The roll was called, and Assembly amendment to Senate Bill No. 658 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—31.

NOES—None.

Senate Bill No. 658 ordered to enrollment.

Also:

Senate Bill No. 1057—An Act to amend section 4 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof'' which became a law under constitutional provision without the Governor's approval February 15, 1901.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE THOUSAND FIFTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 1, strike out all of line 8, after "SEC. 4." and also all of lines 9 to 12, inclusive, and on page 2, all of lines 1 to 8, inclusive and insert in lieu thereof the following: "No city, town or municipal corporation shall incur indebtedness for public improvements which shall in the aggregate exceed twenty five per cent of the assessed value of all the taxable real and personal property of such city, town or municipal corporation; nor shall any city, town or municipal corporation incur, for public improvements other than for the purchase or original construction of public works for supplying its inhabitants with water, an indebtedness which shall in the aggregate exceed fifteen per cent. of the assessed value of all the taxable real estate and personal property of such city, town or municipal corporation."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1057?"

The roll was called, and Assembly amendment to Senate Bill No. 1057 was concurred in by the following vote:

AYES—Senators Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—33.
NOES None.

Senate Bill No. 1057 ordered to enrollment.

Also:

Senate Bill No. 106—An Act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an Act entitled "An Act to survey and dispose of certain marsh and tide lands belonging to the State of California," approved March 30, 1868, or any of the Acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED SIX.

AMENDMENT NUMBER ONE.

On page 1, line 5, strike out the word "and" at the end of line and insert in lieu thereof the word "an".

AMENDMENT NUMBER TWO.

On page 1, line 12, insert another quotation mark before the word "an" where it appears the second time in said line.

AMENDMENT NUMBER THREE.

On page 1, line 12, capitalize the "A" in the word "an" where it appears the second time in said line.

AMENDMENT NUMBER FOUR.

On page 1, line 7, insert another quotation mark before the word "an" where it appears the second time in said line.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 106?"

The roll was called, and Assembly amendments to Senate Bill No. 106 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—33.
NOES—None.

Senate Bill No. 106 ordered to enrollment.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 29, heretofore set as a special order for eleven o'clock a.m., the same was taken up for consideration.

Senate Bill No. 29—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules and providing a penalty therefor.

Bill read third time.

SENATOR GERDES IN THE CHAIR.

At eleven o'clock and thirty-five minutes a.m., Senator Gerdes, of the Twenty-first District, in the chair.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At twelve o'clock and twenty-five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Purkitt, the hour of recess was extended until twelve o'clock and forty-minutes p.m.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

Further consideration of Senate Bill No. 29 was postponed until after the consideration of the Assembly file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 8, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 462—An Act to amend section 1617 of the Political Code, relating to the powers and duties of trustees of common school districts and of boards of education in city school districts—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

ANDERSON, Chairman.

Senate Bill No. 462 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on County Government to which was referred Assembly Bill No. 1256—An Act to amend section 4234 of the Political Code, relating to salaries and fees of officers in counties of the fifth class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BREED, Chairman.

Assembly Bill No. 1256 ordered on file for second reading.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on County Government to which was referred Senate Bill No. 839—An Act to amend section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BREED, Chairman.

Senate Bill No. 839 ordered on file for second reading.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 907—An Act to provide for the deposit of funds in the county treasury, for the presentation to, and approval by, the board of supervisors, registration, interest upon, time of payment and receipt in payment of assessment of warrants, of Reclamation District No. 108, created by that certain Act of the Legislature of the State of California, approved April 23, 1913, and entitled "An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith," and situated in Colusa and Yolo counties, and providing that the board of supervisors of the county of Colusa shall have jurisdiction of all matters concerning said district, and all funds of said district shall be deposited with the county treasurer of the county of Colusa—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Assembly Bill No. 907 ordered on file for second reading.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 459—An Act to provide for the formation, organization, government and dissolution of flood control districts, in the State of California, the boundaries of which districts shall be co-terminous with the boundaries of the counties in which formed, to be known as county flood control districts, for the purpose of protecting the land therein from damage from storm waters and from the waters of innavigable streams, water courses, canyons or washes, and for the purpose of saving and conserving storm, flood or snow water for beneficial and useful purposes; for the construction of the necessary works of protection and conservation and distribution of such storm or flood waters by said flood control districts; for bonding and assessing such flood control districts, for the cost of constructing and maintaining such improvements, and for levying taxes and assessments to pay the costs of repairing and maintaining such improvements when constructed and for the dissolution of any such districts—has had the same under consideration, and respectfully reports the same back with amendments and recommends that same do pass as amended.

BREED, Chairman.

Senate Bill No. 459 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 410—An Act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this Act a misdemeanor, and repealing legislation inconsistent with this Act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 410 ordered on file for second reading.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 1138—An Act to regulate the building and occupancy of dwelling houses in incorporated and unincorporated towns, cities, cities and counties, and to provide penalties for the violation thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 1138 ordered on file for second reading.

RECESS.

At twelve o'clock and forty minutes p.m., the President pro tem., declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

CONSIDERATION OF ASSEMBLY FILE—SECOND READING OF BILLS.

Assembly Bill No. 455—An Act to provide for the issuance of street improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property secured thereby and for the payment of the bonds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 35, page 2, strike out the words "ten (10)", and insert in lieu thereof the word "eight (8)".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 19, page 3, strike out the word "payee".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 17, page 5, strike out the words "sale to" and insert in lieu thereof, the words "sum due".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 23, page 5, strike out the words "of such sale".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 18, page 6, strike out the word "pro-".

Amendment adopted.

AMENDMENT NUMBER SIX.

In line 19, page 6, strike out the words "vided, that".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

In line 20, page 6, insert the words "provided, that" before the words "the first,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

In lines 14 and 15, page 7, strike out the words "or July, as the case may be, next after its date," and insert in lieu thereof, the words "next before the maturity of the first series of bonds coming due,".

Amendment adopted.

AMENDMENT NUMBER NINE.

In line 32, page 7, strike out the word "six" and insert in lieu thereof, the word "nine,".

Amendment adopted.

AMENDMENT NUMBER TEN.

In line 2, page 8, strike out the word "six" and insert in lieu thereof, the word "nine,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

In line 27, page 10, strike out the words "January or".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

In line 6, page 12, strike out the words "in such fiscal year" and insert in lieu thereof "the next second day of July,".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

In line 11, page 12, strike out the word "fair" and insert in lieu thereof the word "par".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

In line 33, page 12, strike out the word "or" and insert in lieu thereof, the word "and," and strike out the words "secured by" and insert in lieu thereof the word "securing".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

In line 2, page 13, strike out the word "of" and insert in lieu thereof, the word "or".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

In line 13, page 13, strike out the words "city auditor" and insert in lieu thereof, the word "definitions".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

In line 35, page 13, insert the word "or" between the word "interest" and the word "penalties".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

In lines 15 and 16, page 14, strike out the words "as amended from time to time".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

In line 6, page 14, strike out the words "part II" and insert in lieu thereof the words "part III".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

In line 15, page 14, insert the words "as amended from time to time," between the word "act" and the word "the,".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1304—An Act to prevent deception in the manufacture, packing and sale of raisins and providing a penalty for the violation thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 22—An Act declaring all buildings and places nuisances, wherein or upon which any spirituous, vinous, malt or other alcoholic liquor is unlawfully sold, served or given away, or which are used for the purpose of unlawfully selling, serving or giving away such liquors; and providing for the abatement of such nuisances.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 13, page 2 of the printed bill, strike out all after the word "has", and in line 14 strike out the word "nuisance" and insert in lieu thereof the following: "received written notice of the existence of such nuisance signed by the complainant or the said District Attorney at least two weeks prior to the filing of the complaint".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 1184—An Act to amend section 397 of the Penal Code, relating to the sale of intoxicating liquors to habitual drunkards or Indians.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 370—An Act to amend sections 5, 6 and 7 of an Act entitled "An Act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie," approved March 21, 1903.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 2 to 9 of the title of the printed bill as amended in the Assembly, March 25, 1915, strike out all of said lines 2 to 9, inclusive, of the title and insert in lieu thereof the following:

"To amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 12 of an Act entitled 'An Act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in communities in which they lie', approved March 21, 1903, and to add a new section to said Act to be numbered section 1½ including lands lying partially within municipalities subject to draining from the same system of works, and to add nine new sections to said Act to be numbered 8*a*, 8*b*, 8*c*, 8*d*, 8*e*, 8*f*, 8*g*, 8*h*, 8½, respectively, all relating to the issuance of bonds to cover the cost of draining wet, swamp and overflowed lands".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 1 to 5 of the bill as amended, strike out all of said lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 1 of an Act entitled 'An Act to promote the drainage of wet, swamp and overflowed lands and to promote the public health in the communities in which they lie', approved March 21, 1903, is hereby amended to read as follows:

" 'Section 1. Whenever ten or more land owners owning land within any district containing a body of wet, swamp or overflowed lands susceptible of drainage by a ditch or drain or a system of ditches or drains, and which said district is to be benefited by the construction of any improvements contemplated by this Act, shall file with the board of supervisors of the county in which said lands, or a portion theerof, are situated, a petition for the establishment of such ditch or drain, or system of ditches or drains, for the draining of said body of lands, defining the boundary of the district proposed to be benefited and defining the boundaries of such body of lands to be drained and the location and course of such ditch or drain, or system of ditches or drains, through said body of lands, and the lands through which it or they are to pass to their outlets, and shall give said supervisors a good and sufficient bond for the payment of all costs that may accrue provided said petition shall not be granted, said supervisors shall, within thirty days of the filing of said petition, appoint a day for the hearing of the same, which shall not be less than fifteen nor more than forty days from such appointment; and shall, also, cause to be published in some newspaper published and having a general circulation in the county, a copy of said petition together with a notice by the clerk of said board of the time and place set for hearing said petition; said publication shall be at least once each week in a daily or weekly newspaper and for at least two weeks next preceding the time set for said hearing.'

"SEC. 2. A new section is hereby added to said Act to be numbered section 1½ and to read as follows:

" 'Sec. 1½. Whenever a portion of any ditch or drain or system of ditches or drains for the drainage of any such body of wet, swamp, or overflowed lands passes through or forms the boundary line of any municipal corporation, or where adjacent territory within such municipality is found by said board of supervisors to be benefited by such work or improvement, such adjacent territory may be included within the boundaries of such drainage district in proceedings instituted for the creation of said drainage district, provided said petitioners first obtain the consent of the governing body of such municipality, expressed by ordinance, to the construction of such ditch or drain or ditches or drains within the limits of such municipality, and thereupon all such territory shall be subject to the provisions of this Act, and any work or any improvement herein contemplated to be done may be done either within or without the boundaries of the district organized therefor as may be necessary to properly drain by a ditch or drain or a system of ditches or drains any body of wet, swamp or overflowed lands within said district.'

"SEC. 3. Section 2 of said Act is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 16, strike out the figure "2" and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 28, strike out the first word "of" and insert in lieu thereof a comma and the following: "approved March 21,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 23, strike out the word "of" in said line and insert in lieu thereof the following: "approved March 21,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 19, strike out the figure "3" and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, line 11, strike out the figure "4" and insert in lieu thereof the figure "6".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, line 5, strike out the figure "5" and insert in lieu thereof the figure "7".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 7, line 2, strike out the second word "of" in said line and insert in lieu thereof the following: "approved March 21,".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 7, line 10, strike out the figure "6" and insert in lieu thereof the figure "8".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 7, line 15, of the printed bill, as amended, after the word "same" insert the word "shall".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 7, line 25, of the printed bill, as amended, after the comma in said line insert the word "or".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 7, line 30, of the bill, as amended, strike out the word "of" and insert the word "or".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 8, lines 21 to 30, strike out all of said lines 21 to 30, inclusive, and insert in lieu thereof the following:

"SEC. 9. Section 8 of said Act is hereby amended to read as follows:

"'Sec. 8. If for fifteen days after being awarded the contract the bidder to whom the contract was awarded fails, neglects or refuses to enter into the contract, the board of supervisors may direct the clerk of the board to give notice as in the first instance, inviting sealed proposals or bids, and thereupon, after receiving bids shall award as in the first instance; and as in the case of the default of a first awardee, so, also of a second."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 8, line 31, strike out the figure "8" and insert in lieu thereof the figure "10".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 9, line 29, strike out the word "of" and insert in lieu thereof the following: "approved March 21".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 10, line 1, strike out the figure "9" and insert in lieu thereof the figure "11".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 13, line 8, strike out the figure "10" and insert in lieu thereof the figure "12".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 13, line 20, strike out the figure "11" and insert in lieu thereof the figure "13".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 15, line 31, strike out the figure "12" and insert in lieu thereof the figure "14".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On pages 15 and 16 of the bill, as amended, strike out lines 33 to 37, inclusive, on page 15 and lines 1 to 24, inclusive, on page 16, and insert in lieu thereof the following:

"SEC. Sc. A special fund to be named 'Drainage District Improvement Fund No. _____.' (the number to be that of the district), for the discharge and payment of such bonds and interest thereon and for the payment of the incidental costs and expenses of the organization of any district organized under this Act, shall be constituted from funds to be derived from the collection of assessments levied against lands found to be benefited by improvements contemplated to be constructed as specified herein. There shall be each year, at the time of the levy of the general levy of state and county taxes, levied against and upon all lands within said Drainage Improvement District No. _____ (being the district established and as bounded in the order ordering the work to be done) a special assessment upon the lands found to be benefited by such improvement in an amount clearly sufficient to pay all the principal which has and will become due and all interest which has or will become payable on said bonds in any one year, and to maintain and repair the works and improvements therein before the proceeds of another assessment levied at the time of the general tax levy of the state and county can be made available for the payment of such bonds and such maintenance and repairs. And the board of supervisors is hereby vested with the power and it is the duty of said board to advertise said bonds for sale by at least one insertion of a notice of sale in a newspaper of general circulation within the county and to sell said bonds to the highest responsible bidder, and to do all and singular the things necessary for the purpose of selling said bonds and which in this section aforesaid it is declared shall be done".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 16, line 25, strike out the figure "13" and insert in lieu thereof the figure "15".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 17, line 7, strike out all of said line and insert in lieu thereof the following: "not to exceed five dollars per diem for all time actually".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 17, line 26, strike out the figure "14" and insert in lieu thereof the figure "16".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 18, line 8, strike out the figure "15" and insert in lieu thereof the figure "17".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 18, line 17, strike out the figure "16" and insert in lieu thereof the figure "18".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 18, lines 29 to 34, strike out all of said lines 29 to 34, inclusive, and insert in lieu thereof the following:

"SEC. 19. Section 9 of said Act is hereby amended to read as follows:

"'Sec. 9. After adopting said plans and specifications as hereinabove set forth, and before executing a contract for the construction of the improvement contemplated to be done thereunder the board of supervisors shall direct the county surveyor to estimate the total cost of making the proposed improvements and performing such proposed work, which estimate shall include all expenses of every kind incurred or to be incurred, either directly or indirectly, in carrying out said work and improvements, and to assess the benefits thereof to the lands in said district and to assess damages and to do all things proper and necessary to carry out the provisions of this Act. All such charges and expenses of making such estimate and assessing such benefits and damages shall be deemed as expenses of said work or improvements and be a charge only upon the funds devoted to the particular work or improvement, as provided herein, and all claims and charges for such expenses shall be paid as are claims against the county and upon order of the board of supervisors and the claims shall be itemized in the same manner as claims against the county are itemized.

Said surveyor shall proceed to view the lands embraced within the boundaries of such drainage improvement district and may examine witnesses under oath. Having viewed the lands to be taken and the improvements affected and considered the testimony presented, he shall proceed with all diligence to determine the value of the land and damage to improvements and property affected, and also the estimated amounts of the cost of the proposed work or improvement and the expenses incident thereto, and having determined the same shall proceed to assess the same to the lands within said district in proportion to the benefits to be derived from said work or improvement so far as said county surveyor can reasonably estimate the same, including in such estimate the real property of any railroad company within said district, if such there be.

In estimating the total cost and expenses of doing said work the county surveyor shall be governed by the amount deemed necessary by him to pay the principal and interest on bonds to be issued therefor as herein set forth and the incidental expenses to be incurred as herein authorized. Such estimate shall be based upon the lowest amount bid by the lowest responsible bidder at which a bidder will enter into a contract for doing the work as set forth in the specifications, together with an estimate of the incidental expenses to be incurred.

Said county surveyor, having made his assessment of the benefits and damages shall with all diligence make a written report thereof to the board of supervisors, and shall accompany said report with a plat of the district showing the proposed improvements to the lands assessed, showing the relative location of each block, lot or portion of lot, or other piece of land, and its dimensions so far as he can reasonably ascertain the same. Each block and lot, or portion of lot, or other parcel or parcels of land affected or assessed shall be designated and described in said plat by an appropriate number and a reference to it by such descriptive number shall be sufficient description of it in all respects. When the report and plat are approved by the board of supervisors, a copy of said plat, appropriately designated and certified by the clerk of said board as a correct copy of the plat on file in his office shall be by the clerk of said board recorded in the office of the recorder of the county. Said report of said county surveyor shall also contain the names of the persons owning lands over which a right of way for said improvement has been obtained, as well as the name of any lessee, incumbrancer, or other person having an interest in said land over which a right of way has been obtained, together with the particulars of their interest therein, and together with a waiver of any interest they may have had in said land so obtained for said right of way.

Errors in the designation of the owner or owners of any land or improvement or any interest therein, or of the particulars of their interest, shall not affect the validity of the assessment.

The report of such county surveyor and the affidavit accompanying it shall be filed with the clerk of the board of supervisors, and said board shall thereupon fix a time for the hearing thereof, and thereupon the clerk of said board shall give notice of said hearing by publication for at least three weeks in a newspaper of general circulation published and circulated in the said district, if such there be, or if there is no such newspaper, then in some newspaper of general circulation published within the county in which said district is situated, said newspaper to be designated by said board. Such notice shall be substantially in the following form:

NOTICE OF THE FILING OF THE COUNTY SURVEYOR'S REPORT OF DRAINAGE IMPROVEMENT NO. -------- (designating the district by an appropriate number) OF THE COUNTY OF --

Notice is hereby given that the county surveyor of the county of -------------- did on the ---------- day of ----------, 191-- file his report of the assessment of benefits in Drainage District Improvement No. -------- (designating the district by an appropriate number), with the clerk of the board of supervisors of said county, which said report is now on file in the office of the said board of supervisors in the city of ------------, said county, and that said report will be heard by said board at its office on the -------- day of --------------, 19------ at the hour of ----------m. Said report and the survey map, plans and specifications of the improvements mentioned therein are hereby referred to for further particulars. All persons interested are hereby required to show cause, if any they have, at the time fixed for said hearing why such report should not be adopted and confirmed by said board of supervisors, and to show cause, if any they have, at the time fixed for said hearing, why the several lands or parcels of land therein referred to should not be assessed for said improvement as set forth in said report. All objections shall be in writing, signed by the person objecting, and filed with the clerk of said board at least one day prior to the time fixed for the hearing of said report.

Signed, ______________________________,
Clerk of the Board of Supervisors, __________ County.

Any person interested may file with the clerk of said board at least one day before the time fixed for the hearing, a written objection to said report, or to any part thereof, to the assessment as a whole or to the assessments on the several parcels of land, as set forth in said report. At the time fixed for such hearing or at any time to which the hearing may be adjourned, the board of supervisors shall hear all objections so filed, and pass upon the same, and shall proceed to pass upon said report and the assessments therein contained, and may confirm, correct or modify the same, or may order the county surveyor to make a new assessment, report and plat which shall be filed, heard and acted upon in the same manner, and on like notice as in the case of an original report. The action of the board upon the report and objections thereto shall be final and conclusive as to all matters which they might have remedied or avoided, and no assessment shall be set aside except upon such hearing for any error, defect, or informality therein, or in the proceedings prior thereto, where the district has been legally formed and notice of the hearing of the report has been given as herein prescribed.

After said report has been adopted as provided in the preceding section, the board of supervisors shall by order entered upon its minutes provide for the amount of money to be raised by assessment each year. When the board has determined the sum to be assessed for each year, and the number of years that such assessment shall continue, (which said number of years shall correspond to the number of years within which the aggregate number of bonds to be issued under this Act shall be paid and discharged), said board shall cause the clerk of said board to forward to the tax collector of the county in which such district is situated a certified copy of the report, assessment, and plat, as adopted and confirmed by said board of supervisors, together with a certified copy of the order of said board fixing the sum to be raised by such assessment, each year, and the number of years such assessment shall continue, and from and after the filing of such certified copy the charges assessed upon each piece of land or improvements thereon for the first year shall become due and payable immediately, and shall constitute a lien thereon, and thereafter the assessments for the succeeding year shall become due and payable on the first day of October of each year, and shall upon becoming due and payable constitute a lien upon the land or improvements upon which it is assessed.

All moneys paid upon such assessment, either by property owners or by the county or municipality affected, shall be placed in the county treasury of the county in which such drainage district was organized to the credit of a special fund to be known as Drainage District Improvement Fund No. ________, and shall be used only to retire the bonds issued to pay the expense and cost of constructing the improvement described in survey, maps, plans and specifications adopted by the board of supervisors, and to pay other incidental expenses hereinabove enumerated. *provided, however*, that any surplus remaining after the construction thereof shall be paid into the current expense or maintenance fund. Payment from such funds shall be made upon demands prepared, presented, allowed and audited in the same manner as demands upon the funds of the county. Upon the filing of such certified copy of such report, assessment plat and order with the tax collector of the county, as hereinbefore prescribed, the county tax collector shall give notice by a ten days' publication in a newspaper printed in the county that the assessment list of Drainage Improvement District No. ____ has been filed in his office with the date of such filing. That the amounts entered thereon are due and payable, and that if not paid on or before the first Monday in October next ensuing the same will become delinquent and will be collected as are delinquent taxes. He shall note on said assessment list all assessments paid, giving receipts as in the payment of taxes, and shall pay all money collected into the county treasury at the same time and in the same manner as money collected for taxes paid into said treasury.

All subsequent collection of assessments shall be made in the same manner above set forth and the tax collector shall annually after the first year, publish a like notice containing all the statements required to be made, as hereinbefore in this section set forth, and the same proceedings shall be had as upon the collection of the first assessment.

When said assessments have become delinquent the tax collector of such county shall proceed to collect such delinquent assessments with five per cent added thereon, and pay the same, including the five per cent so collected, over to the county treasurer in the same manner as state and county taxes are collected and paid over, and for the purpose of collecting such assessments and delinquent assessments all of the provisions of chapter 7, title 9, part III of the Political Code not in conflict with any of the provisions of this Act are hereby made applicable to the collection of assessments and delinquent assessments in such drainage districts.

The board of supervisors shall, at the time of making the levy of taxes for county purposes for each year, levy a tax upon the real estate in each drainage district organized under this Act in their county sufficient in amount to raise the amount of money which will be needed for the current year for maintaining and repairing the works and improvements for said district. Said tax, when levied, shall be entered upon the assessment roll and collected in the same manner as state and county taxes. When the same is collected it shall be placed in the treasury of the county to the credit of the current expense fund of said district and shall be used only for the purpose for which it was raised. Payments shall be made from said fund in the same manner as from the improvement fund of the district.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 18, line 35, of the bill, as amended, strike out the figure "18" in said line and insert in lieu thereof the figure "20".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 19, line 10, of the bill, after said line 10 add the following:

"SEC. 21. The title of said Act is hereby amended to read as follows: 'An Act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in the communities in which they lie, providing for the issuance of bonds and levying of assessments on lands benefited, to pay the costs and expenses thereof.' "

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 908—An Act amending section 3466½ of the Political Code of the State of California, relating to invalid assessments in reclamation districts, and providing for the re-assessments of said lands.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 240—An Act to amend an Act entitled "An Act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food or medicines, when sold or offered or exposed for sale in containers, and providing penalties for the violation thereof," approved May 24, 1913, by amending sections 3, 5 and 6 of said Act and adding a new section thereto to be known as section 13 thereof, relating to the manner in which quantity shall be designated.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 850—An Act to amend the Penal Code of the State of California by adding thereto two new sections to be known and numbered as section 349*b* and section 349*c*, relating to labor unions.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill, strike out the words "or in part".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed bill, strike out the word "both" and insert in lieu thereof the words "by both such fine and imprisonment".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 25, of the printed bill, strike out the word "both" and insert in lieu thereof the words "by both such fine and imprisonment".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill 1047—An Act to amend section 8 of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine, etc."

On motion of Senator King, Assembly Bill No. 1047 was passed on file.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

By consent of the Senate, the second reading of Senate bills was taken up, out of the regular order.

Senate Bill No. 1204—An Act providing for the manner of construction and equipment of window sashes in certain classes of windows.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, after the word "window" insert the following: "in any building hereafter constructed".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, strike out the word "hereafter".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 11 and 12, of the printed bill, strike out the words "Commissioner of the Bureau of Labor" and insert in lieu thereof the following: "Commission of Immigration and Housing".

Amendment adopted.

AMENDMENTS FROM FLOOR.

The following amendments were offered, and their adoption moved by Senator Scott:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, after line 7, insert the following:

"SEC. 4. The provisions of this Act shall apply only to buildings within the limits of municipal corporations."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 8 of the printed bill, strike out the figure "4" and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 11 of the printed bill, strike out the figure "5" and insert in lieu thereof the figure "6".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 945—An Act to amend section 1 of an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880, as amended June 11, 1913.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend title by striking out of line 2 the words "section one" and inserting in lieu thereof the following: "sections one and five". Also, in line 4 after the word "amended" insert the following: "and approved".

Amendment adopted.

AMENDMENT NUMBER TWO.

At the end of page 1, line 9, insert the following:

"Sec. 2. Section 5 of said Act is hereby amended to read as follows:

"'Sec. 5. The State Board of Agriculture shall be charged with the exclusive management and control of the State Agricultural Society as a State institution; shall have possession and care of its property and be intrusted with the direction of its entire business and financial affairs. It shall define the duties of the secretary and treasurer, fix their bonds and compensation, and shall have power to make all necessary changes in the constitution and rules for the society, to adapt the same to the provisions of this Act and to the management of the society, its meetings and exhibitions. It shall provide for an annual fair or exposition by said society of the industries and industrial products of this State and commercial products exported and imported through the ports of this State at the city of Sacramento each year; *provided*, that in any year during which an international exposition conducted in whole or in part under the auspices of the State of California and endorsed by the United States government, is held within the State of California and the State Board of Agriculture deems it inexpedient to hold a State fair, the funds of the State Agricultural Society for that year only may be expended in co-operation with the management of said exposition to provide for a proper exploitation of the industries of California at such exposition; *provided, further*, that in no event shall the State be liable for any premium awarded or debt created by the said State Board of Agriculture; *provided, further*, that the collections and receipts from sources other than State appropriations, shall be reported monthly by the secretary to the Controller of State, and shall be paid to the state treasury. Such receipts shall be credited to the State Agricultural Society Contingent Fund, which is hereby created, and shall be solely for the use of the society.'"

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

CONSIDERATION OF ASSEMBLY BILL—(OUT OF ORDER).

Senator Rush asked for and was granted unanimous consent to have the action whereby Assembly Bill No. 1047 was passed on file, rescinded, and the bill taken up for consideration at this time out of the regular order for the purpose of amendment.

Assembly Bill No. 1047—An Act to amend section 8 of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; etc."

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out of the next to the last line of the title the word "appeal" and insert in lieu thereof the following: "repeal".

Amendment adopted.

AMENDMENTS FROM FLOOR.

The following amendments were offered and their adoption moved by Senator Rush:

AMENDMENT NUMBER ONE.

On page 2, line 24, after the word "must" insert the word "also".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, at end of line 37, add a new section to be numbered section 9 and to read as follows:

"SEC. 9. This Act shall take effect on and after the first day of January, 1916."

Amendment adopted.

Bill read second time, ordered to print, and third reading.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Assembly Bills Nos. 715, 1456, 1526 and 1457, heretofore set as special order for two o'clock p.m., the same were taken up for consideration.

Assembly Bill No. 715—An Act to provide for and regulate primary elections and providing for the election of party committees, and to repeal the Act providing for the regulating primary elections known as the direct primary law and approved June 16, 1913, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

Bill read third time.

MOTION TO REFER TO A SPECIAL COMMITTEE OF ONE.

Senator Wolfe moved to refer to Senator Ballard as a Special Committee of One, to amend Assembly Bill No. 715 as follows:

AMENDMENT NUMBER ONE.

Strike out of section 15, line 21, page 14, the word "may" and insert in lieu thereof the following: "shall not".

AMENDMENT NUMBER TWO.

Strike out of section 15, line 22, page 14, commencing with the word "and" in line 22 down to and including the word "act" in line 25.

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Purkitt, Wolfe and Shearer.

The Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One lost by the following vote:

AYES—Senators Ballard, Shearer, and Wolfe—3.

NOES—Senators Anderson, Behan, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Strobridge, Thompson, and Tyrrell—28.

EXPLANATIONS OF VOTES.

Senator Campbell asked for and was granted unanimous consent, on behalf of the Democratic members of the Senate, who expected to vote "No" on Assembly Bills Nos. 715, 1456, 1526 and 1457, to have printed in the Journal of Monday, April 19, 1915, explanations of their votes.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

The question being on the passage of Assembly Bill No. 715.

The roll was called, and Assembly Bill No. 715 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Strobridge, Thompson, and Tyrrell—30.

NOES—Senators Ballard, Campbell, Duncan, Irwin, Owens, Purkitt, Shearer, Stuckenbruck, and Wolfe—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1526—An Act to amend sections 1073, 1079, 1083*a*, 1094, 1096, 1097, 1113, 1115, 1127, 1128, 1129, 1130, 1133, 1192, 1288, 1290, 1294 and 4025 of the Political Code; to add a new section to the same code to be numbered 1083*b*, relating to the same subject matter; and to repeal sections 1285, 1286, 1287, etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1526 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1456—An Act to amend section 1197 of the Political Code, relating to form of ballots.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1456 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—33.

NOES—Senators Duncan, Owens, Purkitt, Shearer, and Stuckenbruck—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1457—An Act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1457 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn.

Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Strobridge, Thompson, and Wolfe—33.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

RESOLUTIONS (OUT OF ORDER).

By consent of the Senate, the following resolutions were offered, out of the regular order:

BY THE COMMITTEE ON CONTINGENT EXPENSES.

Resolved, That the Controller be, and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Senate for the sum of $400, in the aggregate, in favor of the Secretary of the Senate for the purchase of postage stamps, for the use of the mailing department, extra stenographic work and other incidental expenses of the desk, and the State Treasurer is hereby directed to pay the same.

BEBAN, Chairman.

Senator Beban moved that resolution be adopted.
The question being on the adoption of the resolution.
The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—34.
NOES—None.

Also:

BY THE COMMITTEE ON CONTINGENT EXPENSES.

Resolved, That the Controller be, and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Senate in favor of M. H. Ebel for the sum of $50 for floral piece ordered by the Secretary of the Senate in behalf of the Senate for the funeral obsequies of the late Assemblyman Frank M. Rutherford, and the State Treasurer is hereby directed to pay the same.

BEBAN, Chairman.

Senator Beban moved that the resolution be adopted.
The question being on the adoption of the resolution.
The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—35.
NOES—None.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At five o'clock and forty-five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage;

providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12 and reports that the same has been correctly reengrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 439—An Act to add two new sections to the Political Code of the State of California, to be numbered sections 1750*a*, and 1617*d*, relating to the establishment of intermediate school courses by high school boards and authorizing boards of school trustees and boards of education in common school districts to permit pupils of certain grades to attend such intermediate school courses;

Also: Senate Bill No. 457—An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission Fund" and appropriating the moneys therein to carry out the provisions of this Act, and repealing title XV of part IV of division first of the Civil Code, and all Acts and parts of Acts inconsistent with the provisions of this Act;

Also: Senate Bill No. 443—An Act to amend an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems and modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, by amending sections 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 17 and 18 and adding a new section thereto to be numbered 12½, relating to the practice of chiropody:

Also: Senate Bill No. 1046—An Act to amend sections 9 and 22 of an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended by an Act entitled "An Act to amend sections 20 and 22 of an Act entitled 'An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a state laboratory for foods, liquors and drugs and making an appropriation therefor,' approved March 11, 1907," which amendatory Act was approved April 26, 1911;

And reports the same have been correctly enrolled, and presented the same to the Governor on this 16th day of April, 1915, at 3 o'clock p.m.

FLAHERTY, Chairman.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 814—An Act to provide for the licensing of motor vehicles engaged in the carrying of passengers for hire upon the public highways in the State of California—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended and be re-referred to Committee on Finance.

COGSWELL, Chairman.

Senate Bill No. 814 ordered re-referred to Committee on Finance.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 260—An Act to amend section 4236 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the seventh class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BREED, Chairman.

Senate Bill No. 260 ordered on file for second reading.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 602—An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part of public highways, squares, lands, alleys, parks, storm water drains, settling basins, courts, and places, within counties, for the condemnations of property necessary or convenient for such purposes and for the establishment of assessment districts and the assesment of property therein to pay the expense of said improvement—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Senate Bill No. 602 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 41—An Act to validate the organization and incorporation of municipal corporations—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Assembly Bill No. 41 ordered on file for second reading.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 995—An Act to amend an Act entitled "An Act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities, such Act to be known as 'The Local Improvement Act of 1901,' which became a law under constitutional provision without the Governor's approval February 26, 1901, by adding two new sections thereto to be known as sections 21*a* and 21*b*, providing for the alteration of plans, profiles, cross sections and specifications or for the abandonment of all proceedings, and providing for a pro rata distribution of funds in case the improvement is abandoned"—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Assembly Bill No. 995 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 108—An Act prescribing the minimum wage to be paid for labor upon all work performed for and in the interest of the State of California by contract, and providing a penalty for the violation thereof—has had the same under consideration, and respectfully reports the same back and recommends that the same be re-referred to the Committee on Finance without recommendation.

LYON, Chairman.

Assembly Bill No. 108 ordered re-referred to Committee on Finance.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 796—An Act to amend an Act entitled "An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, by amending sections 1 and 2, both relating to cold storage—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 796 ordered on file for second reading.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 903—An Act providing a minimum standard of sanitation for all labor camps, making an appropriation to carry out the provisions hereof, and repealing Acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BUTLER, Chairman.

Senate Bill No. 903 ordered on file for second reading.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was re-referred Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act—has had the same under consideration, and respectfully reports the same back, and recommends that it be referred to Senator Butler as a Special Committee of One to amend, and that it do pass amended as follows:

COMMITTEE AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED TEN.

AMENDMENT NUMBER ONE.

On page 2, line 9 of the printed bill, after the word "method" insert a semicolon and add the following words: "who shall have been graduated from a legally incorporated college or colleges, school or schools teaching a drugless system or systems, method or methods, requiring actual attendance during such course".

AMENDMENT NUMBER TWO.

On page 2, line 10 of the printed bill, after the word "dentistry" insert a comma, then strike out the words "or optometry," and insert in lieu thereof the word "chiropody,".

AMENDMENT NUMBER THREE.

On page 13 of the printed bill, strike out all of lines 21 to 31, inclusive, and insert in lieu thereof the following:

"SEC. 19. Any person of good moral character who holds an unrevoked certificate to practice any drugless system issued to him in the District of Columbia or in any state or territory of the United States having a standard of requirements in no degree less than the standard of requirements as provided in this Act, shall upon the presentation of said certificate to the Board of Examiners for Drugless Physicians of the State of California, together with a sworn statement that he is the bona fide holder thereof shall receive a license to practice said drugless system in the State of California without examination."

AMENDMENT NUMBER FOUR.

On page 13 of the printed bill, beginning with line 32, strike out all to and including line 37 and down to and including lines 1 to 34 on page 14, and insert in lieu thereof the following:

"SEC. 20. Any person of good moral character who has been engaged in the actual practice of any drugless system or method of treating sick or afflicted human beings within the State of California for a period of not less than one year prior to the first meeting of the Board of Examiners herein provided for and who has a diploma issued to him by an incorporated school or college requiring actual attendance during said course shall, upon the payment of twenty-five dollars be entitled to make application for and shall be given an oral, practical and clinical examination by the board by applying to it for such examination within six months after the appointment of the first board; *provided, further*, that any person of good moral character who has been engaged in the actual practice of a drugless system in the State of California for a period of five years next preceding the passage of this Act, shall, upon the payment of twenty-five dollars be permitted to take the examination as herein provided for. If, after examination, it is determined by a majority vote of the board that such applicant is qualified to practice such drugless system, then the said applicant shall receive a license to practice, and it shall be the duty of the board to issue such certificate as set forth in section 8 of this Act. Such application shall be made upon a blank to be furnished by the board and shall contain among other things, the following information: The name of the applicant; his address, length of time of his actual practice within the State of California; nature, character and method of treating the sick or afflicted human beings within the State of California; name of college or school teaching drugless system or systems, method or methods from which applicant has received his diploma. Any applicant failing or refusing to fill out and file such application blank must be refused the right of examination."

AMENDMENT NUMBER FIVE.

On page 14 of the printed bill, strike out all of lines 35 to 37 inclusive, and all of lines 1 to 10 inclusive on page 15, and insert in lieu thereof the following:

"SEC. 21. Any person receiving a certificate under and by virtue of any of the terms of this Act is entitled to and may be allowed to use the words 'drugless physician' or any other word or words or abbreviations which designate the system or systems, method or methods, practiced by the holder thereof."

BUTLER, Chairman.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 740—An Act relating to the powers and privileges of officers and employees of state reformatories in arresting pupils who have escaped or been rescued therefrom—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

FINN, Chairman.

Assembly Bill No. 740 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 932—An Act to validate the organization and formation of levee districts—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CHANDLER, Chairman.

Senate Bill No. 932 ordered on file for second reading.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Scott to introduce a bill entitled: "An Act to amend an Act entitled 'An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any Act may be authorized,' by amending section 4 of said Act"—has had the same under consideration and respectfully reports the same back and recommends that such request be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Strobridge, Thompson, and Wolfe—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with the above report:

By Senator Scott: Senate Bill No. 1260—An Act to amend an Act entitled "An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," by amending section 4 of said Act.

Bill read first time, and referred to Committee on Banking.

REQUEST FOR INTRODUCTION OF BILL.

Senator Mott requested permission to introduce a Senate bill entitled: "An Act to appropriate money to pay the claims of corporations, arising from exemptions under the provisions of section 14 of article XIII of the Constitution, for the return of corporation license tax erroneously collected."

Request referred to Committee on Introduction of Bills.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 489—An Act to amend sections 658, 659 and 660, and to repeal sections 661 and 662 of the Code of Civil Procedure, all relating to new trials;

Also: Senate Bill No. 744—An Act to provide for the protection of breeders and growers of live stock from theft, for registration of marks and brands, butchers and slaughter houses, and the inspection of live stock and the hides thereof; creating a live stock inspection board to administer the Act; providing for the appointment of a secretary, other officers and employees, and their compensation; and prescribing penalties for violation of the provisions thereof;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 489 and 744 ordered to the file of Unfinished Business.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 335—An Act to amend section 4260 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-first class;

Also: Senate Bill No. 960—An Act to amend sections 5 and 29 of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911;

Also: Senate Bill No. 965—An Act to authorize the Surveyor General of the State of California to relinquish certain lieu lands to the United States.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 335, 960 and 965 ordered to enrollment.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 683—An Act to amend section 634 of the Civil Code of the State of California relating to building and loan associations, and to their installment or full paid investment certificates and security for investment certificate liabilities of the same;

Also: Senate Bill No. 80—An Act to amend section 647 of the Civil Code, relating to building and loan associations;

Also: Senate Bill No. 1152—An Act authorizing the transfer of certain powers, duties and functions of certain cities and officers thereof to the officers of counties in which any such city is located.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 683, 80 and 1152 ordered to enrollment.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 255—An Act to repeal an Act entitled "An Act to authorize the State of California to release and convey to the United States such portions of the sixteenth and thirty-sixth sections of land contained in the Cleveland National Forest, formerly San Jacinto Forest Reserve (and referred to in that certain Act entitled 'An Act to authorize the settlement of an existing controversy between the United States of America and the State of California, and making an appropriation to carry out the provisions of said Act,' approved March 21, 1907) as may remain after the settlement referred to in said Act has been consummated, for the purpose of reimbursing the United States for lands surrendered to it by the State and which said lands so surrendered were thereafter sold and patented by said State," approved March 20, 1909;

Also: Senate Bill No. 277—An Act to amend section 1 of an Act entitled "An Act to provide for direct legislation by cities and towns, including initiative and referendum," approved January 2, 1912;

Also: Senate Bill No. 970—An Act to add a new section to the Political Code to be numbered 4263*a*, relating to and fixing the compensation of grand and trial jurors in the Superior Courts in counties of the thirty-fourth class and providing for the payment thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 255, 277 and 970 ordered to enrollment.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 653—An Act to amend section 1240 of the Code of Civil Procedure of the State of California, relating to the private property which may be taken under title VII of part III of the Code of Civil Procedure;

Also: Senate Bill No. 735—An Act to amend sections 4, 5 and 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by an Act approved March 20, 1905, and as amended by an Act approved March 4, 1907, and as amended by an Act approved April 21, 1911;

Also: Senate Bill No. 983—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by amending sections 4, 7, 12 and 14 thereof;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 653, 735 and 983 ordered to the file of Unfinished Business.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 309—An Act to recognize and declare valid all proceedings in La Mesa, Lemon Grove and Spring Valley Irrigation District;

Also, Senate Bill No. 606—An Act to amend sections 875 and 868 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the president and presidents pro tem. of boards of trustees of cities of the sixth class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 309 and 606 ordered to enrollment.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 71—An Act to provide for leasing public lands to settlers and prescribing the terms and conditions of leases so made, empowering boards of supervisors to make improvements and to purchase land when necessary to supply the demand for such leases, and directing that all receipts be paid into a "Land for Settlement Fund" in the office of the county treasurer;

Also, Assembly Bill No. 368—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes, approved March 31, 1897," by amending sections 1, 28, 37, 61, 72, 90 and 91 and by adding new sections to be known as sections 41*a* and 61*a*;

Also, Assembly Bill No. 909—An Act to validate municipal bonds, and to provide for the levy and collection of taxes to pay the principal and interest on said bonds;

Also, Assembly Bill No. 1367—An Act to add a new section to the Penal Code to be known as section 532½ thereof, relating to the concealment or misrepresentation of identity for the purpose of obtaining property or credit and prescribing the punishment therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 71 and 1367 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 368 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 909 read first time, and referred to Committee on Municipal Corporations.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1497—An Act to recognize and declare valid all proceedings in and relative to the Waterford Irrigation District and the organization thereof;

Also, Assembly Bill No. 1517—An Act to amend section 1 of an Act entitled "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness and the distribution of their property," approved February 10, 1903, as amended, relating to the procedure in cases of dissolution of such districts.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1497 and 1517 read first time, and referred to Committee on Irrigation.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 184—An Act to regulate the sale of eggs that have been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering the same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof;

Also: Assembly Bill No. 185—An Act to regulate the sale of food and drink, the ingredients of which are in part composed of eggs shipped or imported into the State of California, from any point or place outside of the United States, requiring the marking of all bills of fare or menu cards placed on tables or counters in establishments preparing, serving or offering for sale any such food or drink, and fixing penalties for the violation of the same or of any of the provisions thereof;

Also: Assembly Bill No. 186—An Act to regulate the placing of cards in all packages or wrappers enclosing manufacturers' food products, before being sold or offered for sale, which are composed in part of eggs shipped or imported into the State of California, from any point or place outside of the United States, and fixing penalties for the violation of the same or of any of the provisions thereof;

Also: Assembly Bill No. 307—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, amending section 78 thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 184, 185 and 186 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 307 read first time, and referred to Committee on Irrigation.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 343—An Act authorizing the Imperial Irrigation District to acquire the irrigation system and works of the California Development Company and its subsidiary company and successors in California and Mexico by condemnation or purchase, and, in case of purchase, to exchange bonds of said district for such irrigation system and works or for property interests therein;

Also: Assembly Bill No. 424—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," apptoved March 31, 1897, by repealing section 64 thereof;

Also: Assembly Bill No. 500—An Act to amend section 4250 of the Political Code, relating to the salaries and fees of the officers of the counties of the twenty-first class;

Also: Assembly Bill No. 817—An Act to add a new section to the Penal Code to be known as section 654*b*, relating to the protection of the purchasers of real estate against fraud and deception.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 343 and 424 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 500 read first time, and referred to Committee on County Government.

Assembly Bill No. 817 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 203—An Act to amend section 103½ of the Code of Civil Procedure, said amendment relating to clerks of justices' courts in cities or towns of the second and one-half class and third class, and appointments, salaries and duties of same;

Also: Assembly Bill No. 380—An Act amending section 413 of the Code of Civil Civil Procedure, relating to the service of summons;

Also: Assembly Bill No. 84—An Act to amend section 873 of the Code of Civil Procedure, relating to the time when trial must be commenced;

Also: Assembly Bill No. 366—An Act to amend section 4132 of the Political Code, prescribing what indexes shall be kept by County Recorders;

Also: Assembly Bill No. 1381—An Act to amend section 1658 of the Code of Civil Procedure.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 203, 380, 84, and 1381 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 366 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 878—An Act to amend section 174 of the Civil Code of the State of California, relating to the liability of the husband for necessaries furnished to the wife;

Also: Assembly Bill No. 1283—An Act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same;

Also: Assembly Bill No. 409—An Act to amend section 5 of an Act entitled "An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act," approved May 31, 1913.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 878 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1283 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 409 read first time, and referred to Committee on Roads and Highways.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1150—An Act relating to the transfer of money now held in a special fund created under and by virtue of an Act entitled "An Act to create a drainage district to be called 'Sacramento Drainage District,' to promote drainage therein; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers and providing for the creation, division and management of reclamation, swamp land, levee, drainage and protection districts within said Sacramento Drainage District, and providing for levying and collecting assessments upon the lands within said drainage district," approved March 20, 1905, and all Acts amendatory thereof, to the general fund of the counties in which such money is held;

Also: Assembly Bill No. 1149—An Act relating to the assessments levied under and by virtue of an Act entitled "An Act to create a drainage district to be called 'Sacramento Drainage District,' to promote drainage therein; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensations of such officers and providing for the creation, division and management of reclamation, swamp land, levee, drainage and protection districts within said Sacramento Drainage District, and providing for levying and collecting assessments upon the lands within said drainage district," approved March 20, 1905, and all Acts amendatory thereof;

Also: Assembly Bill No. 509—An Act to amend section 1447 of the Code of Civil Procedure of the State of California, relating to the effect of naming a debtor executor.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1150 and 1149 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 509 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1007—An Act to amend section 1282 of the Political Code by adding thereto a new paragraph to be numbered number six, relating to the disregarding of votes cast at elections where persons receive less than one per cent of the votes cast for election to offices;

Also: Assembly Bill No. 701—An Act to amend an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911, by amending sections 6 and 7 and by adding thereto three new sections to be numbered 30*a*, 30*b*, and 30*c*, relating to the enforcement of uniform standards and rules to be observed by all persons, firms, or corporations dealing with, handling or transporting milk or cream bottles, cans or other containers, regulating the manufacture and sale of assembled milk and cream, and by amending the title to this Act; to repeal all Acts or parts of Acts inconsistent with this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1007 read first time, and referred to Committee on Elections.

Assembly Bill No. 701 read first time, and referred to Committee on Agriculture.

RECESS.

At six o'clock and five minutes p.m., on motion of Senator Kehoe, the President pro tem. declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

President pro tem. Thompson in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

SPECIAL ORDER RESET.

On motion of Senator Kehoe, the further consideration of Senate Bill No. 29 was postponed until Tuesday, April 20, 1915, immediately following the consideration of Senate Bill No. 597, heretofore set as a special order for eleven o'clock a.m. on that day.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

On motion of Senator Campbell, the second reading of Senate bills was taken up, out of the regular order.

Senate Bill No. 1006—An Act prohibiting the preparation, sale, barter, shipment or exchange of any worthless, contaminated, dangerous or harmful hog cholera serum or virus; requiring every establishment for the preparation of hog cholera serum or virus to be inspected and licensed by the Director of the Agricultural Experiment Station of the University of California; and providing penalties for violation of any of the provisions hereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 737—An Act to amend an Act entitled "An Act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, by amending sections 3, 4, 7 and 9 thereof, and by adding a new section thereto to be known and numbered section 11½, all relating to the licensing of stallions and jacks, and providing for the reporting of the collection of fees to the State Controller and the creation of a fund to be known as the Stallion Registration Board Contingent Fund.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 986—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by adding thereto a new section to be numbered 12*a*.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, lines 21 and 22, of the printed bill, strike out all of lines 21 and 22 and insert after the word "wages" in line 20, the following: "*provided, however*, that when the employment is of a professional or educational nature, requiring special investigation on the part of such agency, the amount to be received by such agency shall not exceed five per cent of the total salary actually received for any period not to exceed one year."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 918—An Act authorizing certain suits against the State, and regulating the procedure therein.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 158—An Act to add a new section to the Political Code, to be numbered 620*b*, relating to the withdrawal of deposit of securities by insurance companies.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 505—An Act to amend section 9 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, as amended, relating to deputies of labor commissioner.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2 of the title of the printed bill, strike out the word "nine" and in lieu thereof insert the following: "seven".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1 of the printed bill, strike out the word "nine" and insert in lieu thereof the following: "seven".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, lines 5 to 12 of the printed bill, strike out all of said lines 5 to 12 inclusive, and insert in lieu thereof the following:

"SEC. 7. The Commissioner and his representatives duly authorized by him in writing shall have the power and authority to issue subpœnas, to compel the attendance of witnesses or parties and the production of books, papers or records, and to administer oaths and to examine witnesses under oath, and to take the verification or proof of instruments of writing, and to take depositions and affidavits. The Commissioner shall have a seal inscribed 'Bureau of Labor Statistics State of California' and all courts shall take judicial notice of such seal. Obedience to subpœnas issued by the Commissioner or his duly authorized representatives shall be enforced by the courts in any county or city and county. The Commissioner and his representatives shall have free access to all places and works of labor, and any principal, owner, operator, manager, or lessee of any mine, factory, workshop, manufacturing or mercantile establishment, or any agent or employee of such principal, owner, operator, manager, or lessee who shall refuse to said Commissioner, or his duly authorized representative, admission therein, or who shall, when requested by him wilfully neglect or refuse to furnish to him any statistics or information, pertaining to his lawful duties, which may be in his possession or under the control of said principal, owner, operator, lessee, manager or agent thereof, shall be punished by a fine of not less than fifty nor more than two hundred dollars."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 668—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," by amending sections 1, 3, 11, 15, 20, 25, 28, 32, 36, 43, 46, 47, 48, 49, 56, 61, 65, 67, 68, 80, 83, 96, 101, 127, 144 and 145 thereof and by adding a new section thereto to be numbered section 57, all relating to the definition and regulation of the business of banking.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title after the word "thirty-two," in line 5 thereof, and inserting in lieu thereof the following: "36, 37, 46, 47, 48, 49, 56, 61, 61*a*, 65, 67, 68, 80, 83, 96, 98, 99, 101, 127, 144 and 145 thereof and by adding new sections thereto to be numbered sections 13, 57 and 85, all relating to the definition and regulation of the business of banking."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of said Act beginning with line 1, on page 3, and ending with line 15, on page 37, and inserting in lieu thereof the following:

"SEC. 4. A new section is hereby added to said Act, to be numbered 13, and to read as follows:

Sec. 13. Nothing in this Act contained shall be deemed to prohibit any person or co-partnership or corporation or any telegraph company, express company or other common carrier from engaging in the business of buying or selling exchange or of issuing letters of credit; *providing*, such person, co-partnership, corporation, company or common carrier shall have received a license from the Superintendent of Banks to engage in such business. Such license may be issued upon application and the payment of a fee of fifty dollars and may be refused or revoked by the Superintendent of Banks at his discretion.

SEC. 5. Section 15 of said Act is hereby amended to read as follows:

Sec. 15. All amounts of money heretofore or hereafter deposited with any bank to the credit of depositors who have not made a deposit on said account or withdrawn any part thereof or the interest and which shall have remained unclaimed for more than twenty years after the date of such deposit, or withdrawal of any part of principal or interest, and where neither the depositor nor any claimant has filed any notice with such bank showing his or her present residence, shall, with the increase and proceeds thereof, be deposited with the State Treasurer after judgment in the manner provided in the Code of Civil Procedure. The president or managing officer of every bank must, within fifteen days after the first day of January of every year, return to the Superintendent of Banks and to the State Controller a sworn statement showing the names of depositors known to be dead, or who have not made further deposits, or withdrawn any moneys during the preceding twenty years. Such statement shall show in detail the following matters, viz:

First—The name and last known place of residence or post office address of the person making such deposit;

Second—The amount and date of such deposit and whether the same are in moneys or securities, and if the latter, the nature of the same;

Third—The interest due on such deposit, if any, and the amount thereof;

Fourth—The sum total of such deposit, together with the interest added thereto due from such bank on account of such deposit or deposits and the interest thereon to such depositor, but nothing contained herein shall require any corporation or person renting lock boxes or safes in vaults for storage purposes to open or report concerning property stored therein. Such reports itemized as aforesaid shall be signed by the person making the same and shall be sworn to before a person competent to administer oaths as a full, complete and truthful statement of each of the items therein contained.

The president or managing officer of every bank must, within fifteen days after the first day of January of every odd numbered year, return to the Superintendent of Banks a sworn statement showing the names of depositors known to be dead, or who have not made further deposits, or withdrawn any moneys during the preceding ten years. Such statement shall show the amount of the account, the depositor's last known place of residence or post office address, and the fact of death, if known to such president or managing officer. Such president or managing officer must give notice of these deposits in one or more newspapers published in or nearest to the town or city where such bank has its principal place of business, at least once a week for four consecutive weeks, the cost of such publication to be paid pro rata out of such unclaimed deposits. This section does not apply to any deposit made by or in the name of a person known to the president or managing officer to be living. The Superintendent of Banks must incorporate in his subsequent report such returns made to him as provided in this section. If any president or managing officer of any bank neglects or refuses to make the sworn statements required by this section such bank shall forfeit to the State of California the sum of one hundred dollars a day for each day such default shall continue. Any president or managing officer of any bank who violates any of the provisions of this section shall forfeit to the State of California the sum of one hundred dollars a day for each and every day such violation shall continue. For the purposes of this section all deposits received by any bank under the provision of section 31 or section 31*a* of this Act shall be deemed to have been deposited with such bank at the time the deposit was made with the bank from which the deposit was transferred; *provided*, that any bank which shall make any deposit with the State Treasurer in conformity with the provisions of this section shall not thereafter be liable to any person for the same and any action which may be brought by any person against any bank for moneys so deposited with the State Treasurer shall be defended by the Attorney General without cost to such bank.

SEC. 6. Section 20 of said Act is hereby amended to read as follows:

Sec. 20. Every commercial bank shall maintain total reserves against its aggregate deposits, exclusive of state, county and municipal deposits for the re-payment of which bonds have been deposited as security, as follows:

1. Eighteen per centum of such deposits if such bank has its principal place of business in a city having a population of one hundred thousand or over.

2. Fifteen per centum of such deposits, if such bank is located in a city having a population of fifty thousand or over and less than one hundred thousand.

3. Twelve per centum of such deposits if such bank is located elsewhere in the State.

At least one-third of the total reserves shall be maintained as reserves on hand and shall consist of gold coin, gold bullion, United States gold certificates or United States notes; in addition thereto, at least one-sixth of the total reserves shall be maintained as reserves on hand and shall consist of gold coin, gold bullion, United States gold certificates, United States notes or any form of currency authorized by the laws of the United States, and the remainder of the total reserves required by the provisions of this section shall be maintained as reserves on deposit or as reserves on hand; such reserves on hand to consist of gold coin, gold bullion, United States gold certificates, United States notes or any form of currency authorized by the laws of the United States.

If any bank shall have become a member of a federal reserve bank, it may maintain as reserves on deposit with such federal reserve bank such portion of its total reserves as shall be required of members of such federal reserve bank.

If any bank shall not maintain the total reserves required the Superintendent of Banks may impose a penalty upon it, based upon the length of time such encroachment upon its total reserves amounting to one per centum or more of its aggregate deposits shall continue, at the following rates:

1. At the rate of six per centum per annum upon any such encroachment not exceeding two per centum of such deposits.
2. At the rate of eight per centum per annum upon any additional encroachment in excess of two and not exceeding three per centum of such deposits.
3. At the rate of ten per centum per annum upon any additional encroachment in excess of three and not exceeding four per centum of such deposits.
4. At the rate of twelve per centum per annum upon any additional encroachment in excess of four per centum of such deposits

The Superintendent of Banks shall, in his discretion, upon the nomination of any bank, designate a depositary or depositaries for the reserves on deposit of such bank provided for by this Act. Except as otherwise provided in this section, such depositary shall be a bank or national banking association located in this State. Every reserve depositary, which has its principal place of business in a judicial township or in a city located in this State in which the population is less than fifty thousand, shall have at all times as its total reserves an amount equal to the total reserves required by the provisions of this section for every bank which has its principal place of business in a city having a population of fifty thousand or over and less than one hundred thousand. But no bank or national banking association shall hereafter be designated as a depositary of any such reserves unless it shall have a combined capital and surplus of not less than the following amounts:

1. Two hundred fifty thousand dollars, if located in a city which has a population of three hundred thousand or over;
2. Two hundred thousand dollars, if located in a city which has a population of one hundred thousand or over and less than three hundred thousand;
3. One hundred fifty thousand dollars, if located in a city which has a population of fifty thousand or over and less than one hundred thousand;
4. One hundred thousand dollars, if located elsewhere in the State.

Such depositary may also be a banking corporation with a capital and surplus of one million dollars or more, located in the cities of New York, Chicago, Boston, St. Louis, or Philadelphia.

If the total reserves of any bank shall be less than the amount required by this section, such bank shall not increase its liabilities by making any new loans or discounts, otherwise than by discounting bills of exchange on sight, or by paying any dividends from profits until the full amount of its total reserves has been restored. The Superintendent of Banks may notify any bank whose total reserves shall be below the amount herein required, to restore such total reserves; and, if it shall fail for thirty days thereafter to restore such total reserves, such bank shall be deemed insolvent and may be proceeded against under the provisions of this Act; *provided*, that all deposits of money herein permitted or required shall comply with the provisions of section 43 of this Act.

The term, "reserves on hand," when used in this Act, means the reserves against deposits kept in the vault of any bank pursuant to the provisions of this Act.

The term, "reserves on deposit," when used in this Act, means the reserves against deposits maintained by any bank pursuant to this Act in reserve depositaries, or in a federal reserve bank of which such bank is a member, and not in excess of the amount authorized by this Act.

The term, "total reserves," when used in this Act, means the aggregate of reserves on hand and reserves on deposit maintained pursuant to the provisions of this Act.

The term, "reserve depositary," when used in this Act, means a bank, trust company or banking corporation designated by the Superintendent of Banks on the nomination of the depositing bank as a depositary for reserves on deposit.

SEC. 7. Section 25 of said Act is hereby amended to read as follows:

Sec. 25. Every bank shall maintain for each department total reserves equal in amount to that required by this Act for the respective business conducted, and shall keep separate and distinct the total reserves of any department from that of any other department; and all deposits made with other banks, whether temporary or otherwise, shall be assets of the respective departments by which they were made, and shall be so carried on the books of such other banks, and shall be repaid only upon the order of the department to whose credit they stand. No department shall receive deposits from any other department of the same corporation; except that a trust department, in proper cases, may make deposits of trust or any other funds under its control with the savings department of the same corporation and may, upon order, previously obtained, of any court having jurisdiction of any trust or fund, make deposits of moneys belonging thereto with the commercial department of the same corporation; *provided, however*, that any bank having departments shall have the right to sell and transfer any bonds, securities or loans from one department to another upon receipt of the actual value thereof, if such bonds, securities or loans are, under the provisions of this Act, a legal investment for the department purchasing the same.

SEC. 8. Section 28 of said Act is hereby amended to read as follows:

Sec. 28. Every bank in this State must, on all its window signs and in advertising, and on letterheads and other stationery on which its business is transacted, use the word "savings" if it conducts a savings business, or the word "trust" if it conducts a trust business, and the word "commercial" if it conducts a commercial business. Every bank, which maintains a branch office, must on all window signs and in advertising, and on letterheads and other stationery on which the business of said branch office is transacted, use in letters and type, equal in prominence to that used in its corporate name, the word "branch."

SEC. 9. Section 32 of said Act is hereby amended to read as follows:

Sec. 32. Any bank receiving trust funds in accordance with the provisions of this Act relating to trust companies must not mingle such trust funds with the other assets of the corporation, except as otherwise provided in section 25 of this Act, and such funds shall not be carried or counted as any part of the total reserves provided for in this Act. The officers of any bank who knowingly violate or consent to the violation of this provision shall be guilty of a felony.

SEC. 10. Section 36 of said Act is hereby amended to read as follows:

Sec. 36. No commercial bank receiving deposits of money shall purchase or agree to purchase any bond issue in excess of five per centum of its assets, except bonds of the United States, of the State of California, of the counties, cities and counties, cities or school districts of this State, or bonds of any irrigation district such as are legal for investment by savings banks.

SEC. 11. Section 37 of said Act is hereby amended to read as follows:

Sec. 37. No bank shall purchase or invest its capital or surplus or money of its depositors, or any part of either, in the capital stock of any corporation unless the purchase or acquisition of such capital stock shall be necessary to prevent loss to the bank on an obligation owned or on a debt previously contracted in good faith. Any capital stock so purchased or acquired shall be sold by such bank within six months thereafter if it can be sold for the amount of the claim of such bank against it; and all capital stock thus purchased or acquired must be sold for the best price obtainable by said bank within one year after such purchase or acquisition. Every person or corporation violating any provision of this section shall forfeit to the people of the State twice the nominal amount of such stock.

SEC. 12. Section 46 of said Act is hereby amended to read as follows:

Sec. 46. No commercial bank shall invest or loan more than five per centum of its assets in any one bond issue, except bonds of the United States, of the State of California, of the counties, cities and counties, cities or school districts of this State, or bonds of any irrigation district such as are legal for investment by savings banks.

SEC. 13. Section 47 of said Act is hereby amended to read as follows:

Sec. 47. No commercial bank shall, except for the purpose of facilitating the sale of property owned by the bank, make any loan on the security of real estate unless it is a first lien and is either

(1) Made for a period of time not exceeding six months and upon security worth at least fifteen per centum more than the amount loaned; or

(2) Made for a period of time exceeding six months and not exceeding ten years and does not exceed sixty per centum of the market value of the real estate taken as security.

No commercial bank shall loan in the aggregate more than thirty-five per centum of its assets on real estate loans of the character specified in subdivision 2 of this section. These provisions, however, shall not prevent any bank from taking another and immediately subsequent mortgage or deed of trust thereon when it already holds a first mortgage or deed of trust on such real estate, nor from accepting a second lien on real estate to secure the repayment of a debt previously contracted in good faith; nor shall it prevent subsequent liens of any kind from being taken to secure the payment of a debt previously contracted in good faith when, in the judgment of the directors of such bank, such subsequent liens are necessary further to secure the payment of any debts and save such bank from loss.

SEC. 14. Section 48 of said Act is hereby amended to read as follows:

Sec. 48. Any national bank in this State, other than a federal reserve bank, receiving the deposits of any bank organized and conducting business under this Act, must, at the request of the Superintendent of Banks, submit to an examination by him, or his duly appointed examiners, should the Superintendent of Banks in his discretion deem it necessary or desirable that such examination be made; and the expense of such examination shall be paid by such depositary bank; and if any such bank shall refuse to permit such examination to be made by, or under the direction of, the Superintendent of Banks, then the Superintendent of Banks shall notify in writing every bank depositing its funds with such bank, to withdraw its deposits therefrom, and all such banks shall comply with such order.

SEC. 15. Section 49 of said Act is hereby amended to read as follows:

SEC. 49. It shall not be lawful for any commercial bank, individual, trust company, association, firm, stock company, co-partnership or corporation, to advertise or put forth a sign as a savings bank, or either directly or indirectly or in any way to solicit or receive deposits or to transact business in the way or manner of a savings bank, or to advertise that he or it is receiving or accepting savings, or in any way which might lead the public to believe that such deposits are received or invested under the same conditions or in the same manner as deposits in savings banks, except in the case of savings banks or banks having savings departments, subject to the provisions of this Act. Any commercial bank, individual, trust company, association, firm, stock company, co-partnership or corporation, violating any provision of this section shall forfeit to this State one hundred dollars a day for every day during which such violation continues.

SEC. 16. Section 56 of said Act is hereby amended to read as follows:

Sec. 56. Any bank organized and existing under the laws of this State is hereby authorized and empowered to join or associate itself with any "national reserve association of the United States" or branch thereof, or any plan now or hereafter created or established by Act of Congress whether such banking or currency association or plan be created by Congress under the above or any other name. Nothing in this Act shall prohibit any such bank from joining or associating itself with any such association or plan or branch thereof nor from investing any part of its capital or surplus in the stock of such association, plan or branch thereof in accordance with the terms and provisions of such Act of Congress; *provided, however*, that such investment shall in no case exceed the minimum amount required to join or associate itself with such association, plan or branch thereof. Any bank joining or associating itself with such association, plan or branch thereof, shall have and exercise all powers, not in conflict with the laws of this State, which are conferred upon any member bank in any such "national reserve association of the United States" or branch thereof. Such member bank and its directors, officers and stockholders shall continue to be subject, however, to all liabilities and duties imposed upon them by any law of this State and to all the provisions of the Bank Act".

SEC. 17. A new section is hereby added to said Act, to be numbered 57, and to read as follows:

Sec. 57. Whenever in this Act it is required that loans or investments shall be secured by a first lien on real estate, the lien of any tax, assessment or bond levied or issued by this State or by any county, city and county, city, town, municipality school district, reclamation district, irrigation district or any other political or governmental subdivision of this State (not including bonds given pursuant to any law authorizing the same by any person or corporation in lieu of payment of any tax or assessment levied against any particular real property) and the lien of any assessment levied to pay such bonds shall not be deemed to be a prior encumbrance or lien on such real property unless an installment or call of such tax, assessment or bond shall be due and delinquent; and any bonds given pursuant to any law authorizing the same by any person or corporation in lieu of payment of any tax or assessment levied against any particular real property and any lien given to secure the payment of assessments or subscriptions to meet the requirements of any law of the United States in respect to any irrigation project of the United States in this State which may be levied, made or received by any corporation or association formed to carry out the objects and requirements of any such law of the United States shall not be deemed to be a prior encumbrance or lien on such real property if the lien given to secure such assessments and subscriptions taken with the loan or investment so secured shall amount to not more than sixty per centum of the market value of the land securing the same.

SEC. 18. Section 61 of said Act is hereby amended to read as follows:

Sec. 61. Any savings bank may purchase, hold and convey real or personal property as follows:

1. The lot and building in which the business of the bank is carried on; furniture and fixtures, vaults and safe deposit vaults and boxes necessary or proper to carry on its banking business; such lot and building, furniture and fixtures, vaults and safe deposit vaults and boxes shall not, in the aggregate, be carried on the books of such bank as an asset to an amount exceeding its paid up capital and surplus; and hereafter, the authority of a two-thirds vote of all of the directors shall be necessary to authorize the purchase of such lot and building, or the construction of such building.

2. Such as may have been mortgaged, pledged or conveyed to it in trust for its benefit in good faith, for money loaned in pursuance of the regular business of the corporation.

3. Such as may have been purchased at any sales under pledge, mortgage or deed of trust made for its benefit for money so loaned and such as may be conveyed to it by borrowers in satisfaction and discharge of loans made thereon.

No savings bank shall purchase, own, or sell personal property, except such as may be requisite for its immediate accommodation for the convenient transaction of its business, notes or bonds secured by trust deeds or mortgages on real estate, bonds, securities or evidences of indebtedness, public or private, gold or silver bullion and United States Mint certificates of ascertained value, and evidences of debt issued by the United States. No savings bank shall purchase, own, hold or convey bonds, securities or evidences of indebtedness, public or private, except as follows:

(*a*) Bonds or interest-bearing notes or obligations of the United States, or those for which the faith and credit of the United States are pledged for the payment of principal and interest;

(*b*) Bonds of this State, or those for which the faith and credit of the State of California are pledged for the payment of principal and interest;

(*c*) Bonds of any state in the United States that has not, within five years previous to making such investment by such bank, defaulted in the payment of any part of either principal or interest;

(*d*) Bonds of any county, city and county, city or school district of this State; bonds of any permanent road division in any county issued in pursuance of the provisions of article IX of chapter II; title VI; part III of the Political Code; bonds of any sewer district, drainage district, reclamation district, protection district, or sanitary district organized under the laws of this State; and any irrigation district bonds which the law may now or hereafter authorize to be used as security for the deposit of public moneys; *provided*, that the total amount of bonds so issued by any such sewer district, drainage district, protection district or sanitary district, does not exceed fifteen per centum of the value of the taxable property in said district as shown by the last equalized assessment roll of the county in which said district is located; *and provided, further*, that the total amount of bonds issued by any such irrigation district does not exceed sixty per centum of the aggregate market value of the lands within such district, and of the water, water rights, canals, reservoirs, reservoir sites and irrigation works owned or to be acquired or constructed with the proceeds of any of such bonds by said district, such facts in reference to bonds of irrigation districts to be determined by a commission now or hereafter authorized by law to ascertain and report upon such facts.

(*e*) Bonds of any county, city and county, city or town, in any state of the United States other than the State of California issued under authority of any law of such state, which county, city and county, city or town, had, as shown by the federal or state census next preceding such investment, a population of more than twenty thousand inhabitants; *provided, however*, that the entire bonded indebtedness of such county, city and county, city or town, including such issue of bonds does not exceed fifteen per centum of the value of the taxable property therein as shown by its last equalized assessment roll; *and provided, further*, that such county, city and county, city or town, or the state in which it is located has not defaulted in payment of either principal or interest upon any legally authorized bond issue within five years next preceding such investment.

(*f*) (1) Bonds of any railroad corporation incorporated under the laws of the State of California and operating exclusively therein, provided said corporation has had net earnings for the period herein fixed amounting to at least one and one fourth times the interest on all its outstanding mortgage indebtedness; or

(2) Bonds of any railroad corporation incorporated under the laws of any other state in the United States, operating at least five hundred miles of standard gauge track exclusive of sidings, provided said corporation has had net earnings for the period herein fixed amounting to at least one and one half times the interest on all its outstanding mortgage indebtedness; or

(3) Bonds of any railroad corporation, the payment of which has been guaranteed, both as to principal and interest, by a railroad corporation meeting the requirements of either subdivision (1) or (2) of paragraph (*f*) of this section, provided that such guaranteeing corporation has had for the period herein fixed net earnings amounting to at least one and one half times the interest on all its outstanding mortgage indebtedness and in addition thereto, sufficient, taken with the earnings of all corporations whose bonds it has guaranteed, to qualify as investments for savings banks, as in this section provided, all such guaranteed bonds; *provided*, that the excess of income of any corporation whose bonds have been so guaranteed, over the amount required by this section for such corporation, shall not apply to or be included in determining the income so required. In determining the income of any corporation specified in paragraph (*f*) of subdivision 3 of this section, there shall be included the income of any corporation or corporations out of which it shall have been formed through consolidation or merger, and of any corporation or corporations, the entire business and income producing property of which the corporation issuing such bonds has wholly acquired.

All bonds authorized for investment by paragraph (*f*) of subdivision 3 of this section must be secured by a mortgage or deed of trust which is at the time of making such investment; either

I. A closed first mortgage or deed of trust; or

II. A first mortgage or deed of trust containing provisions restricting the issuance of further bonds until such time as the income of said corporation shall have been at least sufficient, during the twelve months next preceding the issuance of any additional bonds, to meet the earning requirements specified in the respective subdivisions of this paragraph applicable to such corporation after including the additional bonds then proposed to be issued; or

III. A refunding mortgage or deed of trust providing for the retirement of all prior lien mortgage debts of said corporation and restricting the issuance of further bonds until such time as the income of said corporation shall have been at least sufficient, during the twelve months next preceding the issuance of any additional bonds, to meet the earning requirements specified in the respective subdivisions of this paragraph applicable to such corporation, after including the additional bonds then proposed to be issued; or

IV. An underlying or divisional closed mortgage or deed of trust of property which forms a part of the operating system of the corporation then owning said property. In the case of bonds secured by an underlying or divisional closed mortgage or deed of trust, the net income required by this section shall be based exclusively upon the income, maintenance charges, operating expenses, taxes, and mortgage indebtedness of or against the property covered by such underlying or divisional closed mortgage or deed of trust, or, if such income, maintenance charges or operating expenses can not be definitely ascertained, on the proper proportionate share of such property in the general income, maintenance charges, operating expenses, and taxes of the corporation then owning such property and on the mortgage indebtedness of or against the property covered by such underlying or divisional closed mortgage or deed of trust; *provided, however,* that if the payment of the bonds secured by such underlying or divisional closed mortgage or deed of trust shall be guaranteed or assumed by the corporation then owning the property securing the same, such bonds shall be legal investments for savings banks, if the net income of such corporation from all sources shall equal the amount herein required, notwithstanding any insufficiency of the income derived from the property covered by such underlying or divisional closed mortgage or deed of trust to meet the requirements of this section.

No savings bank shall purchase the bonds of any railroad corporation deriving less than twenty per centum of its gross receipts from passenger revenues.

The term "railroad corporation" when used in paragraph (f) of subdivision 3 of this section shall have the meaning defined in the "Public Utilities Act" approved December 23, 1911.

(*g*) Bonds of any street railroad corporation; or of any gas; water; pipe line; light; power; light and power; gas, light and power; electrical; telephone; telegraph; or telephone and telegraph corporation or of any other "public utility" incorporated under the laws of the State of California; and

(1) Operating exclusively in the State of California, provided said corporation has had, for the period herein fixed, net earnings amounting to one and one-half times the interest on all its outstanding mortgage indebtedness; or

(2) Operating its property in part within the State of California; provided said corporation has had, for each of its two fiscal years next preceding such investment, net earnings amounting to one and one-half times the interest on all its outstanding mortgage indebtedness; or

(3) The payment of which is guaranteed, both as to principal and interest, by a public utility corporation meeting the requirements of either subdivision (1) or (2) of paragraph (*g*) of this section, provided that such guaranteeing corporation has had for the period required in the respective subdivisions of this paragraph relating thereto, net earnings amounting to at least one and one-half times the interest on all of said guaranteeing corporation's outstanding mortgage indebtedness, and, in addition thereto, sufficient, taken with the earnings of all corporations whose bonds it has guaranteed, to qualify as investments for savings banks, as in this section provided, all such guaranteed bonds; *provided,* that the excess of income of any corporation whose bonds have been so guaranteed, over the amount required by this section for such corporation, shall not apply to or be included in determining the income so required.

In determining the income of any corporation specified in paragraph (*g*) of subdivision 3 of this section, there shall be included the income of any corporation or corporations out of which it shall have been formed through consolidation or merger, and of any corporation the entire business and income producing property of which the corporation issuing such bonds has wholly acquired.

All bonds authorized for investment by paragraph (*g*) of subdivision 3 of this section must be secured by a mortgage or deed of trust which is at the time of making such investment; either

I. A closed first mortgage or deed of trust; or

II. A first mortgage or deed of trust containing provisions restricting the issuance of further bonds, until such time as the income of said corporation shall have been at least sufficient, during the twelve months next preceding the issuance of any additional bonds, to meet the earning requirements specified in the respective subdivisions of this paragraph applicable to such corporation after including the additional bonds then proposed to be issued; or

III. A refunding mortgage or deed of trust providing for the retirement of all prior lien mortgage debts of said corporation and restricting the issuance of further bonds until such time as the income of said corporation shall have been at least sufficient, during the twelve months next preceding the issuance of any additional bonds, to meet the earning requirements of such corporation after including the additional bonds then proposed to be issued; or

IV. An underlying or divisional closed mortgage or deed of trust of property which forms a part of the operating system of the corporation then owning said property. In the case of bonds secured by an underlying or divisional closed mortgage or deed of trust, the net income required by this section shall be based exclusively upon the income, maintenance charges, operating expenses, taxes and mortgage indebtedness of or against the property covered by such underlying or divisional closed mortgage or deed of trust or, if such income, maintenance charges or operating expenses can not be definitely ascertained, on the proper proportionate share of such property in the general income, maintenance charges, operating expenses and taxes of the corporation then owning such property and on the mortgage indebtedness of or against the property covered by such underlying or divisional closed mortgage or deed of trust; *provided, however*, that if the payment of the bonds secured by such underlying or divisional closed mortgage or deed of trust shall be guaranteed or assumed by the corporation then owning the property securing the same, such bonds shall be legal investments for savings banks, if the net income of such corporation from all sources shall equal the amount herein required, notwithstanding any insufficiency of the income derived from the property covered by such underlying or divisional closed mortgage or deed of trust to meet the requirements of this section.

The terms, "street railroad corporation," "pipe line corporation," "gas corporation," "electrical corporation," "telephone corporation," "telegraph corporation," "water corporation," and "public utility," when used in paragraph (*g*) of subdivision 3 of this section, shall each have the meaning defined in the "Public Utilities Act" approved December 23, 1911.

(*h*) Notes or bonds secured by first mortgage or deed of trust or other first lien upon real estate, improved or unimproved; *provided*, that the entire note or bond issue shall not exceed sixty per centum of the market value of such real estate, or such real estate with improvements, taken as security; *and provided, further*, in case the said note or bond issue is created for a building loan on real estate, that at no time shall the entire outstanding note or bond issue exceed sixty per centum of the market value of the real estate and the actual cost of the improvements thereon taken as security.

In determining the market value of any real estate under the provisions of paragraph (*h*), subdivision 3 of this section where such real estate, improved or unimproved, consists of oil or other mineral or timber land, the value represented by such oil or other mineral or timber shall not be included in fixing such market value.

(*i*) Collateral trust bonds or notes when secured by either:

(1) Deposit of bonds authorized for investment by this section of a market value at least fifteen per centum in excess of the par value of the collateral trust bonds or notes issued; or

(2) Deposit of bonds authorized for investment by this section and other securities of a combined market value at least twenty per centum in excess of the par value of the collateral trust bonds or notes issued; *provided*, that the par value of said collateral trust bonds or notes shall in no case exceed the market value of that portion of the security represented by bonds authorized for investment by this section.

(3) Deposit of any notes or bonds authorized for investment by this section and other securities of a combined market value of at least thirty per centum in excess of the par value of the collateral trust bonds or notes issued; *provided*, that the par value of such collateral trust bonds or notes issued shall in no case exceed the market value of that portion of the security represented by notes or bonds authorized for investment by this section; *provided, further*, that the collateral pledged consist of bonds authorized for investment by this section of the market value of at least seventy-five per centum of the par value of such collateral trust bonds or notes issued.

(*j*) Bonds legal for investment by savings banks in the states of New York or Massachusetts: *provided, however*, that as to bonds of the character specified in paragraph (*e*) or (*f*) of subdivision 3 of this section such bonds shall also conform to the requirements of either of such paragraphs.

(*k*) Notes or bonds secured by mortgage or deed of trust, payment of which is guaranteed by a policy of mortgage insurance, and mortgage participation certificates, issued by a mortgage insurance company in accordance with the provisions of chapter VIII of title II of part IV of division first of the Civil Code.

"Net earnings" as used in this section shall be deemed to mean the amount remaining after deducting from the gross earnings all taxes, maintenance charges and operating expenses except depreciation charges, sinking fund charges and interest on indebtedness.

Unless herein otherwise expressly provided the period for which any corporation must have "net earnings" sufficient to qualify its bonds as an investment for savings banks under this section shall be either the fiscal year of such corporation next preceding the investment therein by any savings bank or twelve consecutive months in the fourteen months next preceding such investment.

No notes, bonds, or other securities shall be deemed to come within or conform to the requirements of either of paragraphs (*f*), (*g*) or (*i*) of subdivision 3 of this section, unless such notes, bonds or other securities shall, in the manner provided in this Act, have been certified by the Superintendent of Banks to come within and fully conform to the requirements of one or the other of said paragraphs; *provided, however*, that notes, bonds or other securities, the payment of which is secured by any mortgage or deed of trust executed on or before September 1, 1913, and now owned by any savings bank in this State, if otherwise in full conformity with the requirements of this section, need not be so certified by the Superintendent of Banks, in order to be legal as investments for savings banks.

The legality of investments heretofore lawfully made pursuant to the provisions of this section, or of any law of this State as it existed on and subsequent to July 1, 1909, shall not be affected by any amendments to this section or this Act; nor shall any such amendments require the changing of investments once lawfully made under this Act.

Any bonds authorized by this section as a legal investment for savings banks may be carried on the books of said bank at their investment value, based on their market value at the time they were originally bought, unless the Superintendent of Banks shall require any or all of the bonds which may thereafter have a market value less than the original investment value to be written down to such new market value which shall be done gradually if practicable and in such manner as he may determine; or he may, by a plan of amortization to be determined by him, require such gradual extinction of premium as will bring such bonds to par at maturity.

No savings bank shall hereafter purchase or loan money upon any bond, note or other evidence of indebtedness, issued by any "public utility," subject to the jurisdiction, regulation or control of the Railroad Commission of this State under the provisions of the "Public Utilities Act," approved December 23, 1911, and Acts amendatory thereof or supplemental thereto, unless each such bond, note or other evidence of indebtedness was either:

(*a*) Issued prior to the taking effect of the "Public Utilities Act"; or

(*b*) Issued under authority of the Railroad Commission, in accordance with the provisions of said Act; or

(*c*) A note issued for a period not exceeding twelve months, in accordance with the provisions of subdivision (*b*) of section 52 of said Act.

No provision of this Act, and no act, or deed, done or performed under or in connection therewith, and no finding made or certificate issued under any provision thereof, shall be held or construed to obligate the State of California to pay, or be liable for the payment of, or to guarantee in any manner whatsoever, the regularity or the validity of the issuance of any stock or bond certificate, or bond, note, or other evidence of indebtedness certified under any provision of this Act, by the Superintendent of Banks, as being in conformity with the requirements of any paragraph of subdivision 3 of this section.

It shall not be lawful for any individual, firm, association, bank, trust company, stock company, co-partnership or corporation to advertise by newspaper or circular or in any other manner that any bonds are legal investments for savings banks in this State or to use any advertisement which might lead the public to believe that any bonds conform to the requirements of law relating to investments by savings banks unless such bonds are such as are specified in paragraphs (*a*) (*b*), (*c*), (*d*), (*e*), (*j*) or (*k*) of subdivision 3 of this section or shall, in the manner provided in this Act, have been certified by the Superintendent of Banks to come within and fully conform to the requirements of one or the other of paragraphs (*f*), (*g*), (*h*) or (*i*) of subdivision 3 of this section or unless such advertisement shall have been approved in writing by the Superintendent of Banks prior to publishing, circulating or otherwise issuing the same. Any individual, firm, association, bank, trust company, stock company, co-partnership or corporation who shall advertise any bonds in violation of the provisions of this paragraph shall be guilty of a misdemeanor and shall be punishable by a fine not exceeding one thousand dollars or by imprisonment in a county jail not exceeding one year or by both such fine and imprisonment.

SEC. 19. Section 61*a* of said Act is hereby amended to read as follows:

Sec. 61*a*. The Superintendent of Banks shall have power, when any issue of bonds or securities is presented to him for that purpose, to investigate and ascertain whether such bonds or securities come within and fully conform to all the requirements of paragraphs (*f*), (*g*), (*h*), or (*i*) of subdivision 3 of section 61 of this Act, or of either of said paragraphs. He may also investigate and ascertain for what period of time, and upon what conditions, any franchise granted to or held by any corporation issuing any such bonds or securities will remain in force, and any other facts or conditions bearing upon the value or sufficiency of such bonds. The actual expense of investigating any issue of bonds or securities so presented shall be paid by the person or corporation presenting the same for investigation, and the Superintendent of Banks, before making such investigation, may require a cash deposit of such amount as he may deem necessary to cover such expense. The Superintendent of Banks may accept and act upon the opinions and appraisements of any attorneys or appraisers which may be presented by such person or corporation so applying, and the reports of any of the executive officers of the corporation issuing such bonds or securities, on any question of fact concerning or affecting such bonds or securities, the security thereof, the franchise conditions herein mentioned, or the financial condition of the corporation issuing the same. In lieu of or in addition to such opinions, appraisements and reports, the Superintendent of Banks may, if he deems proper, have any or all such matters passed upon and certified to him by attorneys, appraisers or accountants of his own selection at the expense of the applicant. If the Superintendent of Banks shall find from such investigation that the bonds or securities so presented come within and fully conform to all the requirements of any of said paragraphs of subdivision 3 of section 61 of this Act, and is satisfied from such investigation as to such franchise conditions, he shall so certify unless for any reason he shall be of the opinion that such bonds are not a safe or proper investment for savings banks, and in such event or if such bonds shall fail to meet the requirements of this Act such certificate must be refused. Any bonds certified by the Superintendent of Banks as in this section provided shall thereafter be deemed to be legal as investments for savings banks until three months after the end of the then current fiscal year of such corporation unless for any reason the Superintendent of Banks shall have revoked such certificate and during such time but not thereafter bonds so certified may be purchased by savings banks without further certification. The Superintendent of Banks shall keep an official list of all bonds and securities certified by him.

SEC. 20. Section 65 of said Act is hereby amended to read as follows:

Sec. 65. No loan shall be made, for himself or as agent or partner of another, directly or indirectly, to any director or officer of any savings bank by such bank, or on the endorsement, surety or guaranty of any such officer or director, except that loans may be made to any corporation in which any director or officer of such savings bank may own or hold a minority number of shares of stock, upon authorization of a majority of all the directors of such savings bank and the affirmative vote of all directors of such savings bank present at the meeting authorizing such loan; *provided, however,* that such loan shall in all other respects conform to and comply with all other provisions of this Act. Such interested director or officer shall not vote or participate in any manner in the action of the board on such loan. Such authorization shall be entered upon the records or minutes of such savings bank. The fact of making such loan, the names of the directors authorizing such loan, the corporate name of the borrower, the name of each director or officer of such bank who is a member, stockholder, officer, or director of the corporation to which such loan is made, the amount of stock held by him in such borrowing corporation, the amount of such loan, the rate of interest thereon, the time when the loan will become due, the amount, character and value of security given therefor and the fact of final payment, when made, shall be forthwith reported in writing by the cashier or secretary of such savings bank to the Superintendent of Banks. No loan may be made to any corporation, a majority of the stock of which is owned or controlled by any one or more of the directors or officers of such savings bank, except with the previous consent of the Superintendent of Banks.

A loan may be made to any agent or employee, other than an officer or director, of any savings bank by such bank upon authorization of a majority of all the directors of such savings bank and an affirmative vote of all directors of such savings bank present at the meeting authorizing such loan; *provided, however,* that such loan shall in all respects conform to and comply with all other provisions of this Act. Such authorization shall be entered upon the records or minutes of such savings bank. The fact of making such loan, the names of the directors authorizing such loan, the name of the borrower, the nature of his employment, the amount of such loan, the rate of interest thereon, the time when the loan will become due, the amount, character and value of the security given therefor, and the fact of final payment, when made, shall be forthwith reported in writing by the cashier or secretary of such savings bank to the Superintendent of Banks. Any officer or director of any savings bank, who knowingly procures a loan from such savings bank, contrary to the provisions of this section, shall be guilty of a felony. In case of the neglect or failure of the secretary or cashier of any such bank, to report to the Superintendent of Banks, as herein provided, any of the facts so required to be reported, the bank shall be liable therefor and shall forfeit to the people of the State of California twenty-five dollars per day for each day, or part thereof, during which such neglect or failure continues.

This section shall not apply to any loan made to a religious corporation, club, or other membership corporation of which one or more directors, officers, agents or employees of such savings bank may be members or officers, but in which they have no financial interest.

SEC. 21. Section 67 of said Act is hereby amended to read as follows:

Sec. 67. 1. No savings bank shall loan money except on adequate security of real or personal property, and no such loan shall be made for a period longer than ten years. No such loan shall be made on unsecured notes; *provided,* that a savings bank may, under such conditions and regulations as the Superintendent of Banks may prescribe, discount or purchase commercial paper of the kind and character made eligible under the Federal Reserve Act and the then current regulation of the Federal Reserve Board for rediscount or for purchase in the open market by a federal reserve bank; *provided, however,* that no savings bank shall at any time acquire by discount or purchase an amount of such commercial paper greater than five per centum of its deposits nor shall any savings bank acquire, directly or indirectly, by discount or purchase, any such commercial paper of or from any person, firm, co-partnership or corporation in an amount which shall exceed five per centum of the capital and surplus of such bank.

2. No savings bank shall invest or loan an amount greater than fifty per centum of its actual paid up capital and surplus on any one bond issue of the class specified in paragraph (*h*) of subdivision 3 of section 61 of this Act, nor more than five per centum of its assets on any one bond issue of any other class, except bonds of the United States, of the State of California, bonds for which the faith and credit of the United States or of the State of California are pledged, or bonds of any county, city and county, city or school district in this State, or bonds of any irrigation district such as are legal for investment by savings banks.

3. No savings bank shall loan money:

(*a*) On bonds of the character specified in paragraphs (*a*), (*b*), (*c*), and (*d*) of subdivision 3 of section 61 of this Act, unless such bonds shall have a market value of at least ten per centum in excess of the amount loaned thereon; or,

(*b*) On bonds of the character specified in paragraphs (*c*), (*f*) and (*g*) or on bonds or notes of the character specified in paragraph (*i*) of subdivision 3 of section 61 of this Act, unless such bonds or notes shall have a market value at least fifteen per centum in excess of the amount loaned thereon; or,

(*c*) On bonds legal for investment by savings banks in the states of New York or Massachusetts, unless such bonds shall have a market value at least fifteen per centum in excess of the amount loaned thereon; or,

(*d*) On personal property unless such personal property shall have a market value at least fifty per centum in excess of the amount loaned thereon; or,

(*e*) On other bonds, or on the capital stock of any corporation, unless such bonds or stocks shall have a market value at least fifty per centum in excess of the amount loaned thereon; *provided, however*, that no loan shall be made upon the capital stock of any bank unless such bank has been in existence at least two years and has earned and paid a dividend on its capital stock.

4. No savings bank shall make any loan on the security of real estate, except it be a first lien, and in no event to exceed sixty per centum of the market value of any real estate taken as security except for the purpose of facilitating the sale of property owned by such savings bank; *provided*, that a second lien may be accepted to secure the repayment of a debt previously contracted in good faith; *and, provided, also*, that any savings bank holding a first mortgage or deed of trust on real estate may take or purchase and hold another and immediately subsequent mortgage or deed of trust thereon, but all such loans shall not exceed in the aggregate sixty per centum of the market value of the real estate securing the same; *provided, further*, that a savings bank may loan not to exceed ninety per centum of the face value of a note or bond secured by a first mortgage or deed of trust on real estate, but in no event shall any such loan exceed ninety per centum of sixty per centum of the market value of the real estate covered by said mortgage or deed of trust.

5. No savings bank shall loan to any one borrower on the security of the capital stock of any corporation an amount exceeding ten per centum of the capital stock and surplus of such savings bank; *provided*, that all loans on the capital stock of any one corporation shall not exceed in the aggregate twenty-five per centum of the capital stock and surplus of such savings bank. No savings bank shall purchase, invest or loan its capital, surplus or the money of its depositors, or any part of either, in mining shares or stock.

Any president or managing officer who knowingly consents to a violation of any provision of this section shall be guilty of a felony.

SEC. 22. Section 68 of said Act is hereby amended to read as follows:

Sec. 68. Every savings bank or savings department of a bank, shall at all times maintain total reserves equivalent to five per centum of the aggregate amount of its deposits; at least two and one-half per centum of such deposits shall be maintained as reserves on hand, one-half of which shall consist of gold coin, gold bullion, United States gold certificates or United States notes and one-half of which shall consist of gold coin, gold bullion, United States gold certificates, United States notes or any other form of currency authorized by the laws of the United States and two and one-half per centum of such deposits may be maintained as reserves on hand and may consist of bonds of the United States or of gold coin, gold bullion, United States gold certificates, United States notes or any other form of currency authorized by the laws of the United States or may be maintained as reserves on deposit subject to call with any reserve depositary provided for in section 20 of this Act; *provided, however*, that no savings bank or savings department shall be required to maintain reserves on hand in excess of four hundred thousand dollars, and when such reserves on hand reach that amount, the balance of total reserves necessary to make up the five per centum may be kept as reserves on deposit subject to call with any reserve depositary provided for in section 20 of this Act. No new loan shall be made during any deficiency in the total reserves. Deposits with any commercial bank, or commercial department of a bank, on open account, as provided in this section, shall be permitted, and shall not be construed as loans. Not more than five per centum of the deposits of any savings bank shall be deposited with any one bank, except with the consent of the Superintendent of Banks. Not more than fifteen per centum of the deposits of any savings bank shall be deposited with all other banks, except with the consent of the Superintendent of Banks. No savings bank or savings department shall receive deposits of other banks other than savings deposits and such deposits shall not be treated or considered as a part of the reserves on deposit of such depositing bank; *provided*, that the sum so deposited shall not exceed ten thousand dollars.

SEC. 23. Section 80 of said Act is hereby amended to read as follows:

Sec. 80. No commercial bank shall make any loans, directly or indirectly, to any person, firm, co-partnership or corporation, in an amount which, including therein any extension of credit to such person, firm, co-partnership or corporation, by means of letters of credit, or by acceptance of drafts for, or the discount or purchase of the notes, bills of exchange or other obligations of, such person, firm, co-partnership or corporation, shall exceed the following percentage of its capital and surplus:

1. Ten per centum without security, except where such capital stock and surplus is not more than twenty-five thousand dollars, in which event an amount not to exceed twenty per centum of such capital stock and surplus may be loaned without security, and where such capital stock and surplus is greater than twenty-five thousand dollars and does not exceed, fifty thousand dollars, a sum not exceeding five thousand dollars may be loaned without security. Nothing herein shall prohibit any commercial bank from taking or receiving any kind, character or amount of security whatsoever, either real or personal, for the protection of any loan made under the provisions of this subdivision, but no such loan or any part thereof shall be considered or construed as a secured loan unless the whole thereof is loaned upon security worth at least fifteen per centum more than the amount of such loan; or,

2. Fifteen per centum, in addition to the amount that may be loaned under the provisions of subdivision one of this section, upon security worth at least fifteen per centum more than the amount of such loan so secured; *provided*, the total amount which can be loaned under subdivisions one and two hereof can not exceed twenty-five per centum in all; *provided, however*, that a separate note or notes shall be taken for the unsecured loans and a separate note or notes shall be taken for the secured loans, and the secured and unsecured loans shall not be combined in any way within one note, or notes; or,

3. Twenty-five per centum upon security worth at least fifteen per centum more than the amount of its loans so secured; *provided, however*, that when secured loans to this amount or any amount in excess of fifteen per centum are made, then no unsecured loans shall be permitted in addition to such secured loans; or,

4. Forty per centum provided such loans are upon commercial or business paper actually owned by the person negotiating the same to such bank, and are endorsed by such person without limitation; *provided, however*, that in addition to the amounts permitted to be loaned by subdivisions one, two, or three of this section, an amount may be loaned on the securities fixed by subdivision four of this section, which taken with the amounts so permitted by said subdivisions one, two, or three will not exceed forty per centum; *provided, also*, that the restrictions under this section shall not apply to bills of exchange or drafts, with bills of lading attached, drawn in good faith against actual existing values; *provided, further*, that any commercial bank, having first obtained in writing the consent of the Superintendent of Banks so to do and under such conditions and regulations as may be prescribed by him, may accept drafts or bills of exchange drawn upon it running for a period not longer than six months, but no commercial bank shall accept such drafts or bills of exchange in an amount greater at any time in the outstanding aggregate than one-half of its capital and surplus; but such acceptance or acceptances must be drawn by a person, firm, co-partnership or corporation engaged in agricultural, industrial or commercial business directly connected with the production, manufacture, purchase, sale or consignment of the goods involved in the transaction in which the acceptance originated; *provided, however*, that no such acceptance or acceptances to any one person, firm, co-partnership or corporation shall exceed ten per centum of the capital and surplus of such bank.

In computing the total liabilities of any person to a commercial bank there shall be included all liabilities to the bank of any co-partnership or unincorporated association of which he is a member, and any loans made for his benefit or for the benefit of such co-partnership or unincorporated association; of any firm, co-partnership or unincorporated association to a commercial bank there shall be included all liabilities of its individual members and all loans made for the benefit of such co-partnership or unincorporated association or any member thereof; and of any corporation to a commercial bank there shall be included all loans made for the benefit of the corporation.

SEC. 24. Section 83 of said Act is hereby amended to read as follows:

Sec. 83. No loan shall be made for himself or as agent or partner of another, directly or indirectly, to any officer of any commercial bank by such bank or on the endorsement, surety, or guaranty of any such officer; *provided*, that a loan may be made to a corporation of which any officer of a commercial bank, proposing to make such loan, is a minority stockholder, director, officer, agent or employee. Loans to any director, agent or employee, other than an officer, or to any firm, co-partnership or corporation of which any director, agent or employee other than an officer is a member, stockholder, director officer, agent or other employee, or to any person, firm, co-partnership or corporation on the endorsement, surety or guaranty of any such director other than an officer, agent or other employee, can be made by any commercial bank. Loans herein authorized can be made only on authorization of or confirmation within thirty days after making such loan, by a majority of all the directors of such bank and the affirmative vote of all directors of such bank present at the meeting authorizing or confirming such loan. Such interested director shall not vote or participate in any manner in the action of the board on such loan. The board of directors of any such bank may fix the total amount of credit that may at any one time during the twelve months next succeeding be given to any director, agent, or other employee, other than an officer, or to any firm, co-partnership or corporation in which any director, agent, or other employee other than an officer is a member, stockholder, director, officer, agent, or other employee or to any corporation of which any officer of a commercial bank, proposing to fix such total amount of credit, is a minority stockholder, director, officer, agent or employee, and any or all loans made within or up to the total amount of such authorized credit may at any time during said twelve months, be renewed from time to time, in whole or in part, by the officers of the bank without any further vote or action on the part of the board of directors. Each such authorization shall be entered upon the records or minutes of said bank. No director shall vote or participate in any manner in such action of the board fixing the total amount of credit that may at any one time be given to himself or to any firm, co-partnership or corporation in which he is a member, stockholder, director, officer, agent or other employee. The fact of making such loan, the names of the directors authorizing such loan, the name of the director, agent or employee, obtaining such loan, or the name of the firm, co-partnership or corporation in which such director, agent or employee is interested or the name of the corporation, of which any officer of a commercial bank is a minority stockholder, director, officer, agent or employee, obtaining such loan, the amount of such loan, the rate of interest thereon, the time when the loan will become due, the amount, character and value of security given therefor, if any, and the fact of final payment when made shall forthwith be reported in writing by the cashier or secretary of such bank to the Superintendent of Banks. In case a loan is made to a corporation there shall be reported in the same manner the name of each director and officer of such bank who is a member, stockholder, director, officer or employee of such borrowing corporation and the amount of stock held by him in such borrowing corporation. All the provisions of this section relating to reports shall apply to the granting of credit and all loans made under any credit given and payments made thereon shall also be reported immediately after the same are made. In case of a loan made without the previous authorization of the directors, the fact of making such loan shall forthwith be reported and the action of the board of directors, in confirming or refusing to confirm such loan within thirty days thereafter, and the fact of final payment when made shall be reported in the same manner as herein required for loans made under previous authorization. Any officer, director, agent, or employee of a commercial bank, who knowingly procures a loan from such commercial bank contrary to the provisions of this section, shall be guilty of a felony. In case of the neglect or failure of the secretary or cashier of any such bank, to report to the Superintendent of Banks, as herein provided, any of the facts so required to be reported, the bank shall be liable therefor and shall forfeit to the people of the State of California twenty-five dollars per day for each day, or part thereof, during which such neglect or failure continues.

This section shall not apply to any loan made to a religious corporation, club, or other membership corporation of which one or more directors, officers, agents or employees of such commercial bank may be members or officers but in which they have no financial interest.

SEC. 25. A new section is hereby added to said Act, to be numbered 85, and to read as follows:

Sec. 85. The Superintendent of Banks shall have power to limit the amount of funds that may be deposited by any commercial bank with any other commercial bank.

SEC. 26. Section 96 of said Act is hereby amended to read as follows:

Sec. 96. Any such trust company, if its principal place of business is situated in a city the population of which does not exceed one hundred thousand persons, before accepting any such appointment or deposit, shall deposit with the State Treasurer, as herein provided, at least fifty thousand dollars as security for the faithful performance and execution of all court trusts accepted by it, and shall also deposit with the State Treasurer at least fifty thousand dollars as security for the faithful performance and execution of all private trusts accepted by it; and whenever any such trust company shall under the provisions of section 98 of this Act be required to make the first additional deposit of securities with the State Treasurer such trust company must also deposit with the State Treasurer an additional fifty thousand dollars as security for the faithful performance and execution of all private trusts accepted by it; and any trust company if its principal place of business is situated in a city the population of which exceeds one hundred thousand persons, before accepting any such appointment or deposit, shall deposit with the State Treasurer, as herein provided at least one hundred thousand dollars, as security for the faithful performance and execution of all court trusts accepted by it, and shall also deposit with the State Treasurer at least one hundred thousand dollars as security for the faithful performance and execution of all private trusts accepted by it. Any such deposit may be made either in lawful money of the United States, or in securities of either of any of the following classes:

(*a*) Bonds issued by the United States or by this State or by any county, city and county, city or school district of this State, or bonds of any irrigation district such as are legal for investment by savings banks;

(*b*) Bonds for the payment of which the faith and credit of the United States or of this State are pledged;

(c) Notes or bonds secured by mortgage or deed of trust constituting a first lien on improved and productive real estate in the State of California; such improved real estate being worth at least double the amount of such lien;

(d) Notes or bonds secured by mortgage or deed of trust, payment of which is guaranteed by a policy of mortgage insurance, and mortgage participation certificates issued by a mortgage insurance company in accordance with the provisions of chapter VIII of title II of part IV of division first of the Civil Code; *provided*, that such notes or bonds shall constitute, and such mortgage participation certificates shall evidence the ownership of, or participation in, notes or bonds which constitute, a first lien on improved and productive real estate in the State of California, such improved real estate being worth at least double the amount of such lien.

Such money or securities shall be first approved by the Superintendent of Banks and, upon his written order, deposited with the State Treasurer for the respective purposes herein specified, and said Treasurer shall give his receipt therefor, and thereafter, subject to the provisions of this act, shall hold such deposits of money or securities separately, each for sole benefit of the beneficiaries of the class of trust business, for the security and protection of which the same was deposited, and said Treasurer shall give his receipt therefor and the State shall be responsible for the custody and safe return of any money or securities so deposited. Said securities or money so deposited may, with the approval of the Superintendent of Banks, be withdrawn or exchanged from time to time for other like securities, or lawful money, receivable as aforesaid, and so long as the trust company so depositing said money or securities shall continue solvent, it shall have the right and shall be permitted by the State Treasurer to receive the interest and dividends on any securities so deposited. Said securities and money shall be subject to sale and transfer, and to the disposal of the proceeds by said State Treasurer, only on the order of a court of competent jurisdiction and for the benefit respectively of the beneficiaries of that class of trust business for the security and protection of which the same were deposited.

SEC. 27. Section 98 of said Act is hereby amended to read as follows:

Sec. 98. Whenever any trust company, the principal place of business of which is located in a city of the population of which does not exceed one hundred thousand persons, receives from court trusts accepted by it, trust funds, as herein defined, to the amount of five hundred thousand dollars, it shall forthwith notify in writing the Superintendent of Banks of such fact, and within thirty days thereafter shall deposit with the State Treasurer additional money or securities of the character mentioned and defined in section 96 of this Act approved as therein provided, in the amount of fifty thousand dollars; and whenever any trust company receives from court trusts such funds to the amount of one million dollars it shall further notify in writing the Superintendent of Banks of such fact and within thirty days thereafter shall deposit with the State Treasurer additional money or securities of the character mentioned and defined in section 96 of this Act, approved as therein provided, in the amount of fifty thousand dollars; and for each additional five hundred thousand dollars of such trust funds thereafter received by any trust company from court trusts a similar notification in writing shall forthwith be given to the Superintendent of Banks, and a further deposit in the amount of twenty-five thousand dollars of such money or securities, or of securities provided for in section 97 of this Act likewise approved, shall be made, within thirty days thereafter, by such trust company with said State Treasurer, until five hundred thousand dollars of such securities have been so deposited; and for each additional one million dollars of such trust funds thereafter received by any trust company from court trusts a similar notification in writing shall forthwith be given to the Superintendent of Banks, and a further deposit in the amount of twenty-five thousand dollars of such money or securities, or of securities provided for in section 97 of this Act likewise approved, shall be made, within thirty days thereafter, by such trust company with said State Treasurer. The Treasurer shall give his receipt for any money or securities so deposited and each and all of such deposits of money or securities, shall be held by said State Treasurer for the sole benefit of the beneficiaries of the class of business for the security and protection of which same were deposited. The State shall be responsible for the custody and safe return of any money or securities so deposited with said State Treasurer. The term "trust funds" when used in this section shall be deemed to mean and shall mean personal property and cash, whether received with the original trust property or as rent, income or proceeds thereof, or otherwise, in connection with the trust, and shall not be deemed to include and shall not include real property. Any trust company failing to comply with the provisions of this section shall forfeit to the State of California one hundred dollars a day for each day during which such failure or default shall continue. Upon making a request in writing to the Superintendent of Banks, any such trust company shall be entitled to withdraw from the State Treasurer, from time to time, a sufficient amount of such securities so that at all times the amount of such securities so deposited shall conform to the requirements of this Act, and so that at no time shall such trust company be required to have on deposit with the State Treasurer an amount of securities in excess of the requirements of this Act. Upon receiving such request in writing, and satisfactory proof of the facts warranting such withdrawal, it shall be the duty of the Superintendent of Banks to forthwith deliver to the State Treasurer a written order directing the withdrawal of said securities so as to conform with the provisions of this section, and it shall be the duty of the State Treasurer to comply with such written order. The validity or legality of any Act or proceeding done or taken by any such trust company, relating to or in connection with the administration of any such trusts, shall not be affected or impaired by the neglect or failure of such trust company, or of any officer or employee thereof, to comply with any of the provisions of this Act, but all such Acts and proceedings done or taken prior to the revocation of its certificate of authority to do such business by the Superintendent of Banks, under the provisions of this Act, or the revocation by any court or judge thereof of the appointment, order or decree theretofore entered in such trust matter shall be as valid and effective for all purposes as if any such neglect or failure had not occurred.

SEC. 28. Section 99 of said Act is hereby amended to read as follows:

Sec. 99. When any part of the securities so deposited with the State Treasurer consists of notes, bonds or participation certificates secured by mortgage or deed of trust, it shall be accompanied by a policy of mortgage insurance or a complete abstract of title or an unlimited certificate of title or a policy of title insurance prepared or issued by a person, company or corporation designated or approved by the Superintendent of Banks and authorized by law or otherwise found by the Superintendent of Banks to be competent to issue such evidence of title, which shall be examined and approved by or under the direction of said Superintendent of Banks. The fees for an examination of such policy or evidence of title by counsel to be paid by the trust company making the deposit shall not exceed twenty dollars for each policy or title examined, and the fee for each appraiser, not exceeding two, shall not exceed five dollars for each mortgage or deed of trust.

SEC. 29. Section 101 of said Act is hereby amended to read as follows:

Sec. 101. For the purposes of this Act, all trusts permitted to be accepted or executed by any such trust company, under any provision of this Act are hereby classified and defined as either:

(*a*) Court trusts; or

(*b*) Private trusts.

A court trust is one in which any such trust company acts under appointment, order or decree of any court, as executor, administrator, guardian, assignee, receiver, depositary or trustee, or in which it receives on deposit from a public administrator, under any provision of this Act, or from any executor, administrator, guardian, assignee, receiver, depositary or trustee, under any order or decree of any court, money or property.

Any other trust is a private trust; *provided*, that the creator of any private trust of which a trust company shall be made, or at any time come to be, the trustee, may, at the time of the creation of such trust, or the creator of any such private trust, or his successors in interest, and the beneficiaries thereof may, at any time, by their joint consent, direct that such trust shall be subject to and entitled to the benefit of all of the provisions of this Act relating to court trusts and thereafter such trust shall for all the purposes of this Act be deemed to be a court trust and wherever in this Act the words "court trust" are used they shall be deemed to include private trusts which are subject to supervision except in so far as any of the provisions of this Act relating to court trusts may, by their nature, be inapplicable to such private trust. Such direction shall be in writing addressed to the trustee and a copy thereof, certified by the trustee, delivered to the Superintendent of Banks.

In case such direction shall be made after the acceptance of the trust, the trustee shall have the right to resign as such and a new trustee shall be appointed as provided in the trust instrument or by law. The inspection and supervision of the Superintendent of Banks shall extend only to court trusts as herein defined and to private trusts subjected to the provisions of this Act relating to court trusts as above provided.

Private trusts, except as in this section provided, shall not be subject to the inspection or supervision of the Superintendent of Banks, his attorneys, examiners or other assistants.

In making the reports to the Superintendent of Banks required by this Act, every trust company shall, in addition to the other facts to be reported by it, furnish only a list and brief description of the court trusts and private trusts, which are subject to supervision, held by it, the source of appointment thereto, the authority by which the appointment or deposit was made, and the amount of real or personal property held by such trust company by virtue thereof.

Nothing in this Act contained shall make it unlawful for any person or corporation not subject to the supervision of the Superintendent of Banks to engage in the business of receiving and holding in escrow money or its equivalent pending investment in real estate or securities for or on account of his or its principal, or of acting as trustee under deeds of trust given solely for the purpose of securing obligations for the repayment of money, other than corporation bonds.

SEC. 30. Section 127 of said Act is hereby amended to read as follows:

Sec. 127. When any number of persons desire to organize a corporation to conduct any one or more or all of the businesses mentioned in divisions (*a*), (*b*) and (*c*) of section 2 of this Act or to circulate stock subscription lists for any such proposed corporation the previous written consent of the Superintendent of Banks to such proposed organization must be obtained. No bank shall transact any business in this State without the written approval of the Superintendent of Banks, and without his written certificate stating that it has complied with the provisions of his Act, and all the requirements of law, and that it is authorized to transact, within this State, the business specified therein; which certificate may be withheld by the Superintendent of Banks whenever he has reason to believe that the bank is being formed for any other than the legitimate objects contemplated by this Act, or whenever he has reason to believe that the public convenience and advantage will not be promoted by the opening of such bank, or whenever he has reason to believe that the corporate name assumed by such bank resembles, so closely as to be likely to cause confusion, the name of any other bank previously formed under the laws of this State. Before issuing such certificate the Superintendent of Banks shall examine, or cause an examination to be made, in order to ascertain whether the requisite capital of such bank has been paid up in cash or the requisite reserve or surplus fund has been accumulated. The Superintendent of Banks shall not authorize such bank to commence business until it appears from such examination, or other evidence satisfactory to him, that the requisite capital has been, in good faith, subscribed and paid in, in cash, or that the requisite surplus or reserve fund has been accumulated or paid in, in cash, and until said bank shall have paid a fee of fifty dollars for each department to be operated by said bank.

SEC. 31. Section 144 of said Act is hereby amended to read as follows:

Sec. 144. Whenever by the terms of this Act a penalty or forfeiture is imposed, the same shall be recovered in an action brought at the request of the Superintendent of Banks by the Attorney General, in the name of the people of the State, and the sum recovered shall be paid into the State Banking Fund and used in payment of claims against the said fund. Any fine or pecuniary penalty, which may be incurred by any bank on account of the violation of any provision of this Act, may be compromised and a less amount than that prescribed by this Act accepted by the Superintendent of Banks at any time prior to the institution of action to recover the same.

SEC. 32. Section 145 of said Act is hereby amended to read as follows:

Sec. 145. The powers, privileges, duties and restrictions conferred and imposed upon any corporation or individual existing and doing business under the laws of this State are hereby abridged, enlarged or modified as each particular case may require to conform to the provisions of this Act, notwithstanding anything to the contrary in their respective articles of incorporation or charters. All the provisions of this Act shall apply with equal force and effect to all corporations which are now doing or which may hereafter do a banking business in this State, except where express exception or exemption may be made herein, and to such other persons, associations, co-partnerships or corporations who shall, by violating any of its provisions, become subject to the penalties provided herein. The legality of investments heretofore made, or title to property heretofore acquired or conveyed through transactions heretofore had by any bank pursuant to any provision of law in force when such investments were made or transactions had shall not be affected by the provisions of this Act, except that any such investments made prior to July 1, 1909, when not complying with the provisions hereof, shall be changed to conform hereto; but such change shall be made gradually and in such manner as to prevent loss or embarrassment in the business of such bank, or unnecessary loss or injury to the borrowers on such security; *provided, further*, that in any event, all investments and securities and excess in investments made prior to July 1, 1909, which are not in conformity with the provisions and spirit of this Act and which have been acquired and are now held by any bank, must be written off as assets of such bank prior to July 1, 1918; and no bank holding any such investments or securities acquired prior to July 1, 1909, shall, after July 1, 1918, be permitted to pay any dividends to its stockholders until it shall have written off all such non-conforming investments or securities; *and, provided, further*, that the legality of any investments heretofore lawfully made, pursuant to the provisions of this Act as it existed on and subsequent to July 1, 1909, shall not be affected by the provisions of this section.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Campbell asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of bills previously reported from committee on this legislative day.

Senate Bill No. 462—An Act to amend section 1617 of the Political Code, relating to the powers and duties of trustees of common school districts and of boards of education in city school districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 35, strike out all reading matter on the page following the period which follows "lease".

On page 3, strike out all of line 1 to 9, inclusive, and the word "publication" and comma in line 10, and insert in lieu thereof the following: "Said trustees shall advertise for sealed bids once a week for three successive weeks in one or more newspapers published in the school district, if any newspaper is published therein, and if there is no such paper then in one or more papers published in the county, or if no such paper is published therein then in one or more papers circulated in such district. Upon the completion of said period of advertising such board of education or such board of trustees, shall open all sealed bids which have been received and shall publish them for the same length of time and where possible in the same papers mentioned above" and a semicolon.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 14, strike out the comma between the words "education" and "said" and insert in lieu thereof the following: "within ten days from the last date of publication" and a comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 15, beginning with the word "shall" strike out all reading matter following the word "board".

On page 3, line 16, strike out the word "and".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 25, strike out the words "such election", and insert in lieu thereof the following: "notice of his election or employment has been given or mailed".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 26, strike out the semicolon and all reading matter following the same up to and including line 34 and insert in lieu thereof a period and the following: "Any board of trustees or city board of education may pay the teachers employed by them on the first day of the calendar month, or if such day falls upon a holiday, on the last business day previous to the first day of the month, and such teachers as have been in their employ for the full time in which school was maintained the previous year may be paid in twelve payments; *provided*, that a teacher who serves less than a full fiscal year is entitled to receive only as salary an amount that bears the same ratio to the established annual salary for such position as the time he reaches bears to the annual school term, and in such installments as the board of education may direct" and a period.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 8, line 13, strike out the period and insert in lieu thereof a semicolon and the following: "*provided*, that in school districts having an average daily attendance of one thousand or more students, as shown by the annual report of the county superintendent of schools for the preceding school year, the board may secure from responsible bidders, three estimates of the cost of such work to be done, or materials or supplies to be furnished, and if any of such estimates of cost is less than five hundred dollars, the board may let a contract for such work, material or supplies, to the lowest responsible bidder without publishing such notice calling for bids" and a period.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 8, line 18, strike out lines 18 to 22, inclusive, and insert in lieu thereof the following:

"*Twenty-second*—To provide, with the written approval of the superintendent of schools, for the transportation of pupils to and from school whenever in their judgment such transportation is advisable, to purchase or rent and provide for the upkeep, care, and operation of vehicles, or to contract and pay for the transportation of pupils to and from school by common carrier, or to contract with and pay responsible private parties for such transportation; *provided*, that in order to secure such service at the lowest possible figure consistent with proper and satisfactory service, boards of education and boards of school trustees shall secure bids for the items or service contemplated in this subdivision; *and provided, further*, that no board shall make any purchase or enter into any contract for such service without securing the written approval of the county superintendent of schools" and a period.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 839—An Act to amend section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, after the word "annum" strike out all the balance of line 8 and also all of line 9.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of lines 13 and 14, on page 1.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 22, strike out the word "twelve" and insert the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 18, strike out the word "three" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 19, after the word "each" insert the following: "one judgment clerk at a salary of fifteen hundred dollars per annum."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 24, after the word "deputies" strike out the words "not to exceed ten".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6, line 3, strike out the word "twelve" and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, line 4, after the word "deputy" insert "or deputies".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 6, line 6, after the word "deputy" insert "or deputies".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 6, line 6, strike out the word "five" and insert the word "twelve".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 7, line 2, after the word "fees" strike out all to and including the word "fund" in line 14, and insert the following: "The county assessor shall have one chief deputy at a salary of twenty-one hundred dollars per annum; one draftsman at a salary of eighteen hundred dollars per annum; one stenographer and copyist at a salary of nine hundred dollars per annum; one office deputy to serve not to exceed two hundred and four days in each year at a salary of four dollars per diem; one platter to serve not to exceed one hundred and four days in each year at a salary of four dollars per diem; two office deputies for preparing assessment rolls to serve not to exceed one hundred days each in any one year at a salary of four dollars per diem each; one office deputy for preparing assessment rolls to serve not to exceed one hundred and four days in any one year at a salary of four dollars per diem; one copyist to serve not to exceed forty-three days in any one year at a salary of four dollars per diem; fifteen field deputies to serve not to exceed eighty days each in any one year at a salary of four dollars per diem each; all the deputies, assistants, emergency help and clerks herein mentioned shall be paid at the time and in the same manner that the principals are paid, and they shall be paid from the salary fund."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 459—An Act to provide for the formation, organization, government and dissolution of flood control districts, in the State of California, the boundaries of which districts shall be coterminous with the boundaries of the counties in which formed, to be known as county flood control districts, for the purpose of protecting the land therein from damage from storm waters and from the waters of innavigable streams, water courses, canyons or washes, and for the purpose of saving and conserving storm, flood or snow water for beneficial and useful purposes; for the construction of the necessary works of protection and conservation and distribution of such storm or flood waters by said flood control districts; for bonding and assessing such flood control districts, for the cost of constructing and maintaining such improvements and for the levying taxes and assessments to pay the costs of repairing and maintaining such improvements when constructed and for the dissolution of any such districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 2 to 19, of the title of the printed bill, strike out all of said lines 2 to 19, inclusive, and insert in lieu thereof the following:

"To create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 1 and 2, of the printed bill, strike out all of said lines and all of pages 2 to 24, inclusive, and insert in lieu thereof the following:

"SECTION 1. A flood control district is hereby created, to be called 'Los Angeles County Flood Control District,' and the boundaries and territory of said district shall be as follows: All that portion of the county of Los Angeles lying south of the north line of township 5 north, San Bernardino base, excepting therefrom the islands and Santa Catalina and San Clemente, and the islands off the coast included in Los Angeles County.

"SEC. 2. The objects and purposes of this Act are to provide for the control of the flood and storm waters of said district, and to conserve such waters for beneficial and useful purposes by spreading, storing, retaining or causing to percolate into the soil within said district, or to save or conserve in any manner, all or any of such waters, and to protect from damage from such flood or storm waters the harbors, waterways, public highways and property in said district.

"Said Los Angeles County Flood Control District is hereby declared to be a body corporate and politic, and as such shall have power:

"1. To have perpetual succession.

"2. To sue and be sued in the name of said district in all actions and proceedings in all courts and tribunals of competent jurisdiction.

"3. To adopt a seal and alter it at pleasure.

"4. To take by grant, purchase, gift, devise or lease, hold, use, enjoy, and to lease or dispose of real or personal property of every kind within or without the district necessary to the full exercise of its powers.

"5. To acquire or contract to acquire lands, rights of way, easements, privileges and property of every kind, and construct, maintain and operate any and all works or improvements within or without the district necessary or proper to carry out any of the objects or purposes of this Act, and to complete, extend, add to, repair or otherwise improve any works or improvements acquired by it as herein authorized.

"6. To have and exercise the right of eminent domain, and in the manner provided by law for the condemnation of private property for public use, to take any property necessary to carry out any of the objects or purposes of this Act, whether such property be already devoted to the same use by any district or other public corporation or agency or otherwise, and may condemn any existing works or improvements in said district now used to control flood or storm waters, or to conserve such flood or storm waters or to protect any property in said district from damage from such flood or storm waters.

"7. To incur indebtedness, and to issue bonds in the manner herein provided.

"8. To cause taxes to be levied and collected for the purpose of paying any obligation of the district in the manner hereinafter provided.

"9. To make contracts, and to employ labor, and to do all acts necessary for the full exercise of all powers vested in said district, or any of the officers thereof, by this Act.

"SEC. 3. The board of supervisors of Los Angeles County shall be, and they are hereby designated as, and empowered to act as, ex officio the board of supervisors of said Los Angeles County Flood Control District, and said board of supervisors is hereby vested with the same powers, and shall perform the same duties for and on behalf of said district, and the government thereof, to carry out the objects and purposes of this Act that the board of supervisors of Los Angeles County now have or may hereafter have by law for said Los Angeles County, and shall also have such other or additional powers for said district as may be necessary to carry out any of the objects or purposes of this Act above mentioned, or to exercise any of the said powers of said district; *provided* that such powers and duties are not in conflict with the express terms of this Act; *and provided, further*, that the provisions of article IX of the charter of said Los Angeles County shall not be deemed to apply to said district.

"The county counsel, county clerk, county assessor, county tax collector, county auditor and county treasurer of the county of Los Angeles, and their successors in office, and all their assistants, deputies, clerks and employees, and all other officers of said Los Angeles County, their assistants, deputies, clerks and employees shall be ex officio officers, assistants, deputies, clerks and employees respectively of said Los Angeles County Flood Control District, and shall respectively perform, unless otherwise provided by said board of supervisors, the same various duties for said district as for said Los Angeles County without additional compensation in order to carry out the provisions of this Act.

"Said board of supervisors may, in their discretion, appoint such other officers for said district as in their judgment may be deemed necessary, and prescribe their duties and fix their compensation, which said officers shall hold office during the pleasure of said board.

"All ordinances, resolutions and other legislative acts for said district shall be adopted by said board of supervisors and certified to, recorded and published, in the same manner, except as herein otherwise expressly provided, as are ordinances, resolutions or other legislative acts for the county of Los Angeles.

"SEC. 4. Said board of supervisors shall have jurisdiction and power, and it shall be their duty to employ by resolution a competent engineer or engineers to investigate carefully the best plan to control the flood and storm waters of said district, and to conserve such waters for beneficial and useful purposes by spreading, storing, retaining or causing to percolate into the soil within said district, or to save or conserve in any manner, any or all of such waters, and to protect the harbors, waterways, public highways and property in said district from damage from such waters; and to obtain such other information in regard thereto as may be deemed necessary or useful for carrying out the purposes of this Act, and such resolution shall direct such engineer or engineers to make and file a report with said board of supervisors which shall show:

"1. A general description of the work to be done.

"2. General plans, profiles, cross-sections and general specifications of the work to be done.

"3. A general description of the lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said work.

"4. A map which shall show the location of the proposed work and improvements, and lands, rights of way, easements and property to be taken, acquired or injured in carrying out said work, and any other information in regard to the same that may be deemed necessary or useful.

"5. An estimate of the cost of such work, including an estimate of the cost of lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said work, and also of all incidental expenses likely to be incurred in connection therewith, including legal, clerical, engineering, superintendence, inspection, printing and advertising, and stating the total amount of bonds necessary to be issued to pay for the same.

"Such engineer or engineers employed by said resolution shall have power and authority, subject to the control and direction of said board of supervisors, to employ such engineers, surveyors and others as may be required for making all surveys or doing any other work necessary for the making of such report.

"The said board of supervisors may at any time remove any or all of the engineers or employees appointed or employed under this Act, and may fill any vacancies occurring among them from any cause.

"SEC. 5. After the report of the engineer or engineers provided for in the next preceding section has been filed with the said board of supervisors, said board shall consider the same, and may, by resolution, either adopt the same as filed, or may refer such report to such engineer or engineers, or to any other engineer or engineers, to be modified or changed and when a report satisfactory to said board of supervisors has been filed with said board by any such engineer or engineers employed as aforesaid, the said board shall by resolution adopt said report, and state the amount of the entire estimated cost for which bonds are to be voted, and a finding in said resolution adopted by said board of supervisors as to the sufficiency of said report, and that the same complies with all the requirements of this Act in relation thereto, shall be final and conclusive against all persons except the State of California upon suit commenced by the Attorney General.

"SEC. 6. After the adoption of the report by said board of supervisors, as above provided, said board shall without delay call a special election and submit to the qualified electors of said district the proposition of incurring a bonded debt in the amount and for the purposes stated in said report.

"Said board of supervisors shall call such special election by ordinance, and shall recite therein the objects and purposes for which the indebtedness is proposed to be incurred, provided that it shall be sufficient to give a brief general description of such objects and purposes, and refer to the report adopted by said board of supervisors, and on file for particulars; and said ordinance shall also state the estimated cost of the proposed work and improvements, the amount of the principal of the indebtedness to be incurred therefor, and what part of such indebtedness shall be paid each and every year, and which shall be not less than one-fortieth of the whole amount of such indebtedness, and the rate of interest to be paid on said indebtedness, and shall fix the date on which such special election shall be held, the manner of holding the same, and the manner of voting for or against incurring such indebtedness. The rate of interest to be paid on such indebtedness shall not exceed six per centum per annum.

"For the purposes of said election, said board of supervisors shall, in said ordinance, establish election precincts within the boundaries of the said district, and may form election precincts by consolidating the precincts established for general election purposes in said district to a number not exceeding six for each such bond election precinct, and shall designate a polling place and appoint two inspectors, two judges and two clerks for each of such precincts.

"In all particulars not recited in such ordinance, such election shall be held as nearly as practicable in conformity with the general election laws of the State.

"Said board of supervisors shall cause so much of said report as covers a general description of the work to be done, and the [illegible] the location of the proposed work and improvements, to be printed at least thirty days before the date fixed for such election, and a copy thereof furnished to every qualified elector of said district who shall apply for the same.

"Said ordinance calling such election shall, prior to the date set for such election, be published ten times in a daily, or four times in a weekly, newspaper of general circulation, printed and published in said district, and designated by said board of supervisors for said purpose. No other notice of such election need be given.

"Any defect or irregularity in the proceedings prior to the calling of such election shall not affect the validity of the bonds.

"If at such election a majority of the votes cast are in favor of incurring such bonded indebtedness, then bonds of said district for the amount stated in such proceedings shall be issued and sold as in this Act provided.

"SEC. 7. The said board of supervisors shall, subject to the provisions of this Act, prescribe by ordinance the form of said bonds, and of the interest coupons attached thereto. Said bonds shall be payable substantially in the following manner: A part to be determined by said board, and which shall not be less than one fortieth part of the whole amount of such indebtedness shall be payable each and every year on a day and date, and at a place to be fixed by said board, and designated in such bonds, together with the interest on all sums unpaid on such date until the whole of said indebtedness shall have been paid.

"The bonds shall be issued in such denominations as the said board of supervisors may determine, except that no bonds shall be of less denomination than one hundred dollars, nor of a greater denomination than one thousand dollars, and shall be payable on the day and at the place fixed in said bonds, and with interest at the rate specified in such bonds, which rate shall not be in excess of six per centum per annum, and shall be payable semi-annually, and said bonds shall be signed by the chairman of the board of supervisors, and countersigned by the auditor of said Los Angeles County, and the seal of said district shall be affixed thereto. The interest coupons of said bonds shall be numbered consecutively and signed by the auditor of said Los Angeles County by his engraved or lithographed signature. In case any such officer whose signatures or counter-signatures appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such signature or counter-signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of the bonds.

"SEC. 8. The said board of supervisors may issue and sell the bonds of such district authorized as hereinbefore provided at not less than par value, and the proceeds of the sale of such bonds shall be placed in the treasury of the county of Los Angeles to the credit of said district, and the proper record of such transaction shall be placed upon the books of said county treasury, and said district fund shall be applied exclusively to the purposes and objects mentioned in the ordinance calling such special bond election as aforesaid, subject to the provisions in this Act contained. Payments from said district fund shall be made upon demands prepared, presented, allowed and audited in the same manner as demands upon the funds of the county of Los Angeles.

"SEC. 9. Any bonds issued under the provisions of this Act shall be a lien upon the property of the district, and the lien for the bonds of any issue shall be a preferred lien to that of any subsequent issue. Said bonds and the interest thereon shall be paid by revenue derived from an annual tax upon the real property within said district, and all the real property in the district shall be and remain liable to be taxed for such payments as hereinafter provided.

"SEC. 10. The board of supervisors shall levy a tax each year upon the taxable real property in such district sufficient to pay the interest on said bonds for that year, and such portion of the principal thereof as is to become due before the time for making the next general tax levy. Such tax shall be levied and collected on said real property at the time and in the same manner as the general tax levy for county purposes, and when collected shall be paid into the county treasury of said Los Angeles County to the credit of said district fund, and be used for the payment of the principal and interest on said bonds, and for no other purpose. The principal and interest on said bonds shall be paid by the county treasurer of said Los Angeles County in the manner provided by law for the payment of principal and interest on bonds of said county.

"SEC. 11. The provisions of the Political Code of this State, prescribing the manner of levying, assessing, equalizing and collecting of taxes, including the sale of property for delinquency, and the redemption from such sale, and the duties of the several county officers with respect thereto, are, so far as they are applicable, and not in conflict with the specific provisions of this Act, hereby adopted and made a part hereof. Such officers shall be liable upon their several official bonds for the faithful discharge of the duties imposed upon them by this Act.

"SEC. 12. The bonds of said Los Angeles County Flood Control District issued pursuant to this Act, shall be legal investments for all trust funds, and for the funds of all insurance companies, banks, both commercial and savings, and trust companies, and for the state school funds, and whenever any money or funds may by law now or hereafter enacted be invested in bonds of cities, cities and counties, counties, school districts or municipalities in the State of California, such money or funds may be invested in the said bonds of said district issued in accordance with the provisions of this Act, and whenever bonds of cities, cities and counties, counties, school districts or municipalities, may by any law now or hereafter enacted be used as security for the performance of any Act, such bonds of said district may be so used.

"This section of this Act is intended to be and shall be considered the latest enactment of the matters herein contained, and any and all Acts or parts of any Acts in conflict with the provisions hereof are hereby repealed.

"SEC. 13. All bonds issued by said district under the provisions of this Act are hereby given the same force, value and use as bonds issued by any municipality in this State, and shall be free and exempt from all taxation within the State of California.

"SEC. 14. The board of supervisors of said district shall have power, in any year, to levy a tax upon the taxable real property in said district, to carry out any of the objects or purposes of this Act, and to pay the cost and expense of maintaining, operating, extending and repairing any work or improvement of said district for the ensuing fiscal year, and said tax shall be levied and collected at the same time and in the same manner as the general tax levy for county purposes, and the revenue derived from said tax shall be paid into the county treasury to the credit of said district, and said board of supervisors shall have the power to control and order the expenditure thereof for said purposes; *provided, however*, that said tax levied under this section for any one fiscal year shall not exceed ten cents on each one hundred dollars of the assessed valuation of the real property in said district, exclusive of any tax levied to meet the bonded indebtedness of said district, and the interest thereon.

"SEC. 15. All contracts for furnishing the labor, materials or supplies required for any improvement or work, or any portion thereof, to carry out this Act, shall be let to the lowest responsible bidder. The said board of supervisors of said district shall advertise by five or more insertions in a daily newspaper of general circulation, or by two or more insertions in a weekly newspaper of general circulation, printed and published in said district, inviting sealed proposals for furnishing the labor, materials and supplies for the proposed improvement or work before any contract shall be made therefor, and may let by contract separately any part of said work or improvement. The said board shall have the right to require such bonds as it may deem best from the successful bidder, to insure the faithful performance of the contract, and shall also have the right to reject any and all bids; *provided, however*, that nothing herein contained shall be construed as prohibiting said district itself, and when ordered by the said board of supervisors thereof, it shall have power to make the proposed improvement or carry out any work or portion thereof without a contract therefor, and to purchase the materials and supplies, and employ the labor necessary for such purpose; *and, provided, further*, that any improvement for which bonds are voted under the provisions of this Act, shall be made in conformity with the report, plans, specifications and map theretofore adopted, and above specified, unless the doing of any of such work described in said report shall be prohibited by law, or be rendered contrary to the best interests of said district by some change of conditions in relation thereto, in which event said board of supervisors may, by a vote of four-fifths of all the members thereof, order necessary changes made in such proposed work or improvements, and may cause new plans and specifications to be made and adopted therefor.

"Any work or improvement provided for in this Act may be located, constructed and maintained in, along or across any public road or highways in the county of Los Angeles, in such manner as to afford security for life and property, but the said board of supervisors of said district shall restore or cause to be restored such road or highway to its former state as near as may be, so as not to impair its usefulness.

"The plans and specifications for any work proposed to be done, or improvements to be made, under this Act, in any municipality in said district shall first be approved by the legislative body of such municipality before the commencement of such work or improvements, and before any contract shall be let therefor; *provided*, that in the event such legislative body shall refuse or neglect to approve the said plans and specifications for such work or improvement within thirty days after being requested by said board of supervisors so to do, then said board of supervisors shall omit the doing of such work or making of such improvements within such municipality, and such omission shall not affect the validity of its proceedings under this Act, and the funds which were to be expended for such proposed work or improvement in said municipality may be expended elsewhere by said board of supervisors for carrying out the purposes of this Act.

"SEC. 16. The said board of supervisors of said district shall have power to make and enforce all needful rules and regulations for the administration and government of said district, and to appoint or employ all needful agents, superintendents and engineers to properly look after the performance of any work provided for in this Act, and to perform all other acts necessary or proper to accomplish the purposes of this Act.

"Said board of supervisors shall have power to do all work and to construct and acquire all improvements necessary or useful for carrying out any of the purposes of this Act; and said board of supervisors shall have power to acquire either within or without the boundaries of said district, by purchase, condemnation, donation or by other lawful means in the name of said district, from private persons, corporations, reclamation districts, swamp land districts, levee districts, protection districts, drainage districts, irrigation districts, or other public corporations or agencies or districts, all lands, rights of way, easements, property or materials necessary or useful for carrying out any of the purposes of this Act; to make contracts to indemnify or compensate any owner of land or other property for any injury or damage necessarily caused by the exercise of the powers conferred by this Act, or arising out of the use, taking or damage of any property, rights of way or easements, for any of such purposes; to compensate any reclamation district, protection district, drainage district, irrigation district or other district, public corporation or agency or district, for any right of way, easement or property taken over or acquired by said Los Angeles County Flood Control District as a part of its work of flood control or conservation or protection provided for in this Act, and any such reclamation district, protection district, drainage district, irrigation district or other district or public corporation or agency is hereby given power and authority to distribute such compensation in any manner that may be now or hereafter allowed by law; to maintain actions to restrain the doing of any act or thing that may be injurious to carrying out any of the purposes of this Act by said district, or that may interfere with the successful execution of said work, or for damages for injury thereto; to do any and all things necessary or incident to the powers hereby granted, or to carry out any of the objects and purposes of this Act; to compel by injunction the owner or owners of any bridge, trestle, wire line, viaduct, embankment or other structure which shall be intersected, traversed or crossed by any channel, ditch, bed of any stream, waterway, conduit or canal, so to construct or alter the same as to offer a minimum of obstruction to the free flow of water through or along any such channel, ditch, bed of any stream, waterway, conduit or canal, and whenever necessary in the case of existing works or structures, to compel the removal or alteration thereof for such purpose.

"In case of condemnation proceedings, the said board of supervisors shall proceed in the name of said district, under the provisions of title VII, part III, of the Code of Civil Procedure of the State of California, which such provisions are hereby made applicable for that purpose, and it is hereby declared that the use of the property, lands, rights of way, easements, or materials which may be condemned, taken or appropriated under the provisions of this Act is a public use subject to the regulation and control of the State in the manner prescribed by law, and said board of supervisors of said district is hereby vested with full power to do all other acts or things necessary or useful for the promotion of the work of the control of the flood and storm waters of said district, and to conserve such waters for beneficial and useful purposes, and to protect from damage from such storm or flood waters the harbors, waterways, public highways and property in said district; *provided, however*, that nothing in this Act contained shall be deemed to authorize said district, or any person or persons, to divert the waters of any river, creek, stream, irrigation system, canal or ditch, from its channel, to the detriment of any person or persons having any interest in such river, creek, stream, irrigation system, canal or ditch, or the waters thereof or therein, unless previous compensation be first ascertained and paid therefor, under the laws of this State authorizing the taking of private property for public uses; *and provided, further*, that nothing in this Act contained shall be construed as in any way affecting the plenary power of any incorporated city, city and county, or town, or municipal or county water district, to provide for a water supply of such public corporation, or as affecting the absolute control of any properties of such public corporations necessary for such water supply, and nothing herein contained shall be construed as vesting any power of control over such properties in said Los Angeles County Flood Control District, or in any officer thereof, or in any person referred to in this Act; *and provided, further*, that nothing in this Act contained shall be deemed to authorize said board of supervisors to raise money for said district by any method or system other than that by the issuing of bonds, or the levying of a tax upon the assessed value of all the real property in said district in the manner in this Act provided.

"SEC. 17. Said board of supervisors of said district shall have full power and authority to co-operate with and to act in conjunction with the State of California, or any of its engineers, officers, boards, commissions, departments or agencies, or with the government of the United States, or any of its engineers, officers, boards, commissions, departments or agencies, for the purpose of carrying out the work of controlling the flood or storm waters of said district, or for the protection of property, or of any of the harbors, channels, waterways, roads or highways in said district, and to adopt a definite plan or system of work for any such purpose, and when so adopted, no substantial change shall thereafter be made in the same without the express consent of the officer, board, commission or department or agency of the state or federal government in conjunction with which the same was originally adopted.

"SEC. 18. Whenever bonds have been issued by said district and the proceeds of the sale thereof have been expended as in this Act authorized, and said board of supervisors shall by resolution passed by a vote of four-fifths of all its members determine that the public interest or necessity of said district demands the issuance of additional bonds for carrying out the work of flood control, or for any of the purposes of this Act by said district, said board of supervisors may again proceed as in this Act provided, and have a report made and submit to the qualified voters of said district the question of issuing additional bonds in the same manner and with like procedure as hereinbefore provided, and all the above provisions of this Act for the issuing and sale of such bonds, and for the expenditure of the proceeds thereof, shall be deemed to apply to such issue of additional bonds.

"SEC. 19. Should the proposition of issuing bonds submitted at any election under this Act fail to receive the requisite number of votes of the qualified voters voting at such election to incur the indebtedness for the purpose specified, the said board of supervisors of said district shall have power and authority at the expiration of six months after such election, to call or order another election for incurring indebtedness and issuing bonds under the terms of this Act, either for the same objects and purposes, or for any of the objects and purposes of this Act.

"SEC. 20. No repeal or amendment of this Act which shall in any way affect or release any of the property in said district from the obligations of any outstanding bonds or indebtedness of said district, shall go into effect or be valid or become operative until all such bonds and outstanding indebtedness have been fully paid and discharged.

"SEC. 21. This Act, and every part thereof, shall be liberally construed to promote the objects thereof, and to carry out its intents and purposes.

"SEC. 22. In case any section or sections, or part of any section, of this Act, shall be found to be unconstitutional or invalid, for any reason, the remainder of the Act shall not thereby be invalidated, but shall remain in full force and effect.

"SEC. 23. This Act may be designated and referred to as the 'Los Angeles County Flood Control Act,' and any reference thereto by such designation shall be deemed sufficient for all purposes."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 410—An Act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this Act a misdemeanor, and repealing legislation inconsistent with this Act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, after the word "pad," insert the word "comforter" and a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed bill, strike out the colon after the word "mattress" and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 7, of the printed bill, strike out "(a)", and in the same line, change the capital "A" in the word "Any" before the word "material" to a small "a".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 11, of the printed bill, strike out the comma after the word "disease" and insert in lieu thereof a semicolon, and in the same line, strike out the words "unless the said material", also strike out all of lines 12 and 13.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 14, of the printed bill, strike out "(b)" and in the same line change the capital "A" in the word "Any" before the word "material" to a small "a".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 16, of the printed bill, after the comma following the word "used" insert the following: "or any other fabric or material", and in the same line strike out the period after the word "constructed" and insert in lieu thereof a semicolon.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 17, of the printed bill, strike out "(c)" and in the same line change the capital "A" in the word "Any" before the word "material" to a small "a".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 18, of the printed bill, after the word "made", insert a semicolon, then strike out remainder of line, also all of lines 19 and 20, and insert in lieu thereof the following: "unless any and all of said material have been thoroughly sterilized, and disinfected by a reasonable process, approved by the Board of Health of the city or town where said mattress is made, remade, or renovated".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 30, of the printed bill, after the word "indelibly", strike out the word "written" and insert in lieu thereof the word "stamped".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 35, of the printed bill, after the word "hand," insert the words "or shoddy,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, of the printed bill, strike out all of lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SEC. 4. Whenever the word 'felt' as applied to cotton is used in the said statement concerning any mattress it shall be designated in said statement whether said felt is 'felted cotton' or 'felted linters' ".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, of the printed bill, strike out all of lines 11 to 13, inclusive, and insert in lieu thereof the following:

"SEC. 6. It shall be unlawful to use in said statement concerning any mattress the word 'hair' unless said mattress is entirely manufactured of animals hair."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, of the printed bill, strike out line 18 and insert in lieu thereof the following: "material, shall have stamped upon the tag attached thereto the percentage of each".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, of the printed bill, between lines 19 and 20, insert the following:

"SEC. 9. Any mattress made from any material of which prior use has been made shall have stamped or printed upon the tag attached thereto in type not smaller than twenty point the words 'secondhand material'."

"SEC. 10. Any mattress made from material known as 'shoddy' shall have stamped or printed upon the tag attached thereto in type not smaller than twenty point the words 'shoddy material'."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, line 20, of the printed bill, strike out the figure "9" and insert in lieu thereof "11".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, of the printed bill, strike out all of lines 26 and 27.

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 32, of the printed bill, strike out the figures "10" and insert in lieu thereof "12".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 37, of the printed bill, strike out the figures "11" and insert in lieu thereof "13".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On pape 4, line 5, of the printed bill, strike out the figures "12" and insert in lieu thereof "14".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 4, line 12, of the printed bill, strike out the figures "13" and insert in lieu thereof "15".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 15, of the printed bill, strike out the figures "14" and insert in lieu thereof "16".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1138—An Act to regulate the building and occupancy of dwelling houses in incorporated and unincorporated towns, cities, cities and counties, and to provide penalties for the violation thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out the words "housing commission or department" and insert in lieu thereof the words "department of health".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, after the word "shall" strike out the words "always have", also strike out to an dincluding the word "shall" in line 12.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, after the word "California" strike out remainder of line and all of lines 1 to 12, inclusive, on page 2, and insert in lieu thereof the following: "Whenever said commission finds or discovers a violation or violations of the provisions of this Act and notifies the local department of health in writing of such violation, or violations, and said local department of health does not, within thirty days thereafter, enforce this Act in the instances specified in said written notice: *provided, however*, that said Commission of Immigration and Housing of California shall enforce the Act only in the instances specified in said written notice."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 17, of the printed bill, after the word "family" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 18, of the printed bill, after the word "two" and before the word "families" insert the words "or more".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 19, of the printed bill, after the word "premises" strike out the period and add the following: "which is not included in or regulated by the provisions of the State Tenement House Act."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, of the printed bill, strike out all of lines 20 to 36, inclusive, also lines 1 to 14, inclusive, on page 3, and insert in lieu thereof the following: "A yard is a portion of a lot on which is situated a dwelling house and which is unoccupied by the building and extends from the ground up, open and unobstructed to the sky. If such a yard is between the front line of the building and the front boundary line of the lot, it is a front yard. If it is between the extreme rear line of the building and the rear of the lot, it is a rear yard. If it connects the rear yard to the front yard or front of lot, it is a side yard."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 15, of the printed bill, after the word "story" insert a comma and the words "or portion thereof," and after the word "curb," add the following words: "or the actual adjoining ground levels".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 17, of the printed bill, after the word "level" strike out the period and add the following words: "and actual adjoining ground levels."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 18, of the printed bill, after the word "story" insert a comma and the words "or portion thereof,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 19, of the printed bill, after the word "curb" insert the following: "or the actual adjoining ground levels,".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 20, of the printed bill, strike out the period after the word "level" and add the following words: "and actual adjoining ground levels."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, of the printed bill, strike out all of lines 21 to 35, inclusive, and insert in lieu thereof the following: "The curb level shall be the level of the curb opposite the center of the frontage."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 8, of the printed bill, strike out the comma after the word "act".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4, line 13, of the printed bill, strike out the word "ninety" and insert in lieu thereof the words "eighty-five", and strike out the word "eighty" and insert in lieu thereof the word "seventy".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 4, of the printed bill, after the word "lot" in line 14, strike out remainder of line, also lines 15 to 23, inclusive.

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 4, of the printed bill, strike out all of lines 24 to 34, inclusive, and insert in lieu thereof the following: "A corner lot is a lot situated at the junction of two streets, or a street and public alley or other public thoroughfare or public park, not less than sixteen feet in width. In any corner lot situated at the junction of two streets or of a street and a park, either street or park frontage may be taken as the width of the lot."

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 35, of the printed bill, strike out the figure "7" and insert in lieu thereof "6".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 4, line 35, of the printed bill, after the word "erected" insert the following words: "and opposite the street frontage".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 5, line 1, of the printed bill, strike out the comma after the word "sky" and add the word "and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 2, of the printed bill, insert a period after the word "unobstructed", then strike out remainder of line to and including the word "house" in line 3.

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 5, of the printed bill, strike out all of lines 7 to 36, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 6, of the printed bill, strike out all of lines 1 to 32, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 6, line 33 of the printed bill, strike out the figures "13." and insert in lieu thereof "7."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 1 of the printed bill, after the word "house" insert the following: "it shall be made to conform to the provisions of this act and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 7, line 10 of the printed bill, strike out the letter "s" in the word "sizes" and after the word "of" strike out the words "courts or" and insert in lieu thereof the letter "a".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 7, line 14 of the printed bill, after the words "addition the" insert the word "unoccupied".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 7 of the printed bill, strike out all of lines 20 to 24, inclusive, and insert in lieu thereof the following: "or buildings on the front of the same lot, and every yard shall have direct access to a street, or to a public alley, thoroughfare or park at least sixteen feet wide by an open side yard not less than five feet wide or by an open passageway not less than five feet wide by seven feet high. Every rear dwelling house hereafter erected shall not exceed two stories in height."

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 7 of the printed bill, between the lines 24 and 25 insert the following:

"SEC. 8. Any additional room or hall, that is hereafter constructed or created in a dwelling house shall comply in all respects with the provisions of this Act applicable to dwelling houses to be erected hereafter, except that such rooms may be the same height as the other rooms of the same story of the house.

"SEC. 9. No dwelling house shall be so altered that any room or public hall or stairs shall have its light or ventilation diminished in any way not approved by the departments charged with the enforcement of this Act.

"SEC. 10. Every dwelling hereafter erected shall be built of good, sound merchantable building material throughout and constructed in a workmanlike manner. All floors and roof shall be tight and all rooms shall be built in a sanitary manner so as to be a fit room for human habitation, and so as to afford no places therein for the accumulation of filth or the harboring of vermin or other insects detrimental to life and health."

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 7 of the printed bill, strike out all of lines 25 to 31, inclusive, and insert in lieu thereof the following:

"SEC. 11. In every dwelling house hereafter erected every room used, or capable of being used for living and sleeping purposes, and every water-closet compartment and bath or toilet room shall have a window or windows of the area required by section 12 of this Act, opening directly to the outer air."

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 7 of the printed bill, strike out all of lines 32 to 37, inclusive, also lines 1 and 2 on page 8, and insert in lieu thereof the following:

"SEC. 12. In every dwelling house hereafter erected, the total window area of each room used or capable of being used for living and sleeping purposes shall be at least one-eighth of the superficial area of the room, and the entire window shall be made to open. The total window area of any such room shall never be less than twelve square feet, measured to outside of sash. Every water closet compartment, bath or toilet room shall have at least one window which shall never be less than six square feet in area, measured to outside of sash, and the entire window shall be made to open.

"In every dwelling house erected prior to the passage of this Act, every room used or capable of being used for living or sleeping purposes, and every water closet compartment, bath or toilet room shall be provided with light and ventilation direct to the outer air by means of an opening thereto of at least the minimum size set forth in this section for such rooms, unless in the judgment of the department charged with the enforcement of this Act, the light and ventilation existing in such room would not be detrimental to the life and health of persons living or sleeping therein."

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 8 of the printed bill, strike out all of lines 3 to 16 inclusive, and insert in lieu thereof the following:

"Sec. 13. In every dwelling house hereafter erected every room used or capable of being used for living and sleeping purposes shall contain at least ninety square feet of floor area and shall be not less than seven feet in width nor less in every part than eight feet from the finished floor to the finished ceiling; *provided*, that an attic room or room with sloped ceiling need be but eight feet high in but half its area; *and provided, further*, that a small closet or dressing room, or a water-closet compartment, bath or toilet room, or a kitchen or pantry may be less than ninety square feet in area and need be only seven feet six inches from the finished floor to the finished ceiling."

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 8 of the printed bill, strike out all of lines 17 to 37 inclusive, and on page 9 all of lines 1 to 8 inclusive, and insert in lieu thereof the following:

"Sec. 14. In any dwelling house erected prior to or after the passage of this Act, no room in the cellar shall be constructed, altered, converted or occupied for living purposes; and no room in the basement shall be constructed, altered, converted, or occupied for living purposes, unless all of the following conditions of this Act be complied with:

"(1) There shall be appurtenant to such room or apartment a water-closet conforming to the regulations and ordinances relating to water-closets, of the incorporated town, incorporated city or city and county in which the dwelling house is or is to be built.

"(2) The actual adjoining ground levels shall be at least seven feet below the ceiling line of such basement or portion thereof used or to be used for living or sleeping purposes, and if the adjoining ground levels be excavated, such excavated space shall be at least of the length of such basement or portion thereof and in every part at least six feet in width.

"(3) All walls, floors and ceilings below the ground level shall be damp-proofed and water-proofed."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 9 of the printed bill, strike out all of lines 9 to 37 inclusive, all of pages 10, 11, 12 to and including line 35 on page 13, and insert in lieu thereof the following:

"Sec. 15. In every dwelling house hereafter erected, there shall be provided a clear and ventilated space underneath the ground floor. Such clear space shall extend at least twelve inches below any floor joists, beams or girders. In every dwelling house erected prior to or after the passage of this Act such clear space shall always be enclosed and provided with removable screened openings of ample size, and such space shall always be drained and kept dry and clean. When such clear space is in the form of a basement or cellar, such basement or cellar shall be properly drained, lighted and ventilated to the satisfaction of the department charged with the enforcement of this Act.

"Sec. 16. For every dwelling house erected prior to or after the passage of this Act, there shall be provided for each family at least one separate water-closet or one separate privy. No room or compartment containing a water-closet shall connect directly to any room in which food is prepared or stored.

"Each water-closet required by this Act shall be placed in a separate compartment, but this shall not be construed so as to prohibit the placing of a bath, shower or lavatory in the same compartment with a water-closet. The walls of every water-closet compartment shall extend to the ceiling. No water-closet fixture shall be enclosed with woodwork.

"All wall surfaces of water-closet compartments to a height of at least four feet above the floor, and all floor surfaces of all water-closet compartments and toilet rooms shall be painted with sufficient body of light colored paint to make same non-absorbent; *provided*, that if such walls or floors are covered with marble, tile, terrazzo, or linoleum, the paint need not be applied.

"Each water-closet shall be connected to a sewer or cesspool in a sanitary manner.

"Privy vaults or similar vaults shall be prohibited wherever a connection to a sewerage system is practicable. Wherever so ordered by the Department of Health on account of sanitary or health conditions, every privy vault or other vault used to receive fecal matter must be removed and replaced with sanitary cesspools.

"Every privy shall be ventilated and made flyproof and the bottom of the shelter shall be banked up with earth where the frame of the privy touches the ground. The doors to the privy house shall be self closing and so maintained. The seats shall be removable and shall entirely cover the vault, and the riser to the seat and the floor shall be tight. The seats shall have covers which drop automatically. The privy vault shall be at least five feet deep. Every privy shall be at least twenty feet from any part of any dwelling. Every privy vault shall be kept in a sanitary condition. All woodwork on interior of the privy vaults, except the seat, shall be painted or whitewashed.

"Every new water-closet hereafter placed in a dwelling house, except one provided to replace a defective or antiquated fixture in the same location, shall comply with the provisions of this Act relative to water-closets in dwelling houses hereafter erected; *provided, however*, that the Department of Health may exempt any dwelling house existing prior to the passage of this Act from one or more of the provisions in this section above contained, whenever, in the judgment of said department, it would not be detrimental to the health of the occupants of said dwelling house and the written permit be signed by an officer of said department authorized so to do and filed in said department as a part of its records; *provided, further*, that the above exemption shall not apply to extensions of or additions to dwelling houses existing prior to the passage of this Act.

"SEC. 17. For every dwelling house erected prior to or after the passage of this Act, there shall be provided an ample supply of water for domestic purposes for each family.

"SEC. 18. Any plumbing fixture installed in any dwelling house erected prior to or after the passage of this Act shall be trapped, vented, and properly connected, and sanitary in every particular. No plumbing fixtures shall be enclosed with woodwork, but the space under and around same shall be maintained entirely open, clean and sanitary.

"SEC. 19. The yards and areas and passageways on the same lot with any dwelling house, shall be properly graded and drained and whenever so required by the Department of Health shall be properly paved and surfaced.

"All drainage water shall be carried to the sewers, storm drains or street gutters, either by a sanitary drainage system or by proper grading, as such department may order.

"SEC. 20. In all dwelling houses the floor and wall surfaces beneath and around all water-closets and sinks shall be maintained in good order and repair, and if of wood shall be kept well painted with light colored paint.

"SEC. 21. The owner of every dwelling house shall maintain such house and all parts thereof in good order and repair and the roof shall be kept water-tight, and all rain water shall be so drained and conveyed therefrom as to prevent its causing dampness in the walls or ceilings.

"SEC. 22. The owner of every dwelling house shall maintain such house and every part thereof clean and free from any accumulation of dirt, filth, rubbish or garbage or other matter in or on the same, or in the yards, passage areas or alleys connected or belonging to the same.

"SEC. 23. No wall paper or other covering shall be placed upon a wall or ceiling of any dwelling house unless all wall paper or other covering shall be first removed therefrom and said wall and ceiling thoroughly cleaned and disinfected and freed from any insects or vermin.

"SEC. 24. The occupant of every dwelling house shall provide for said building proper and adequate tight metal cans or receptacles with tight covers for ashes, rubbish, garbage, refuse, and other matter, and such cans or receptacles shall be maintained in a sanitary condition. No garbage chutes or shafts shall be constructed or used.

"SEC. 25. No horse, cow, calf, swine, goat, rabbit, or sheep, chickens or poultry shall be kept in a dwelling house, or within twenty feet thereof on the same lot.

"SEC. 26. In every dwelling house, every person is prohibited from cooking or permitting or suffering any person to cook in any bath, shower or toilet room, water-closet, compartment, closet, dressing room, bedroom or cellar or in any other place therein which, in the judgment of the Department of Health, would be detrimental to sanitation or health.

"Every person is prohibited from living or sleeping or from permitting or suffering any person to live or sleep in any cellar, bath, shower, sink or toilet room, water-closet compartment, closet, kitchen or alcove of any living or sleeping room (except when such alcove is at least ninety square feet in area and complies with every requirement of this Act for living and sleeping room in dwellings hereafter erected) in a dwelling house or in any other place therein which would be dangerous or prejudicial to life or health by reason of want of light, windows, ventilation, drainage, or by reason of dampness, offensive, obnoxious or poisonous odors, or in any room that shall be overcrowded so as to afford less than five hundred (500) cubic feet of air space to each person occupying such room."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 13, line 36, of the printed bill, strike out the figures "37", and insert in lieu thereof "27".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 14, line 8, of the printed bill, strike out the comma after the word "writing" and remainder of the line to and including the word "same" in line 9.

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 14, line 12, of the printed bill, after the word "also" insert a comma and the following words "when required by said department,".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 14, line 16, of the printed bill, after the word "altered" insert a period, then strike out remainder of line, all of line 17 to and including the word "building" in line 18.

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 14, of the printed bill, strike out the words "also the name" in line 20, also strike out all of lines 21 to 31 inclusive.

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 14, of the printed bill, strike out lines 35 and 36 and insert in lieu thereof the following: "such plans, specifications and statements to be examined and if such plans, specifications and statements conform to the provisions of this act shall".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 15, line 1, of the printed bill, after the word "same" strike out remainder of line to and including the word "with" in line 2.

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 15, line 8, of the printed bill, after the word "failure" strike out the word "of" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 15, line 11, of the printed bill, after the word "filed" insert a period, then strike out remainder of line and the word "approval" in line 12.

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 15 of the printed bill, after the word "filed" in line 33, strike out remainder of line and lines 34 to 37 inclusive, also lines 1 and 2, on page 16, to and including the word "plan" in line 3.

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 16 of printed bill, strike out all of lines 10 to 35 inclusive.

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 16 of the printed bill, strike out lines 36 and 37 and all of lines 1 to 32, inclusive, on page 17, and insert in lieu thereof the following:

"SEC. 28. If any building hereafter constructed as or altered into a dwelling house, be occupied in whole or in part for human habitation in violation of the last section, during such unlawful occupancy said premises shall be deemed unfit for human habitation and the Department of Health or other department charged with the enforcement of this Act may cause them to be vacated accordingly.

"SEC. 29. Except as herein otherwise provided, the provisions of this Act shall be enforced by the departments of any incorporated town, incorporated city, or city and county to which this Act applies, which are or may be charged with the enforcement of laws, ordinances, and regulations relating to the protection of public health and the erection of buildings.

"By the term 'Department of Health' used in this Act is meant any department, portion or part of the government of any incorporated town, incorporated city or city and county to which this Act applies which is or may be charged with the enforcement of laws, ordinances and regulations relating to the protection of public health.

"SEC. 30. The Department of Health or other department charged with the enforcement of this Act in any incorporated town, incorporated city or city and county to which this Act applies and the officers and agents of such department shall have the right and it shall be its and their duty to enter into dwelling houses and buildings within the said municipal corporation for the purpose of inspecting such houses and buildings to secure compliance with the provisions of this Act, and to prevent violations thereof.

"The Commission of Immigration and Housing of California, and the officers and agents thereof, shall have the authority and the right to enter into all buildings within the State to which the provisions of this Act apply for the purpose of inspecting such buildings to secure compliance with the provisions of this Act, and to prevent violations thereof; *provided, however*, that the entry and inspection provided for in this section may be made only upon a complaint being made by a responsible person that one or more provisions of this Act are being violated. Such complaint must set forth in writing the facts upon which the complaint is based, and such facts must disclose at least a prima facie violation or violations of this Act; *provided, however*, that the departments or commission referred to in this section, or any inspector, officer, agent, or employee thereof, shall in no event incur any criminal or civil liability at law by reason of an entry or inspection made to enforce the provisions of this Act, although the violation or violations complained of are found not to exist."

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 17, line 33, of the printed bill, strike out the figures "42" and insert in lieu thereof "31".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 17, line 34, of the printed bill, strike out the words "housing commission or" and insert in lieu thereof the word "building".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 18, line 9, of the printed bill, after the word "ordinance" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 18, line 12, of the printed bill, strike out the figures "43" and insert in lieu thereof the figures "32".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 18, line 16, of the printed bill, after the word "the" and before the word "therefore" insert the letter "a" in the word "penalty".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 18, line 21, of the printed bill, strike out the figures "44" and insert in lieu thereof "33".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 19, line 18, of the printed bill, after the word "departments" strike out the word "of" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 19, line 24 of the printed bill, strike out the figures "45" and insert in lieu thereof "34".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 19, line 25, of the printed bill, strike out the words "forty-three" and insert in lieu thereof the words "thirty-two".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 19, line 32, of the printed bill, strike out the words "housing commission or" and after the word "department" insert the words "of health".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 20, line 1, of the printed bill, strike out the figures "46" and insert in lieu thereof "35".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 20 of the printed bill, strike out all of lines 22 to 37, inclusive, and all of lines 1 to 27, inclusive, on page 21.

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 21, line 28, of the printed bill, strike out the figures "50" and insert in lieu thereof "36".

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 21 of the printed bill, after the word "served" insert the words "at least" in line 29.

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 21, line 31, of the printed bill, strike out the figures "51" and insert in lieu thereof "37".

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 22, line 1, of the printed bill, strike out the figures "52" and insert in lieu thereof "38".

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 22 of the printed bill, after the word "house" in line 8, strike out the remainder of line to and including the word "house" in line 9.

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 22, line 10, of the printed bill, insert a comma after the word "yards" and in line 11 strike out the first two words "or courts".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 22, line 14, of the printed bill, strike out the figures "53" and insert in lieu thereof "39".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 22, line 19, strike out to and including the word "house".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 22, line 21, of the printed bill, insert a comma after the word "yards", then strike out "or courts".

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 22, line 24, of the printed bill, strike out the figures "54" and insert in lieu thereof "40", also strike out the letter "t" in the word "therein".

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

On page 22, line 28, of the printed bill, strike out the letter "s" in the word "provisions".

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

On page 22, line 29, of the printed bill, strike out the figures "55" and insert in lieu thereof "41".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

On page 22 of the printed bill, strike out all of lines 34, 35 and 36, and insert in lieu thereof the following:

"SEC. 42. (*a*) Whenever this Act, or any part or section thereof, is interpreted by a court, it shall be liberally construed by such court.

"(*b*) If any section, subsection, subdivision, sentence, clause, or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act, and each section, subsection, subdivision, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, or phrases is declared unconstitutional."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 260—An Act to amend section 4236 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the seventh class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4 of the tile, after the word "officers" insert the following: "and of grand and trial jurors".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, beginning with line 8, strike out all the rest of the page; also all of page 2, and insert in lieu thereof the following:

"1. The county clerk, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the county clerk one chief deputy who shall receive a salary of one thousand eight hundred dollars per annum; one registration clerk who shall receive a salary of one thousand six hundred eighty dollars per annum; five court clerks who shall receive salaries of one thousand five hundred dollars each per annum; two deputies who shall receive salaries of one thousand three hundred and fifty dollars each per annum; one index clerk who shall receive a salary of one thousand two hundred dollars per annum; one stenographer who shall receive a salary of one thousand

and twenty dollars per annum; three copyists who shall receive salaries of one thousand and twenty dollars each per annum; and a deputy or deputies, not to exceed five, for the purpose of registering electors, to be paid not to exceed four dollars per diem each; *provided*, that said deputies so employed for registering electors shall not be employed except during a year when a general election is to be held throughout the State, and then only between the first day of June and the fifteenth day of November of said year, and not more than one deputy for each precinct for the purpose of registering electors in precincts outside of the corporate limits of municipalities containing twenty-five thousand or more inhabitants, who shall be paid ten cents per name for each person legally registered by them, the salaries and compensations of each of said deputies and clerks to be paid out of the county treasury in equal monthly installments in the same manner and at the same time as the other county officials are paid.

"2. The sheriff, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the sheriff one under-sheriff, whose salary is hereby fixed at the sum of one thousand eight hundred dollars per annum, and the following deputies and employees: one deputy who shall be head jailer, and who shall receive the salary of one thousand five hundred dollars per annum; one deputy who shall receive a salary of one thousand two hundred dollars per annum; one deputy who shall receive a salary of nine hundred dollars per annum; two service deputies who shall receive a salary of one thousand five hundred dollars each per annum; five deputies who shall receive salaries of one thousand two hundred dollars each, per annum; one stenographer who shall receive a salary of nine hundred dollars per annum; one bookkeeper who shall receive a salary of one thousand two hundred dollars per annum; seven deputies who shall be turnkeys at the jail, whose salaries shall be one thousand and twenty dollars each, per annum, but no more turnkeys are to be employed than are absolutely necessary to handle the requirements of the jail; and three deputies who shall be known as country deputies, who shall receive salaries of one thousand two hundred dollars each per annum. In counties of this class there shall be a matron of the county jail, to be appointed by the sheriff, and who, under the direction of the sheriff, shall have charge of all female prisoners in the county jail, and who shall receive a salary of nine hundred dollars per annum, to be paid by the county in monthly installments at the same time, in the same manner, and out of the same fund as is the salary of the sheriff. In counties of this class the sheriff shall be allowed by the board of supervisors his actual necessary expenses for pursuing criminals, or for transacting of criminal business, and his actual necessary expenses for service of all process and notices, and each and all such expenses shall be a charge against the county and allowed by the board of supervisors, and paid as other county charges are paid. In counties of this class the sheriff shall not be allowed to retain for his own use any fees or mileage for the service of any process issued out of any court of this county but such fees and mileage when collected shall be paid into the county treasury.

"3. The recorder, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed the recorder the following deputies and copyists who shall be appointed by the recorder of said county, and shall be paid as follows: one chief deputy who shall receive one thousand eight hundred dollars per annum; one index deputy who shall receive a salary of one thousand three hundred and fifty dollars per annum; one assistant index clerk who shall receive a salary of one thousand two hundred dollars per annum; one chief filing clerk who shall act as deputy registrar who shall receive a salary of one thousand five hundred dollars per annum; one assistant filing clerk who shall receive a salary of one thousand and twenty dollars per annum; three compilation clerks who shall receive salaries of one thousand and twenty dollars each, per annum; and as many copyists as may be required, who shall receive as compensation the sum of five cents per folio for recording all instruments or notices except maps and plats, and for copies of any records, five cents per folio

"4. The auditor, three thousand six hundred dollars per annum; *provided*, that there is hereby allowed to the auditor the following deputies: one chief deputy who shall receive a salary of one thousand nine hundred and fifty dollars per annum; one deputy who shall receive a salary of one thousand six hundred and eighty dollars per annum; one deputy who shall receive a salary of one thousand three hundred and fifty dollars per annum; one deputy who shall receive a salary of nine hundred dollars per annum; five additional deputies at a salary of four dollars per day each, for each day employed for a period not to exceed one hundred and fifty-six days in any one year.

"5. The treasurer, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the treasurer, the following deputies, who shall be appointed by the treasurer and shall receive salaries as follows: One deputy who shall receive a salary of two thousand one hundred dollars per annum, and one deputy who shall receive a salary of one thousand three hundred and fifty dollars per annum. The salary of the treasurer hereinabove provided shall be in full compensation for all services rendered, and the fees heretofore chargeable and collected by him for returning to the State the collateral inheritance tax and for the performance of his official duties in connection therewith shall be paid in to the county treasury and be the property of said county; and said treasurer shall receive no fees, compensation or commissions of any kind or character for any service rendered by him in connection with said collateral inheritance tax.

"6. The tax collector, three thousand six hundred dollars per annum, and such fees as are allowed by law; one chief deputy who shall receive a salary of two thousand one hundred dollars per annum; two deputies who shall receive salaries of one thousand three hundred and fifty dollars each, per annum; two deputies who shall receive salaries of one thousand two hundred dollars each, per annum; a stenographer who shall receive a salary of one thousand and twenty dollars per annum; twelve additional clerks at a salary of four dollars per day each, for each day employed, for a period not to exceed one hundred and fifty-six days in any one year.

"7. The assessor, three thousand six hundred dollars per annum, and traveling expenses incurred in the discharge of his official duties not exceeding three hundred sixty dollars per annum; *provided*, that in counties of this class there shall be, and there hereby is allowed to the assessor, one chief deputy who shall receive a salary of one thousand eight hundred dollars per annum; one first deputy who shall receive a salary of one thousand three hundred and fifty dollars per annum; a second deputy who shall receive a salary of one thousand two hundred dollars per annum; two deputies for a period not exceeding six months in any one year at salaries of one hundred dollars per month each; one deputy for a period not exceeding five months in any one year at a salary of one hundred dollars per month; four deputies for a period not exceeding four months in any one year, at salaries of one hundred dollars each per month; one stenographer who shall receive a salary of one thousand and twenty dollars per annum; six deputies for a period not exceeding one hundred and four days each fourth year, whose per diem shall be four dollars each when actually employed. It is further provided that in counties of this class the assessor shall receive no commission for his collection of taxes on personal property, nor shall such assessor receive any compensation or commission for the collection of poll taxes or road poll taxes, nor shall the assessor receive any compensation for making out the military roll of persons returned to him as subject to military duty as provided by section 1901 of the Political Code; *provided, however*, that fifteen per cent. of all moneys collected by him for poll taxes and road poll taxes shall be allowed to such counties on their settlement with the State, and be and remain the property of such counties. It is further provided that in counties of this class, in addition to the deputies already allowed, there shall be and is hereby allowed to the assessor, twenty deputies who shall receive salaries of four dollars per day each, five deputies who shall receive salaries of five dollars per day each, and five deputies who shall receive salaries of three dollars per day each for a period not exceeding seventy-eight days in any one year.

"8. The district attorney, four thousand dollars per annum; also one assistant district attorney, who shall receive a salary of three thousand dollars per annum; two deputy district attorneys who shall receive salaries of two thousand four hundred dollars each per annum; one deputy district attorney who shall receive a salary of two thousand dollars per annum; one deputy district attorney who shall receive a salary of one thousand eight hundred dollars per annum, and two stenographers who shall receive salaries of one thousand two hundred dollars each, per annum. It is further provided that in counties of this class the district attorney be and is hereby allowed a detective who shall receive a salary of one thousand six hundred and fifty dollars per annum.

"9. The superintendent of public schools, two thousand seven hundred and fifty dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed the superintendent of public schools, one assistant superintendent, who shall receive a salary of two thousand dollars per annum; one deputy superintendent who shall receive a salary of one thousand two hundred dollars per annum and one bookkeeper who shall receive a salary of one thousand two hundred dollars per annum. In counties of this class the secretary of the county board of education shall not be paid or allowed to receive any compensation whatever for his services as secretary of such board, nor for any services rendered in connection therewith; *and, provided, further*, that in counties of this class, the county school superintendent and assistant superintendent shall each receive their actual and necessary traveling expenses for visiting and examining schools and school properties of the county and in performing such other duties as are incident to the full discharge of the requirements of the office of superintendent of schools.

"10. The public administrator, such fees as are now or may hereafter be allowed by law.

"11. The coroner, one thousand five hundred dollars, and in addition thereto the board of supervisors shall allow the coroner his actual traveling expenses in the performance of his official duties within the county, when called away from the county seat. It is further provided that in counties of this class there shall be and there is hereby allowed the coroner, one assistant coroner, who shall receive a salary of nine hundred dollars per annum; one autopsy surgeon to be appointed by the coroner who shall receive a salary of one thousand five hundred dollars per annum, and one summoning officer who shall, as compensation for his services receive a fee of twenty-five cents for each and every person sworn as a coroner's juror.

"12. The surveyor, three thousand six hundred dollars per annum, also one office deputy who shall receive a salary of one thousand eight hundred dollars per annum; one principal field deputy who shall receive a salary of one thousand eight hundred dollars per annum; one assistant field deputy in the assessor's office who shall receive a salary of one thousand two hundred dollars per annum; one assistant office deputy who shall receive a salary of one thousand and eighty dollars per annum; three draftsmen who shall receive salaries of nine hundred dollars each per annum; two deputies, chiefs of parties, who shall receive salaries of one thousand two hundred dollars each per annum; three instrument men who shall receive salaries of nine hundred and sixty dollars each per annum, and such other assistants as may be necessary for field work, who shall receive a compensation of three dollars per diem and expenses, when working in the field.

"13. In counties of this class, justices of the peace shall be compensated as follows, and all such salaries shall be paid monthly in the same manner as the salaries of county officers are paid, viz:

"(1) In townships having a population of twenty thousand or more, three thousand dollars per annum as full compensation for all services rendered by them in both criminal and civil cases. All fees chargeable and collectable by justices of the peace in criminal and civil cases for services rendered by them shall be collected by them and paid monthly into the county treasury. The board of supervisors of such county shall furnish justices of the peace in townships having a population of twenty thousand or more with suitable court rooms for said justices of the peace.

"(2) In townships having a population of eight thousand and less than twenty thousand, justices of the peace shall receive the sum of one hundred dollars per month as full compensation for all services rendered by them in both criminal and civil cases. All fees chargeable and collectable by justices of the peace in criminal and civil cases for services rendered by them, shall be collected by them and paid monthly into the county treasury.

"(3) In townships having a population of five thousand and less than eight thousand, justices of the peace shall receive the sum of seventy five dollars per month as full compensation for all services rendered by them in both criminal and civil cases. All fees chargeable and collectable by justices of the peace in criminal and civil cases for services rendered by them, shall be collected by them and paid monthly into the county treasury.

"(4) In townships having a population of one thousand four hundred and less than five thousand, justices of the peace shall receive the sum of thirty five dollars per month as full compensation for all services rendered by them in both criminal and civil cases. All fees chargeable and collectable by justices of the peace in criminal and civil cases for services rendered by them, shall be collected by them and paid monthly into the county treasury.

"(5) In townships having a population of nine hundred and less than one thousand four hundred, justices of the peace shall receive the sum of twenty five dollars per month as full compensation for all services rendered by them in both criminal and civil cases. All fees chargeable and collectable by justices of the peace in criminal cases for services rendered by them, shall be collected by them and paid monthly into the county treasury.

"(6) In townships having a population of four hundred and less than nine hundred, justices of the peace shall receive the sum of ten dollars per month as full compensation for all services rendered by them in both criminal and civil cases. All fees chargeable and collectable by justices of the peace in criminal and civil cases for services rendered by them, shall be collected by them and paid monthly into the county treasury.

"(7) In townships having a population of less than four hundred, justices of the peace shall receive the sum of five dollars per month as full compensation for all services rendered by them in both criminal and civil cases. All fees chargeable and collectable by justices of the peace in criminal and civil cases for services rendered by them, shall be collected by them and paid monthly into the county treasury.

"The population referred to in classifying townships for the purpose of regulating compensation of justices of the peace, shall be the population found and determined by multiplying the registered vote at the last general election by three and such population so determined shall be and become the official population of such township.

"The Legislature hereby declares that this section does not increase the incumbents' compensation and shall apply to said incumbents when this said Act takes effect.

"14. In counties of this class constables shall be compensated as follows, and all salaries shall be payable monthly in the same manner as the salaries of county officers are paid, viz:

"(1) In townships having a population of twenty thousand or more, such fees in civil cases as are now or may hereafter be allowed by law, and in all criminal cases in lieu of fees now allowed by law, the sum of one hundred dollars per month; *provided*, that the constables shall be allowed actual traveling expenses only, in lieu of mileage for taking prisoners to the county jail. The board of supervisors of counties of this class shall furnish the constables in townships having a population of twenty thousand or more with an office and with necessary and proper furniture therefor for each of said constables.

"(2) In townships having a population of eight thousand and less than twenty thousand, such fees in civil cases as are now or may hereafter be allowed by law, and in all criminal cases the sum of fifty dollars per month; *provided*, that the constables shall be allowed actual traveling expenses only in lieu of mileage for taking prisoners to the county jail.

"(3' In townships having a population of five thousand and less than eight thousand, such fees in civil cases as are now or may hereafter be allowed by law, and in all criminal cases the sum of forty-five dollars per month; *provided*, that the constables shall be allowed actual traveling expenses only, in lieu of mileage for taking prisoners to the county jail.

"(4) In townships having a population of nine hundred and less than five thousand, such fees in civil cases as are now or may hereafter be allowed by law, and in all criminal cases the sum of twenty-five dollars per month; *provided*, that the constables shall be allowed actual traveling expenses only, in lieu of mileage for taking prisoners to the county jail.

"(5) In townships having a population of four hundred and less than nine hundred, such fees in civil cases as are now or may hereafter be allowed by law, and in all criminal cases the sum of ten dollars per month; *provided*, that the constables shall be allowed actual traveling expenses only, in lieu of mileage for taking prisoners to the county jail.

"(6) In townships having a population of less than four hundred, such fees in civil cases as are now or may hereafter be allowed by law, and in all criminal cases the sum of five dollars per month; *provided*, that the constables shall be allowed actual traveling expenses only, in lieu of mileage for taking prisoners to the county jail.

"The population referred to in classifying townships for the purpose of regulating compensation of constables, shall be the population found and determined by multiplying the registered vote at the last general election by three and such population so determined shall be and become the official population of such township.

"The Legislature hereby declares that this section does not increase the incumbents' compensation and shall apply to said incumbents when this said Act takes effect.

"15. Each member of the board of supervisors, one thousand five hundred dollars per annum and fifteen cents per mile in going from his residence to the county seat at each meeting of the board. Also five hundred dollars per annum each and fifteen cents for each mile actually traveled in performing services as road commissioner; *provided*, that said supervisors shall not in any one year receive more than one thousand dollars each in mileage, as road commissioner.

"16. In counties of this class, grand and trial jurors in all criminal cases shall receive two dollars fifty cents per day for each day's attendance while engaged in the performance of the duties required of them and in addition thereto shall receive for each mile actually traveled in going only, while acting as such juror, twenty-five cents; and the judge of said court shall make an order directing the auditor to draw his warrant on the treasurer in favor of such juror for said per diem and mileage and the treasurer shall pay the same.

"17. Bringing records down to date in any office in counties of the seventh class, when the work of said office has not been brought down to date, and was in such condition when the present incumbent was inducted into office, the board of supervisors may authorize said incumbent to perform the labors that should have been performed by his predecessors in office and for that purpose may authorize said incumbent to employ special clerical help, at a compensation to be fixed by the board of supervisors, at so much per diem; *provided*, that the provisions herein shall apply only to work that should have been done by the incumbent's predecessor in office.

"18. The deputies, clerks, copyists and employees mentioned in this section are hereby allowed to the respective county officers named, who shall appoint the same, and said deputies, clerks, copyists and employees shall be paid by the counties of this class in monthly installments, at the same time, in the same manner and out of the same fund as the salaries of the county officers are paid."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 602—An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part of public highways, squares, lanes, alleys, parks, storm water drains, settling basins, courts, and places, within counties, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 796—An Act to amend an Act entitled "An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, by amending sections 1 and 2, both relating to cold storage.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 13 and 14 of the printed bill, strike out after the words "articles of food" the words "excepting eggs and butter,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 16 of the printed bill, strike out the semicolon after the word "days" and insert in lieu thereof a period; then strike out remainder of line, also all of lines 1 and 2, to and including the word "whatever" in line 3, page 2.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 6 of the printed bill, after the word "fresh" insert the words "and dried".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 13, after the word "warehouse" insert the following: "wherein shall be stored 'articles of food' for a period exceeding thirty days".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, lines 23 and 24, after the word "fee" strike out the words "of fifty dollars".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 24 of the printed bill, after the word "warehouse" add the following words: "or plant".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 25 of the printed bill, after the word "act", strike out the period and insert the following: "for all cold storage or refrigerating warehouses or plants having a capacity of ten thousand cubic feet, or less, a fee of fifteen dollars. For all cold storage or refrigerating warehouses or plants having a capacity of more than ten thousand cubic feet and less than fifty thousand cubic feet a fee of thirty dollars. For all cold storage or refrigerating warehouses or plants having a capacity of more than fifty thousand cubic feet and less than one hundred thousand cubic feet a fee of forty dollars. For all cold storage or refrigerating warehouses or plants having a capacity of one hundred thousand cubic feet or more a fee of fifty dollars."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 25 of the printed bill, begin a paragraph with the word "The" after the word "act".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 932—An Act to validate the organization and formation of levee districts.

Bill read second time, ordered engrossed, and on file for third reading.

Assembly Bill No. 489—An Act to amend section 14 of an Act entitled "An Act creating a Board of Pilot Commissioners for the harbor of San Diego, defining their duties and fixing their compensation," approved March 2, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1256—An Act to amend section 4234 of the Political Code, relating to salaries and fees of officers in counties of the fifth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 2, of the amended bill, strike out the period after the word "ment" and insert in lieu thereof a semicolon, and add the following: "and also for any such even-numbered years shall appoint such deputies in the county as are necessary for the purpose of registering electors, such deputies to receive five cents per name for each elector legally registered by them."

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 907—An Act to provide for the deposit of funds in the county treasury, for the presentation to, and approval by, the board of supervisors, registration, interest upon, time of payment and receipt in payment of assessment of warrants, of Reclamation District No. 108, created by that certain Act of the Legislature of the State of California, approved April 23, 1913, and entitled, "An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith," and situated in Colusa and Yolo counties, and providing that the board of supervisors of the county of Colusa shall have jurisdiction of all matters concerning said district, and all funds of said district shall be deposited with the county treasurer of the county of Colusa.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 41—An Act to validate the organization and incorporation of municipal corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 995—An Act to amend an Act entitled "An Act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities, such Act to be known as 'the Local Improvement Act of 1901,' which became a law under constitutional provision without the Governor's approval February 26, 1901, by adding two new sections thereto to be known as sections 21*a* and 21*b*, providing for the alteration of plans, profiles, cross sections and specifications or for the abandonment of all proceedings, and providing for a pro rata distribution of funds in case the improvement is abandoned."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, of the title of the printed bill, as amended in the Assembly March 25. 1915. strike out all of lines 2 to 13, inclusive, of the title and insert in lieu thereof the following:

"To amend sections 2, 3, 4, 5, 6, 8, 9, 10. 11, 12, 13. 14. 15. 16. 18. 19, 20. 21, and 22 of an Act entitled 'An Act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities, such Act to be known as "The Local Improvement Act of 1901"', which became a law under constitutional provision without the Governor's approval February 26, 1901, and to add thereto a new section to be numbered 22*a*, relating to alteration of plans for local improvements."

AMENDMENT NUMBER TWO.

On pages 1 to 4 of the printed bill, strike out all of lines 1 to 6. inclusive, on page 1, and also all of pages 2 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 2 of an Act entitled: 'An Act to provide for local improvements upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers, within municipalities, such Act to be known as "The Local Improvement Act of 1901"' which became a law under constitutional provision, without Governor's approval, February 26, 1901, is hereby amended to read as follows:

"SEC. 2. Whenever the public interest or convenience may require, the legislative body of any municipality is hereby authorized and empowered to order the whole or any portion, either in length or width, of any one or more of the public streets, avenues, lanes, alleys, courts, places, or public ways of such municipality graded or re-graded to the official grade, planked or re-planked, paved or re-paved, macadamized or re-macadamized, graveled or re-graveled, piled or re-piled, capped or re-capped, oiled or re-oiled; and the construction or reconstruction therein of sidewalks, crosswalks, culverts, bridges, gutters, curbs, steps, parkings and parkways, sewers, ditches, drains, conduits and channels for sanitary and drainage purposes, or either or both thereof, with outlets, cesspools, manholes, catch basins, flush tanks, septic tanks, connecting sewers, ditches, drains, conduits, channels and other appurtenances, pipes, hydrants, and appliances for fire protection, tunnels, viaducts, conduits, and subways, breakwaters, levees, bulkheads, and walls of rock or other material to protect the same from overflow or injury by water; and the erection or re-erection, construction or reconstruction of poles, posts, wires, pipes, conduits, lamps and other suitable or necessary appliances for the purpose of lighting the same; and the planting or replanting of trees on said streets; and the construction or reconstruction in, over or through property or rights of way owned or acquired by such municipality, of tunnels, sewers, ditches, drains, conduits, and channels, for sanitary and drainage purposes, or either or both thereof, with necessary outlets, cesspools, manholes, catch basins, flush tanks, septic tanks, connecting sewers; pipes, hydrants and appliances for fire protection, and the construction or reconstruction of breakwaters, levees, bulkheads, and walls of rock or other material to protect the streets, avenues, lanes, alleys, courts, places, public ways, bridges, and other public property in any such municipality from overflow by water; and any work to be done which shall be deemed necessary to improve the whole or any part of such streets, avenues, lanes, alleys, courts, places, public ways, bridges, sidewalks, or property or rights of way of such municipality.

"The said legislative body may include, in one proceeding and order, any of the different kinds of work mentioned in this Act, and may include therein such work on any number of streets and rights of way, or any portion thereof, in one proceeding and one contract, and may except therefrom any of said work already done to the official grade, and which may be in good condition and repair.

"SEC. 2. Section 3 of said Act is hereby amended to read as follows:

"'Sec. 3. Before ordering any work done or improvement made, which is authorized by section 2 of this Act, the legislative body shall pass a resolution containing a general description of the proposed improvement, and referring the same to the city engineer or board of public works or commissioner of public works, if there be one; if not, to some civil engineer employed by them for the purpose and named in the said resolution, and instructing such engineer or board or commissioner to make a report in writing to the legislative body, containing his recommendations as to the best method of making said improvement, to which report shall be attached the exhibits hereinafter referred to.'

"SEC. 3. Section 4 of said Act is hereby amended to read as follows:

"'Sec. 4. Thereafter, the said engineer, or board of public works, or commissioner of public works, shall file with the clerk of the municipality the report called for by section 3 above, and there shall be annexed thereto the following exhibits, to wit:

"'1. A general description of the work to be done, excepting therefrom any work to be done by any person, firm or corporation having railroads on any of the streets, lanes, alleys, courts or places within said municipality.

"'2. A description of the exterior boundaries of the district of lands which will be benefited by the proposed improvement, the lots and lands within which should be especially assessed, according to benefits, if any, they may receive, to pay the costs and expenses of the improvement.

"'3. Plans, profiles, cross-sections, and specifications for making the proposed improvement.

"'4. An estimate of the total cost of said improvement, including incidental expenses likely to be incurred, in connection therewith, including clerical, engineering, inspection, printing, advertising, and all other expenses.

"'5. A map showing the district above referred to, giving the subdivisions of the property therein, as nearly as can be ascertained by said engineer or board or commissioner, with the dimensions thereof, as ascertained by said engineer, or board, or commissioner, each of which subdivisions shall be given a red ink number upon said map, which red ink number shall in all of the subsequent proceedings be a sufficient description of such land when given or referred to in connection with a reference to said map. But any error in the description, or in the dimensions of any lot or lands appearing on said map shall not invalidate the assessment or the proceedings herein provided for.

"'6. A list, referring to said subdivisions upon said map by the respective red ink numbers thereon, and giving the names of the owners, if known, otherwise designating them as unknown; but any error in the name of the owner of any lot or lands shall in no way invalidate the proceedings, or the assessment levied against such lot or lands. The list shall include an estimate of the benefits, if any, which each lot or parcel of land within said district will receive from the proposed improvement.

"'7. The number of the proceedings, which shall be the number under which all subsequent action shall be taken in said proceeding, and thereafter a reference to such number shall be sufficient to identify any record or action thereunder.'

"Sec. 4. Section 5 of said Act is hereby amended to read as follows:

"'Sec. 5. After the report of the engineer or board or commissioner provided for in section 4, has been filed with the clerk of the municipality, the legislative body shall consider the same, and shall have power, by resolution, to adopt it as filed by said engineer or board or commissioner, and to levy the assessments according to the estimated benefits given by said engineer or board or commissioner; or said body may reject said report or any part thereof, or order it to be modified in any respect and may adopt the same as modified; or it may order a new and different report, which may be adopted, rejected, modified or altered as in the first instance; but the same shall not constitute a lien until all of the owners of the lots and lands within the district described therein shall have had an opportunity to be heard thereon as hereinafter provided.

"'In the resolution adopting said report, said legislative body shall:

"'1. Levy said assessment in accordance with the benefits to the lots and lands within the district and in accordance with the report of the engineer adopted and approved.

"'2. Determine whether or not serial bonds shall issue in the manner and form as hereafter provided.

"'3. The rate of interest to be allowed on said bonds and on deferred payments hereinafter mentioned, which shall not be less than six per cent. per annum, nor more than ten per cent. per annum.

"'4. The time and place, when and where, all property owners within said district may appear before said legislative body, and show cause, if any they have, why said improvement should not be made as provided for in said report, and why said assessment should not become a lien upon the property in said district as assessed thereon.

"Sec. 5. Section 6 of said Act is hereby amended to read as follows:

"'Sec. 6. After the adoption of the resolution mentioned in section five of this Act, there shall be posted along all streets, lanes, alleys, courts and places or public ways within said assessment district, at distances not more than three hundred feet apart (but not less than three in all) notices of the hearing provided for in section five of this Act, which notices shall be headed "Notice of Local Improvement" in letters of not less than three-fourths of an inch in height, and shall state the fact and date of the adoption of said resolution mentioned in said section five, briefly describe the improvement proposed, give a description of the exterior boundaries of said district, and shall refer to said resolution, and the report of the engineer or board for further particulars.

"'And said notice shall state the time and place, for which the hearing provided for by section five, has been set, and it shall be posted as aforesaid at least ten days prior to the time set for said hearing; and it shall notify all owners or persons interested in any real property within said district to then and there show cause, if any they have, why said improvement proposed should not be made and the proceedings carried out in accordance with the said report and resolution, and the assessment levied should not become a lien upon the lots and lands within said district.

"'A notice similar in substance shall be published at least once in some newspaper of general circulation published and circulated in such municipality, if there be one so published therein. If there be no newspaper of general circulation published and circulated in such municipality, then the notice by posting as hereinbefore provided shall be sufficient.'

"SEC. 6. Section 8 of said Act is hereby amended to read as follows:

"'Sec. 8. At the hearing, provided for in the preceding section, the said legislative body shall have power by resolution to set aside, alter, modify, or confirm said report, and may order the said engineer or board or commissioner to alter or modify said report in any particular, and may thereafter, by resolution, confirm the same as modified, and where the same in confirmed, the lien of the assessments provided for and theretofore levied and as adopted and confirmed, shall immediately attach to the respective parcels of land within said district in accordance therewith. And the said action of the said legislative body upon such objections and assessments shall be final and conclusive in the premises.

"'All special assessments levied under the provisions of this Act, shall, from the date of confirmation thereof as herein provided for, be a lien upon the premises upon which they are imposed, paramount to all other liens, except prior assessments and general taxes, and such lien shall continue thereon until such special assessments are paid and discharged; and all parties shall be presumed to have constructive notice thereof from the date of the adoption of the resolution hereinabove provided for.'

"SEC. 7. Section 9 of said Act is hereby amended to read as follows:

"'Sec. 9. Any action to contest the validity of an assessment levied by the legislative body of any municipality under the provisions of this Act or any other proceeding of said legislative body or any act of any municipal officer under the provisions of this Act must be commenced within thirty days after the adoption by such legislative body of the resolution provided for in the preceding section or within thirty days after the commission or omission of the act complained of, as the case may be; and any appeal taken from a final judgment in such action shall be perfected within thirty days after the entry thereof.'

"SEC. 8. Section 10 of said Act is hereby amended to read as follows:

"'Sec. 10. After the adoption of the resolution provided for in section 8 hereof, the clerk of said municipality shall transmit to the tax collector of the municipality the map and list provided for in subdivisions 5 and 6 respectively of section 4 hereof, upon receipt of which the said tax collector shall record the same in a substantial book to be kept for that purpose in his office. Said book shall be ruled with appropriate columns in which to place all matters appearing on said list and also a record of the fact of all payments received by him; and the date and amount; or in case of agreements and waivers being signed and bonds being issued as hereinafter provided, a record of that fact; or the fact of the sale of the lots set opposite the number thereof, in case of a sale, and to whom, and for what amount, together with the date thereof, and whether the whole or only a portion of such lot or lands were sold.

"'From the time of such recording, all persons shall be deemed to have notice of the contents thereof, which record shall have the same force and effect as other public records, and shall be open to inspection during all office hours free of charge.'

"SEC. 9. Section 11 of said Act is hereby amended to read as follows:

"'Sec. 11. The said tax collector shall thereupon fix a time, which shall not be more than thirty days thereafter, within which the payments of said assessments shall be made; or agreements and waivers executed as hereinafter provided, for bonds to issue in lieu of such payments, notice of which time shall be given by publication at least once in some newspaper of general circulation published in such municipality, if there be one published therein, otherwise by posting in three public places in said municipality.

"'All assessments collected shall be noted in the aforementioned record in the proper column thereof, opposite the number of the lot upon which the same has been paid; or if an agreement and waiver has been executed by the owner of any lot or lands for bonds to be issued as hereinafter provided; or said lot is sold for the nonpayment of the assessment levied thereon, that fact shall be noted in said record in the proper column.'

"SEC. 10. Section 12 of said Act is hereby amended to read as follows:

"'Sec. 12. At the expiration of said time so fixed by the tax collector for the payment of said assessments as aforesaid, he shall add to each of the assessments which have not been paid or against which agreements and waivers have not been executed, as hereinafter provided, twenty-five per cent. of the amount of such assessment. Thereupon he shall proceed to sell all lands and lots covered by such assessments, or so much of each lot, piece or parcel of land as shall be necessary to realize the amount assessed against the same together with said additional twenty-five per cent. and interest on the amount of said assessment at the rate fixed by resolution provided for in section 5 above from the time so fixed by the tax collector for the payment of said assessments as aforesaid to the date of such sale, by giving notice of said sale in conformity with the laws of the State of California, provided for the notice and sale of real property upon execution; *provided, however*, that the descriptions of the various parcels of land to be sold need not be set out at length therein, but only by the respective red ink numbers of the same shown upon the map and list provided for in section 4 of this Act, which map shall be properly referred to in said notice for further particulars of description; and which notice shall be in one writing, and shall contain all the descriptions of said lands by their respective red ink numbers.

"'At the time and place fixed for the sale of said property the tax collector shall sell the respective lots, pieces or parcels of land within said district, the assessments against which have not been paid or against which agreements and waivers have not been executed as hereinafter provided, or so much of each lot, piece or parcel of land as shall be necessary to realize the amount assessed against the same, together with said additional twenty-five per cent. and interest on the amount of said assessment at the rate fixed by resolution provided for in section 5 above from the time so fixed by the tax collector for the payment of said assessments as aforesaid to the date of such sale, in the order of their numbers upon said map and list; at such sale the municipality may be a bidder. In case there is no bid on any of said lots, pieces or parcels of land equal to the amount of said assessment with accrued interest and said additional twenty-five per cent., the municipality must buy said property for the amount of said assessment with accrued interest and said additional twenty-five per cent., and it is hereby made the duty of the tax collector of the municipality to bid said sum in such event on behalf of said municipality, and the amount thus bid on behalf of said municipality shall be transferred from the general or other appropriate fund to the local improvement fund of said district; *provided, however*, that if any lot, piece or parcel of land within said district, the assessment against which has not been paid or against which agreement and waiver has not been executed as hereinafter provided, or against which an agreement and waiver has been executed by some one not the owner of said lot, piece or parcel of land, is omitted from said sale, the tax collector may at any time thereafter sell such lot, piece or parcel of land as herein provided to realize the amount remaining unpaid on said assessment, together with an additional twenty-five per cent. and interest on the amount of said assessment at the rate fixed by resolution provided for in section 5 above from the time so fixed by the tax collector for the payment of said assessments as aforesaid to the date of such sale.'

"SEC. 11. Section 13 of said Act is hereby amended to read as follows:

"'Sec. 13. The said tax collector shall issue for each sale made a certificate of sale, referring to the number of the proceeding under this Act, describing the parcel so sold, either by the red ink number appearing upon the said map and list, together with a reference to said map for further particulars of description, or by the red ink number and also metes and bounds or the lot, block and tract number as it may appear on any other map of record, and containing the name of the purchaser, which certificate he shall deliver to said purchaser, after noting the same in the proper column of the aforementioned record; which certificate shall be conclusive evidence of the regularity of all proceedings leading up to the same, and the issuance thereof, under this Act, and of the validity of the said lien and sale.

"'Upon the delivery of said certificate of sale to the purchaser, the lien of the assessment shall vest in him, and is only divested by a redemption of the property as provided in this Act.'

"SEC. 12. Section 14 of said Act is hereby amended to read as follows:

"'Sec. 14. At any time before the expiration of five years after said sale, any property sold under the provisions of this Act may be redeemed by the owner thereof by the payment to the said tax collector of the amount for which the said property was sold, and also any amount which the said purchaser may have paid out for taxes or assessments, a memorandum of which may have been filed with said tax collector, and which shall be noted on said record by him, together with interest at the rate of one per cent. per month on all amounts paid by such purchaser; which redemption money shall be paid by the said tax collector to the owner of the certificate of sale, upon the same being delivered up to be canceled, and a receipt given to said tax collector for the amount so paid by him, the fact and date of which redemption together with the amount paid therefor, shall be noted by said tax collector on the margin of said record of assessment.

"SEC. 13. Section 15 of said Act is hereby amended to read as follows:

"'Sec. 15. If the property sold as provided in the above proceedings be not redeemed within five years after the sale, the tax collector shall then issue to the party named in the original certificate, or his assignee, a deed of the property described in said certificate, which said deed shall refer, in general terms, to the proceedings under which the same is issued, and shall contain a description of the property following the description in the certificate; the grantee of such deed is immediately upon receipt thereof, entitled to possession of the property described therein.'

"SEC. 14. Section 16 of said Act is hereby amended to read as follows:

"'Sec. 16. If, however, the legislative body of said municipality has declared in the resolution provided for in section 5 hereof, that bonds may issue in lieu of cash payments for said assessments and during the time fixed by the said tax collector for the payment of said assessments, the owner of any lot, piece or parcel of such land so assessed for twenty-five dollars or over, or his duly authorized agent, shall file with the said tax collector an affidavit made before a competent officer, that he is the owner of record of any such lot or land, and shall make, execute and deliver to said tax collector a written agreement between himself and said municipality waiving all objections to the proceedings therein, and undertaking to pay the amount of said assessment, together with interest as hereinafter provided; then, the same shall not be sold for non-payment of the assessment levied against it, as above provided, but bonds shall issue in lieu of such payment, as hereinafter provided.

" 'The assessments on the various parcels covered by waivers and agreements shall be payable in installments of ten in number, the first of which shall be paid at the time said agreement and waiver is filed, and the remainder of said installments shall be payable annually thereafter, one each year, at the time when the first installment of municipal taxes, within said municipality, is payable. At the time of the payment of the second installment of the assessment, there shall be paid interest on all deferred payments from the date of said agreement to the second day of January following at the rate fixed by the resolution provided for in section 5 above. At the time of the payment of the third, and all succeeding installments of the assessment, there shall be paid interest on all deferred payments from the second day of January preceding to second day of January following, at the rate fixed by the resolution provided for in section 5, above.

" 'Said agreements and waivers shall provide that said assessments shall be paid as above provided by the person executing the same, and said person shall therein waive all objection, of whatsoever kind or nature against the proceedings and the assessment levied therein, and undertake to pay said assessment levied against said lot or lands as above provided.

" 'Said agreements shall be dated the last day for cash payments fixed by the tax collector, and shall bear interest from that day.

" 'Said agreements and waivers shall be taken upon printed form provided by the tax collector of the municipality and shall be kept among the records in his office, the form of which shall be substantially as follows:

AGREEMENT AND WAIVER.

Local Improvement District No. ____.

The undersigned, owner of that certain lot, piece or parcel of land situate, lying and being in the city of __________, county of __________, State of California, and being more particularly described as lot No. _________, marked in red ink on the map of said district, reference to which map is hereby made for further particulars of description, does hereby petition the legislative body of said municipality to be permitted to pay in ten annual installments, together with interest thereon, that certain assessment heretofore levied thereon in said district No. _________ heretofore formed.

In consideration thereof, The undersigned does hereby agree to waive and does hereby waive, all objections of whatsoever kind or nature against said assessment and all proceedings with reference to the same, and the undersigned in consideration thereof does hereby undertake to pay the said assessment on said real property in annual installments of ten in number with interest on all deferred payments at the rate of _________ per cent. per annum (insert rate fixed by resolution provided for in section 5 above) payable at the same time as the installments of principal, as in said Act provided, and does hereby agree to all the provisions of said Act.

(Signature of owner.)

(Residence of owner, giving street or avenue, and
city or town, and state.)

Dated ______________________________

" 'In case of default in payment of any installment of principal, or interest, accrued or deferred payments at the time provided herein, the entire remaining unpaid installments with accrued interest shall become immediately due and payable, together with an additional twenty-five per cent. of the total amount still unpaid, and the tax collector of the municipality shall sell the property covered by the delinquent assessment, to realize the unpaid balance of said installments with accrued interest and said additional twenty-five per cent. of the total amount still unpaid. At such sale the municipality may be a bidder. In case there is no bid for said property equal to the unpaid balance of said assessment with accrued interest, and said additional twenty-five per cent. of the total amount still unpaid, the municipality must buy said property for the amount of said unpaid balance of said assessment with accrued interest, and said additional twenty-five per cent. of the total amount still unpaid and it is hereby made the duty of the tax collector of the municipality to bid said sum in such event on behalf of said municipality, and the amount thus bid on behalf of said municipality shall be transferred from the general or other appropriate fund to the local improvement fund of said district.

" 'Said sale shall be made in the manner provided for in section 12 of this Act and a certificate of sale shall be issued to the purchaser as provided in section 13 of this Act, and the said lots and lands shall be subject to redemption as provided in section 14 of this Act; and a deed shall be given, if not redeemed within one year, as provided in section 15 of this Act.

"'Any interested property owner may release and discharge any such unpaid assessment secured by agreement and waiver as herein provided by paying the total amount then due, for principal and interest, together with interest thereon for one year thereafter.'

"Sec. 15. Section 18 of said Act is hereby amended to read as follows:

"'Sec. 18. At any time after such assessments have been collected either by payment, or by a sale of the lots and lands as above provided, and agreements have been made, executed and delivered providing for bonds to issue and the funds to pay for the work, or any part of such funds are actually in the hands of the treasurer of said municipality, the said legislative body may, by resolution, order the work done or improvement made. Notice inviting sealed proposals or bids for doing the work ordered shall be published in some newspaper published in said municipality for two insertions, or if there be no such newspaper, then by posting in three public places in said municipality. Such notice shall refer to the report of the engineer or board or commissioner for the particulars of the description of the work and plans and specifications thereof. The time and place shall be fixed in said notice for the opening of proposals or bids, and shall not be less than ten days from the time of the first publication or posting of said notice, and bids or proposals may be filed at any time prior to the time so fixed for the opening of proposals or bids.

"'Every bid shall be accompanied by a certified check amounting to ten per cent. of the bid, payable to the order of the presiding officer of the legislative body of the municipality, and the same shall be forfeited to the municipality in case the bidder depositing the same does not within ten days after written notice that the contract has been awarded to him, enter into a contract with the municipality for doing the work, the faithful performance of which shall be secured by a bond in such penal sum as the legislative body shall deem adequate, not exceeding the estimated cost of the work, and with sureties satisfactory to said body; and he shall also give a good and sufficient bond, in such sum as said body shall designate, not to exceed, however, the estimated cost of said work or improvement nor less than fifty per cent. of the estimated cost, and approved by said body, which bond shall be made to inure to the benefit of any and all persons, companies and corporations who shall perform labor on, or furnish materials to be used in the performance of said work or improvement, and shall provide that if the contractor, company, or corporation to whom said contract was awarded fails to pay for any materials so furnished for said work or improvement, or for any work or labor done thereon of any kind, that the sureties will pay the same, to an amount not exceeding the sum specified in said bond.

"'The legislative body shall in open session publicly open, examine, and declare the proposals or bids received. The legislative body may reject any and all proposals or bids should it deem this for the public good, and also the bid of any party who has been delinquent or unfaithful in any former contract with the municipality, and shall reject all proposals or bids other than the lowest regular proposal or bid of any responsible bidder, and may award the contract for said work or improvement to the lowest responsible bidder at the prices named in his bid. The presiding officer of the legislative body shall execute all written contracts under this Act on behalf of the municipality.

"'When such contract and bonds have been entered into, said check shall be returned to the successful bidder; the unsuccessful bidders shall receive their checks upon notice of rejection of their bids.

"'The said contract must provide that the work be done, and the work must be done, strictly in accordance with the plans and specifications provided for in section 4 of this Act. And said work must be done under the supervision of the engineer or board of public works or an inspector appointed for that purpose by the said legislative body.'

"Sec. 16. Section 19 of said Act is hereby amended to read as follows:

"'Sec. 19. In case the first assessment levied shall prove insufficient to pay the contract price and the incidental expenses of the proceeding, the municipality may order paid out of any money available in the municipal treasury the deficiency; or the said legislative body may order the deficiency advanced from any available money in the treasury, and thereafter order an additional assessment levied and collected from the lots and lands within the district as hereinafter provided; or the legislative body may, by resolution, order the levy and collection of an additional assessment against said lots and lands, which shall include the additional incidental expenses of levying and collecting the same, and shall order an additional list, according to the red ink numbers given on the map as provided for in subdivision 6 of section 4 of this Act, prepared and filed, which assessment and list and the collection of said assessment shall follow the same course and proceedings as the original assessment and list as nearly as may be.

"'In case of the advancement of any money from the available funds in the municipal treasury, the same shall be transferred to the proper fund under this Act, and thereafter when the additional assessment is collected as hereinabove provided, the same amount must be re-transferred to the fund from which it was borrowed.'

"Sec. 17. Section 20 of said Act is hereby amended to read as follows:

"'Sec. 20. If at any time an assessment for any local improvement under the provisions of this Act shall realize a larger sum than is necessary for such improvement, the excess shall be refunded upon warrants on the treasurer, authorized by the legislative body, pro rata, out of the special fund therefor, to the parties by whom it was paid; and, in the case of installment agreements such excess shall be credited on the unpaid installments, beginning with the one due at the latest date.

"'When there is a failure to receive any bid for doing the work contemplated under the provisions of this Act; or when by reason of the abandonment of the work by the contractor before completion and a failure to procure a bidder to complete the work after such abandonment by the contractor; or when by reason of a change in the condition of the ground in, over or along which the improvement is contemplated or is in process of construction under the provisions hereof, caused by the action of the elements; or when for any other reason it becomes impossible or impracticable to construct or complete the improvement under the plans, profiles, cross-section and specifications previously adopted by the legislative body in pursuance of proceedings had under this Act; then, and in any of such events, said legislative body shall have the right to pass a resolution abandoning said work or improvement.

"'In the event said work is so abandoned by the municipality prior to letting a contract for the performance of such work, or before any work has been performed, then and in that event, all money raised by assessment for doing said work and in the hands of the treasurer for that purpose (after deducting the incidental expenses actually incurred under such proceedings) shall be refunded upon warant on the treasurer, authorized by the legislative body, pro rata to the parties by whom it was paid; and in the case of installment agreements, shall be credited on the unpaid installments, beginning with the one due at the latest date.

"'In the event said work is abandoned by the contractor during the process of construction, and subsequent to letting a contract therefor, and subsequent to the completion and acceptance by the legislative body of some portion of the work contemplated by said proceedings; then, before any pro rata payment of the funds collected for that purpose shall be made, or credits given on the said unpaid installments, a proper amount shall be deducted from said funds so collected in proportion to such collections, and a proper proportion of said installments shall remain uncanceled, sufficient to pay the proper proportion of the cost of the work already done and accepted by the legislative body, together with the incidental expenses actually incurred under the proceedings; and the balance shall be refunded pro rata to the parties paying the same, and credits given on the unpaid installments in the same manner as hereinbefore provided; except, that there shall be only a pro rata payment made, or credit given on installment agreements to the owners of property assessed therefor, over and above any benefits which their said property shall have received from the portion of the improvement made and accepted, by reason of the work done prior to the said abandonment; *provided*, that the legislative body shall in the resolution declaring the proceedings abandoned, designate the amount and value of the benefit, if any, received from such partial performance of said contract, by each lot or parcel of land within the district which are not entitled to a full refund, which amounts so designated shall be withheld from refund or credit upon the installment agreements. The balance due on said installment agreements shall remain payable, together with interest, in the time and manner stated therein unless sooner paid and canceled as provided in section 16 of this Act; and none of the provisions of this section shall invalidate any of the proceedings under this Act prior to the adoption of the resolution declaring the said proceedings abandoned, or invalidate any bonds which shall have been issued and sold under the provisions of this Act, which bonds shall remain payable out of any funds to be collected from any unpaid assessment on lots or lands upon which installment agreements have been given. And the maturity of such bonds and interest may be advanced and the same paid and canceled as provided in section 21 of this Act.'

"SEC. 18. Sec. 21 of said Act is hereby amended to read as follows:

"'Sec. 21. Whenever the legislative body of the municipality shall have determined that bonds shall issue, as provided for in section 5 of this Act; and when the owner of any lot or lands assessed for twenty-five dollars or over, shall make, execute and deliver to the tax collector of said municipality an agreement as provided for by section 16 of this Act; then the said tax collector shall make and certify to the legislative body of the municipality the total amount of all assessments unpaid and for which agreements and waivers have been executed. At any time thereafter the legislative body may order bonds issued against the said special local improvement fund to the total amount of the assessments remaining unpaid, or uncancelled as above provided, and which are covered by agreements and waivers. The bonds shall be issued in any one hundred dollar denomination, from one hundred dollars to one thousand dollars; *provided*, that nine bonds in any issue may be for some other denomination. The rate of interest on said bonds shall be the rate of interest fixed by the resolutions provided for in section 5 of this Act. Such bonds shall be numbered from one upwards consecutively, and shall be called in and paid in their numerical order. Said bond shall give the name and number of the proceedings under this Act, and shall bear date the day they are issued, and shall be payable to bearer, and shall be serial bonds. The said bonds and interest shall be payable exclusively from said local improvement fund, and neither the municipality nor any officer thereof shall be holden for payment otherwise of its principal or interest; *provided*, that if at the close of any fiscal year there shall not be sufficient money in any local improvement fund against which said bonds have been issued under the provisions of this Act, over and above sufficient for the payment of interest on all unpaid bonds, it is hereby made the duty of the treasurer to pay out of the general fund of the municipality such bonds and interest due at such time as shall not have otherwise been paid. If at any time the treasurer pays any bond out of the general fund of the municipality under the provisions of this Act, it is hereby made the duty of the treasurer to reimburse the general fund of the municipality from the moneys thereafter received by him, through proceedings following default in the payment of the installments as herein provided. Said bonds and interest accruing thereon shall be payable out of any moneys in said fund at the date of maturity, in order of presentation; and shall be secured by all agreements and liens provided for by this Act. Interest coupons shall be attached to said bonds in sufficient numbers. Said bonds shall be signed by the presiding officer of the municipality, and countersigned by the treasurer thereof, and the seal of the municipality shall be attached thereto. The interest coupons shall be signed by the treasurer of the municipality, and his signature thereto may be made by lithograph.

" 'Said bonds, by their issuance, shall be conclusive evidence of the regularity of all the proceedings leading up to, and the issuance thereof under this Act, and of the validity of said lien provided for.

" 'The term of said bonds shall be as follows: The term of the first one-ninth numerically of said bonds shall be from the date of the issuance of said bonds to the succeeding second day of January; the term of the second one-ninth numerically of said bonds shall be from the date of the issuance of said bonds to the second succeeding second day of January; the term of the third one-ninth numerically of said bonds shall be from the date of the issuance of said bonds to the third succeeding second day of January; the term of the fourth one-ninth numerically of said bonds shall be from the date of the issuance of said bonds to the fourth succeeding second day of January; the term of the fifth one-ninth numerically of said bonds shall be from the date of the issuance of said bonds to the fifth succeeding second day of January; the term of the sixth one-ninth numerically of said bonds shall be from the date of the issuance of said bonds to the sixth succeeding second day of January; the term of the seventh one-ninth numerically of said bonds shall be from the date of the issuance of said bonds to the seventh succeeding second day of January; the term of the eighth one-ninth numerically of said bonds shall be from the date of issuance of said bonds to the eighth succeeding second day of January; the term of the ninth one-ninth numerically of said bonds shall be from the date of issuance of said bonds to the ninth succeeding second day of January.

" 'The form of said bonds shall be substantially as follows:

LOCAL IMPROVEMENT BOND.

District No. ----------------
No. ----------------

$ --- -

Under and by virtue of an Act of the Legislature of the State of California, entitled: "An Act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities, such Act to be known as 'The Local Improvement Act of 1901' " the (here insert the legal name of the municipality) will pay to the bearer the sum of ------------------------- dollars in United States gold coin, with interest thereon in like gold coin at the rate of ---------- per cent. per annum, all as hereinafter specified, and at the office of the treasurer of said municipality.

This bond is issued to represent the costs and expenses of certain local improvements in Local Improvement District No. ------- in said municipality representing the assessment, and re-assessment, if any such has been made, upon the lands designated upon the map of said district.

The principal and interest shall be secured by all agreements, waivers and liens provided for by said Act and arising out of the improvement to which said fund related.

This serial bond is one of a series of ----- bonds for --------------- dollars each, and nine for --------------- dollars, which bonds are numbered from one to ---------------, consecutively. These bonds shall be called in and paid in their numerical order.

This bond is due January 2d, 19 , unless sooner paid and canceled, and the interest is payable annually, to wit: the second day of January in each year, upon the presentation of the coupons therefor, the first of which is for the interest from the date of the issuance of said bonds to the succeeding second day of January, and thereafter the interest coupons are for annual interest.

At said ------- of ------------- the ------------ day of ------------, in the year one thousand -------- hundred and ------------.

(Insert title of presiding officer
of the legislative body)

[SEAL]

Treasurer of the ------------.

"'Said bonds must be sold at a time to be fixed by the legislative body, and to the highest bidder therefor, but for not less than par and accrued interest, and the proceeds of the sale shall be deposited in the proper fund in the city treasury. If no bids are received or the legislative body determines that the bids received are not satisfactory as to price or responsibility of the bidders, the legislative body may reject all bids received, if any, and may enter into an agreement with the contractor to take the bonds at par with accrued interest in payment for the work to be performed by him; but the said bonds shall not be delivered to him until payment for said work is due him as hereinafter provided.

"'Said treasurer shall keep a register in his office which shall show the series, number, date, amount, rate of interest, payee and endorsers of each bond, and the number and amount of each coupon of interest paid by him, and shall cancel and file each bond and coupon so paid.

"'Said bonds and interest shall be paid at the office of the said treasurer of said municipality from the fund designated by the number of the proceedings given in section 4 of this Act, into which fund all moneys received in connection with said proceedings, either from the collection of assessments and interest, sales of property, or otherwise, shall be paid; and from which fund he shall pay the said bonds and the interest due thereon, and it shall be the duty of the said treasurer, on the 2d day of January of each year, to pay one-ninth of said bonds, together with all interest due on the whole of the issue thereof as hereinabove stated; *provided*, that if there shall not be sufficient money in any local improvement fund against which said bonds have been issued under the provisions of this Act, over and above sufficient for the payment of interest on all unpaid bonds, to pay the bonds due, it is hereby made the duty of the treasurer to pay out of the general or other fund of the municipality such bonds and interest, due at such time, as shall not have otherwise been paid, and it is hereby made the duty of the treasurer to reimburse the said fund of the municipality from the moneys thereafter received by him, through proceedings following default in the payment of installments as in this Act provided.

"'The treasurer may advance the maturity of any bond and pay and cancel the same whenever there shall be surplus moneys in the said fund with which to pay same, by paying a bonus of an additional one-half year's interest. He shall give notice of such redemption at least thirty days prior to the second day of January in any year. Such notice may be given in writing, personally, or by registered mail to the holder thereof, or by publication for two weeks in a daily or weekly newspaper published in said city; *provided*, that if such notice be so given by publication then a copy of same shall be mailed to the last known holder thereof at his last known address at least ten days prior to the next second day of January specified in said notice. In the event of such notice being given, the maturity of such bond shall be advanced and said bond be deemed to mature on the second day of January specified in the notice as the date on which it will mature, at which time the same shall be paid. On said second day of January, if said bond has not been sooner surrendered, the treasurer shall set aside to the credit of the holder or owner of said bond the amount of principal and accrued interest then due on same, and said bond shall then be deemed to have matured, and interest shall thereafter cease to accrue on said bond. The amount so set aside shall on demand be paid the holder of said bond on surrender and cancellation of same.

"SEC. 19. Section 22 of said Act is hereby amended to read as follows:

"'Sec. 22. No part of the work shall be paid for until it has been accepted as fully completed according to specifications in so far as it has been completed, by the legislative body. Whenever the contractor desires the work, or any part of it to be accepted, he must make a written application to that effect to the legislative body of the municipality. Upon such filing of such application for acceptance, the clerk of the municipality shall cause at least five days notice to be given by posting along the line of the work asked to be accepted that at a certain time and place to be named in said notice, the legislative body of the municipality will hear and consider any objections to the acceptance of the work or part of the work, for the acceptance of which said contractor has petitioned, and only after such hearing shall any work be accepted. If upon such hearing, objections to the acceptance thereof are made, and are held by the legislative body to be good, said body must require the contractor to take the necessary steps to remedy any defects in the said work, and in the event of his failure so to do, within such time as the legislative body shall prescribe, or an extension thereof, the said body may relet said portion of the work and charge the contractor the cost thereof, together with all expenses incident to said reletting and doing said work, and shall retain the same out of any moneys due or to become due to him under the contract, and also hold him and his sureties responsible therefor upon his bonds given. And upon such acceptance the work shall be paid for at the contract price in cash or by the delivery of bonds, *provided*, that not more than seventy-five per cent. of the amount due shall be paid to the contractor upon a partial performance of the work, and the remainder shall be retained until the whole work is completed.

"'The work must be commenced and completed within such time as the said legislative body shall prescribe, which time may be extended by said body from time to time, by resolution; *provided*, that the time for the commencement of the work shall not be fixed at a date prior to the date for the sale of the bonds hereinbefore provided for.

" 'If the contractor shall abandon the work, or shall fail to proceed with the same as rapidly as required by his contract, the said legislative body may relet the contract for the work or any part of it, and pay the costs and expenses of the same out of any funds due or to grow due to the contractor, or by the delivery of any bonds that may be due him, all incidental expenses due to the reletting of said contract shall be paid by him, and he and his sureties shall be holden therefor for the same upon their or either of their bonds as well as any damage which may result from such neglect or abandonment.'

"SEC. 20. Said Act is hereby amended by adding a new section thereto to be numbered 22*a*, and to read as follows:

" 'Sec. 22*a*. That when there is a failure to receive any bid for doing the work contemplated under this Act; or when by reason of abandonment of the work by the contractor before completion, and a failure to procure a bidder to complete the work after such abandonment; or when by reason of a change in the condition of the land over or along which the improvement is contemplated, or in process of construction under the provisions hereof, caused by the action of the elements or for any other reason it becomes impossible or impracticable to construct or complete the improvement under the original plans and specifications, the legislative body of the said municipality may by resolution alter such plans or profiles, or cross-sections or specifications, or may adopt new plans, or profiles, or cross-sections, or specifications in the manner provided for in the first instance, so as to meet such changed condition or so as to make the completion of the said improvement practicable or possible, in which event the legislative body shall require the city engineer or board of public works, or commissioner of public works to make an estimate of the total expense of said improvement under the said altered or new plans, profiles, cross-sections, and specifications as the case may be, and if the estimated expense of the work to be done under such altered or new plans and specifications shall not exceed the amount raised under the first assessment as provided herein, and after all necessary proceedings had under the provisions of sections 5, 6, 7 and 8 of this Act, and a new or supplemental contract has been entered into with the contractor and bonds given as in this Act provided, to perform said work or improvement as provided for in said new or altered or amended plans, profiles, cross-sections, and specifications, then the work shall proceed under the altered or new plans, profiles, cross-sections, and specifications and shall be paid for out of the funds raised under the first assessment; but if the estimated expense shall exceed the amount raised by the first assessment, a second or additional assessment may be made and recorded in the same manner as provided for in section 19 of this Act as nearly as may be; except, that no protest shall be entertained upon subject-matter already decided on the first hearing and which has not been in effect changed. In case said plans, profiles, cross-sections, and specifications are altered or changed during the process of construction and the contractor consents thereto and agrees to do the work under the altered or changed plans, profiles, cross-sections, and specifications at the estimated additional assessed price, if such there be, then a supplemental contract shall be entered into for doing said work for said price under said altered or new plans, profiles, cross-sections, and specifications.

" 'But in the event of the refusal of said contractor to continue said work and complete the same under said altered or changed plans and specifications at the said excess price, his refusal so to do shall be deemed an abandonment of the contract and said legislative body shall proceed to advertise for bids for the completion of said work as provided herein for advertising for bids in the first instance.' "

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 740—An Act relating to the powers and privileges of officers and employees of state reformatories in arresting pupils who have escaped or been rescued therefrom.

Bill read second time, and ordered on file for third reading.

SECOND READING OF SENATE BILL—(OUT OF ORDER).

Senator Beban asked for and was granted unanimous consent to take up, out of the regular order, for second reading, Senate Bill No. 1202.

Senate Bill No. 1202—An Act to provide for the regulation and supervision of racing meetings; establishing a state racing commission for the purpose of administering the provisions hereof, and defining its powers and duties; prohibiting book-making; and prescribing penalties for violation of the provisions of the Act.

AMENDMENTS FROM FLOOR.

During second reading of the bill, the following amendments were offered and their adoption moved by Senator Beban:

AMENDMENT NUMBER ONE.

On page 2, strike out all of lines 4, 5, 6, 7, 8 and 9 and insert in lieu thereof the following: "Such race meeting shall not exceed thirty days' racing, nor shall there be more than two such race meetings in any one year. No person, association or corporation conducting racing or otherwise engaged shall furnish to pool rooms or their agents, or to any other person, association or corporation, any information whatever in regard to racing or permit to be furnished from its course, any such information and no meeting shall be given where book making or betting of any kind in any course whatsoever is allowed."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 20, after the word "in" insert the following: "betting or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 32, strike out the word "all" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, strike out all of line 37 and all of lines 1, 2, 3 and 4 on page 3, and insert in lieu thereof the following: "term of four years unless otherwise removed as herein provided; *provided*, that the commissioners first appointed shall determine by lot, two of their number to go out of office at the end of the first year and one to go out of office each year thereafter. The successor of each commissioner so going out of each office, before the end of four years, shall hold for the full term of four years."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, commencing with line 15, strike out all down to and including line 26 and insert in lieu thereof the following:

"SEC. 5. No intoxicating liquors shall be sold or dispensed within the grounds at any horse race meeting provided for herein.

"SEC. 6. It shall be the duty of the State Racing Commission to enforce the provisions of this Act and all other laws of the State of California within said racing grounds and particularly to prevent the violation of section 337*a* of the Penal Code and to suppress and prevent any and all forms of betting or bookmaking within said racing grounds and to refuse admission to or eject from said grounds any person or persons violating the terms of this Act or any of the laws of the State of California and such commission shall make all provisions and take all necessary steps for the proper policing of said grounds and for the enforcement of the law therein. The said Racing Commission shall be responsible to the Governor of the State for the strict enforcement of all the provisions herein contained and the violation of the provisions of this Act within the racing grounds under the jurisdiction of the Racing Commission or of any person, association or corporation holding a license from said commission, shall be cause for the immediate removal of members of said commission by the Governor.

"SEC. 7. Every horse race meeting at which racing shall be permitted for any stake, prize or reward in violation of this Act or any provisions hereof, is hereby declared to be a public nuisance and every person acting or aiding therein shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than five hundred dollars or more than one thousand dollars for each day of such meeting and racing; and a restraining order may issue against any proposed unauthorized race meeting, or any race meeting conducted in violation of the terms of this Act at the suit of the State Racing Commission or of any citizen of the State.

"SEC. 8. This Act is intended to permit and encourage properly conducted horse racing within the State of California and to eliminate therefrom and to prevent all forms of betting and bookmaking and to suppress at such meetings any and all improper conduct, and nothing herein contained shall conflict with any of the provisions of section 337*a* of the Penal Code nor shall be construed to prevent or interfere with the enforcement of all local or municipal laws by local or municipal authorities."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Cohn, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. D. F. McGraw, of San Francisco.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Luce, the consideration of the motion to reconsider the vote whereby Senate Bill No. 510 was passed, was continued until the next legislative day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to article VI thereof, to be designated as section 26, relating to the method of selection of the Justices of the Supreme Court and of the District Courts of Appeal—and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

On motion of Senator Campbell, the third reading of Senate bills, was taken up, out of the regular order.

Senate Bill No. 239—An Act creating a Board of Retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, the Sonoma State Home, state prison at Folsom and state prison at San Quentin, providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement.

By order of the President pro tem., Senate Bill No. 239 was passed on file.

SECRETARY EDWIN F. SMITH AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1236—An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of education.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1236 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

By order of the President pro tem., Senate Bill No. 1078 was passed on file.

Senate Bill No. 118—An Act to amend section 4232 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in counties of the third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 118 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONSTITUTIONAL AMENDMENT NUMBER TWENTY TWO.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls independent of the Legislature and also reserving to the people of the State of California the power to approve or reject at the polls any Act or section or part of any Act of the Legislature.

The Legislature of the State of California, at its regular session commencing on the fourth day of January, 1915, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes that section 1 of article IV of the Constitution of the State of California, be amended so as to read as follows:

SECTION 1. The legislative power of this State shall be vested in a Senate and Assembly which shall be designated "The Legislature of the State of California," but the people reserve to themselves the power to propose laws and amendments to the Constitution, and to adopt or reject the same, at the polls independent of the Legislature, and also reserve the power, at their own option, to so adopt or reject any Act, or section or part of any Act, passed by the Legislature.

The enacting clause of every law shall be "The People of the State of California do enact as follows."

The first power reserved to the people shall be known as the initiative. Upon the presentation to the Secretary of State of a petition certified as herein provided to have been signed by qualified electors, equal in number to eight per cent. of all the votes cast for all candidates for Governor at the last preceding general election, at which a Governor was elected, proposing a law or amendment to the Constitution, set forth in full in said petition, the Secretary of State shall submit the said proposed law or amendment to the Constitution to the electors at the next succeeding general election occurring subsequent to ninety days after the presentation aforesaid of said petition, or at any special election called by the Governor in his discretion prior to such general election; *provided*, that no law creating a bonded indebtedness shall be enacted under this provision without the assent of two-thirds of the qualified electors voting thereon. All such initiative petitions shall have printed across the top thereof in twelve-point black-face type the following: "Initiative measure to be submitted directly to the electors."

Upon the presentation to the Secretary of State at any time not less than ten days before the commencement of any regular session of the Legislature, of a petition certified as herein provided to have been signed by qualified electors of the State equal in number to five per cent. of all the votes cast for all candidates for Governor at the last preceding general election, at which a Governor was elected, proposing a law set forth in full in said petition, the Secretary of State shall transmit the same to the Legislature as soon as it convenes and organizes. The law proposed by such petition shall be either enacted or rejected without change or amendment by the Legislature, within forty days from the time it is received by the Legislature. If any law proposed by such petition shall be enacted by the Legislature it shall be subject to referendum, as hereinafter provided. If any law so petitioned for be rejected, or if no action is taken upon it by the Legislature within said forty days, the Secretary of State shall submit it to the people for approval or rejection at the next ensuing general election. The Legislature may reject any measure so proposed by initiative petition and propose a different one on the same subject by a yea and nay vote upon separate roll call, and in such event both measures shall be submitted by the Secretary of State to the electors for approval or rejection at the next ensuing general election or at a prior special election called by the Governor, in his discretion, for such purpose. All said initiative petitions last above described shall have printed in twelve-point black-face type the following: "Initiative measure to be presented to the Legislature."

The second power reserved to the people shall be known as the referendum. No Act passed by the Legislature shall go into effect until ninety days after the final adjournment of the session of the Legislature which passed such Act, except Acts calling elections, Acts providing for tax levies or appropriations for the usual current expenses of the State, and urgency measures necessary for the immediate preservation of the public peace, health or safety, passed by a two-thirds vote of all the members elected to each house. Whenever it is deemed necessary for the immediate preservation of the public peace, health or safety that a law shall go into immediate effect a statement of the facts constituting such necessity shall be set forth in one section of the Act, which section shall be passed only upon a yea and nay vote, upon a separate roll call thereon; *provided, however*, that no measure creating or abolishing any office or changing the salary, term or duties of any officer, or granting any franchise or special privilege, or creating any vested right or interest, shall be construed to be an urgency measure. Any law so passed by the Legislature and declared to be an urgency measure shall go into immediate effect.

Upon the presentation to the Secretary of State within ninety days after the final adjournment of the Legislature of a petition certified as herein provided, to have been signed by qualified electors equal in number to five per cent of all the votes cast for all candidates for Governor at the last preceding general election at which a Governor was elected, asking that any Act or section or part of any Act of the Legislature, be submitted to the electors for their approval or rejection, the Secretary of State shall submit to the electors for their approval or rejection, such Act, or section or part of such Act, at the next succeeding general election occurring at any time subsequent to thirty days after the filing of said petition or at any special election which may be called by the Governor, in his discretion, prior to such regular election, and no such Act or section or part of such Act shall go into effect until and unless approved by a majority of the qualified electors voting thereon; but if a referendum petition is filed against any section or part of any Act the remainder of such Act shall not be delayed from going into effect.

Any Act, law or amendment to the Constitution submitted to the people by either initiative or referendum petition and approved by a majority of the votes cast thereon, at any election, shall take effect five days after the date of the official declaration of the vote by the Secretary of State. No Act, law or amendment to the Constitution, initiated or adopted by the people, shall be subject to the veto power of the Governor, and no Act, law or amendment to the Constitution, adopted by the people at the polls under the initiative provisions of this section, shall be amended or repealed except by a vote of the electors, unless otherwise provided in said initiative measure; but Acts and laws adopted by the people under the referendum provisions of this section may be amended by the Legislature at any subsequent session thereof. If any provision or provisions of two or more measures, approved by the electors at the same election, conflict, the provision or provisions of the measure receiving the highest affirmative vote shall prevail. Until otherwise provided by law, all measures submitted to a vote of the electors, under the provisions of this section, shall be printed, and together with arguments for and against each such measure by the proponents and opponents thereof, shall be mailed to each elector in the same manner as now provided by law as to amendments to the Constitution, proposed by the Legislature; and the persons to prepare and present such arguments shall, until otherwise provided by law, be selected by the presiding officer of the Senate.

If for any reason any initiative or referendum measure, proposed by petition as herein provided, be not submitted at the election specified in this section, such failure shall not prevent its submission at a succeeding general election, and no law or amendment to the Constitution, proposed by the Legislature, shall be submitted at any election unless at the same election there shall be submitted all measures proposed by petition of the electors, if any be so proposed, as herein provided.

Any initiative or referendum petition may be presented in sections, but each section shall contain a full and correct copy of the title, and text of the proposed measure. Each signer shall add to his signature his place of residence, giving the street and number if such exist. His election precinct shall also appear on the paper after his name. The number of signatures attached to each section shall be at the pleasure of the person soliciting signatures to the same. Any qualified elector of the State shall be competent to solicit said signatures within the county or city and county of which he is an elector. Each section of the petition shall bear the name of the county or city and county in which it is circulated, and only qualified electors of such county or city and county shall be competent to sign such section. Each section shall have attached thereto the affidavit of the person soliciting signatures to the same, stating his own qualifications and that all the signatures to the attached section were made in his presence and that to the best of his knowledge and belief each signature to the section is the genuine signature of the person whose name it purports to be, and no other affidavit thereto shall be required. The affidavit of any person soliciting signatures hereunder shall be verified free of charge by any officer authorized to administer oaths. Such petitions so verified shall be prima facie evidence that the signatures thereon are genuine and that the persons signing the same are qualified electors. Unless and until it be otherwise proven upon official investigation, it shall be presumed that the petition presented contains the signatures of the requisite number of qualified electors.

Each section of the petition shall be filed with the clerk or registrar of voters of the county or city and county in which it was circulated, but all said sections circulated in any county or city and county shall be filed at the same time. Within twenty days after the filing of such petition in his office the said clerk or registrar of voters, shall determine from the records of registration what number of qualified electors have signed the same, and if necessary the board of supervisors shall allow said clerk or registrar additional assistants for the purpose of examining such petition and provide for their compensation. The said clerk or registrar, upon the completion of such examination, shall forthwith attach to said petition, except the signatures thereto appended, his certificate, properly dated, showing the result of said examination and shall forthwith transmit said petition, together with his said certificate, to the Secretary of State and also file a copy of said certificate in his office. Within forty days from the transmission of the said petition and certificate by the clerk or registrar to the Secretary of State, a supplemental petition identical with the original as to the body of the petition but containing supplemental names, may be filed with the clerk or registrar of voters, as aforesaid. The clerk or registrar of voters shall within ten days after the filing of such supplemental petition make like examination thereof, as of the original petition, and upon the completion of such examination shall forthwith attach to said petition his certificate, properly dated, showing the result of said examination, and shall forthwith transmit a copy of said supplemental petition, except the signatures thereto appended, together with his certificate, to the Secretary of State.

When the Secretary of State shall have received from one or more county clerks or registrars of voters a petition certified as herein provided to have been signed by the requisite number of qualified electors, he shall forthwith transmit to the county clerk or registrar of voters of every county or city and county in the State his certificate showing such fact. A petition shall be deemed to be filed with the Secretary of State upon the date of the receipt by him of a certificate or certificates showing said petition to be signed by the requisite number of electors of the State. Any county clerk or registrar of voters shall, upon receipt of such copy, file the same for record in his office.

The duties herein imposed upon the clerk or registrar of voters shall be performed by such registrar of voters in all cases where the office of registrar of voters exists.

The initiative and referendum powers of the people are hereby further reserved to the electors of each county, city and county, city and town of the State, to be exercised under such procedure as may be provided by law. Until otherwise provided by law, the legislative body of any such county, city and county, city or town may provide for the manner of exercising the initiative and referendum powers herein reserved to such counties, cities and counties, cities and towns, but shall not require more than fifteen per cent. of the electors thereof to propose any initiative measure nor more than ten per cent. of the electors thereof to order the referendum. Nothing contained in this section shall be construed as affecting or limiting the present or future powers of cities or cities and counties having charters adopted under the provisions of section 8 of article XI of this Constitution.

In the submission to the electors of any measure under this section, all officers shall be guided by the general laws of this State, except as is herein otherwise provided.

This section is self-executing, but legislation may be enacted to facilitate its operation and to protect petitions provided for herein from fraud and misrepresentation, but in no way limiting or restricting either the provisions of this section or the powers herein reserved.

Constitutional amendment read.

The question being on the adoption of the Constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 22 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—27.
NOES—None.

Constitutional amendment ordered transmitted to the Assembly.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

By order of the President pro tem., Senate Bill No. 74 was passed on file.

Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof.

By order of the President pro tem., Senate Bill No. 1049 was passed on file.

Senate Bill No. 595—An Act to amend section 4014 of the Political Code of the State of California.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Irwin moved to refer to Senator Benedict as a Special Committee of One to amend Senate Bill No. 595 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the word "four" and insert the word "six".

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, strike out the word "four" and insert the word "six".

AMENDMENT NUMBER THREE.

On page 2, strike out all of lines 3 to 9, inclusive.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 595, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENEDICT, Committee.

Report read and, on motion of Senator Irwin, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 783—An Act to amend section 681 of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 783 pased by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1169—An Act enabling any city or town maintaining a free public swimming bath to take water therefor from a public utility water ditch, and after such use to return the water to the ditch, provided such water is not used for domestic or municipal purposes.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1169 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 572—An Act to amend section 633 of the Political Code, concerning the licensing of insurance and surety agents; providing for the revoking of such licenses and providing a penalty for violation thereof.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benedict moved to refer to Senator Brown as a Special Committee of One, to amend Senate Bill No. 572 as follows:

AMENDMENT NUMBER ONE.

On page 3, line 35, beginning with the word "*provided*," strike out all of said line, also line 36, and on page 4 strike out all of lines 1, 2 and 3 and insert in lieu thereof the following: "*provided, however*, that any mutual fire insurance company operating under the provisions of 'An Act for the organization and management of mutual fire insurance corporations and associations, and defining the same and regulating the transaction of the business of mutual fire insurance in the State of California,' approved May 1, 1911, may appoint agents on a fixed salary as provided in section 5 of said Act, which agents shall be licensed by the Insurance Commissioner. Upon written notice from any such mutual fire insurance company of its appointment of any person as such salaried agent, the Insurance Commissioner shall upon application in writing from the insurance company's appointee showing the applicant's full name and address, and the name of the company for whom the applicant is to act as agent, and upon the payment of the fee provided for in section 605 of the Political Code, issued to such agent a license to act as such agent, which license shall expire on the first day of July next after its issuance and which shall be renewed from year to year in like manner.

"Nothing in this section shall be construed to apply, refer to, or affect agents of county mutual fire insurance companies, or to in any way affect such county mutuals, nor shall this section apply to or in any way affect title insurance business, fraternal benefit societies, or agents or employees of reciprocal or inter-insurance exchanges."

AMENDMENT NUMBER TWO.

On page 2, line 30, after the word "unsuitable" insert a comma and the following: "because of the commission of an act or acts involving moral turpitude or constituting a public offense,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 14, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 572, with instructions to amend, respectfully reports the same back, amended as per instructions.

BROWN, Committee.

Report read and, on motion of Senator Benedict, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 414—An Act to amend section 1251 of the Code of Civil Procedure of the State of California, relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 414 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 413—An Act to amend section 1247 of the Code of Civil Procedure, relating to the jurisdiction of a court to regulate the mode of making crossings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 413 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 415—An Act to amend section 465 of the Civil Code, relating to the powers of railroad corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 415 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 719—An Act to amend section 1248 of the Code of Civil Procedure of the State of California, relating to what must be ascertained or assessed by the court, jury or referee at the trial of proceedings under title VII, part III of the Code of Civil Procedure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 719 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—29.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Senate Bill No. 219—An Act to amend section 791 of the Political Code, relating to notaries public.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 219 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Scott, Shearer, Slater, Stuckenbruck, and Thompson—28.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

SENATE JOINT RESOLUTION NUMBER ONE.

Relative to aid from the Government of the United States for furnishing means of employment and sustenance to citizens of the United States who have been thrown out of employment by reason of the use of labor saving machinery and devices; setting aside of certain lands to be used in establishing farming colonies and providing for the disposition of the products of such lands.

WHEREAS, Under and by virtue of an Act entitled "An Act to establish the Department of Commerce and Labor," it was provided among other things, to be the province and duty of said department to foster, promote and develop the labor interests; and

WHEREAS, Owing to the rapid development and production of labor saving machinery many men, women and children are thrown out of employment and rendered helpless; and

WHEREAS, In nearly every instance the persons so displaced have found it extremely difficult to learn a new trade or secure employment in other trades with sufficient remuneration to enable them to support themselves and those dependent upon them; and

WHEREAS, It is imperative that those persons who are citizens and residents of the United States should be given encouragement and assistance in learning some other trade or taught some vocation whereby they will ultimately be able to support themselves instead of becoming dependent upon public charity and thereby becoming a burden to the taxpayers of the community wherein they reside; and

WHEREAS, Enforced idleness has always been a school that breeds mischief and crime, when on the contrary employment and industry tends to lighten the burden of taxation and increases better citizenship; and

WHEREAS, There are millions of acres of public lands lying idle and are susceptible of being cultivated under proper conditions; and

WHEREAS, The United States government has heretofore and does now provide financial aid and assistance to the American Indians whereby they are taught to become useful members of society and citizens of the United States and self-sustaining; now, therefore, be it

Resolved by the Senate and Assembly, jointly, That our senators and representatives in congress be instructed and requested to use all honorable means to secure the passage of laws whereby the public lands or so much thereof as may be necessary may be set aside and utilized for the purpose contemplated in the foregoing preamble; that laws be so enacted as will practically contemplate the present laws regulating Indian affairs in the United States; that said laws provide that a rental may be charged for the use of said lands in order to pay interest on the cost of development; that the money deposited in the Postal Savings System may be used in developing the lands so set apart; that the title of said land shall remain in the United States in trust for the purposes herein contemplated, and as security for said postal savings so used; that rules be prescribed whereby the products raised or manufactured on said lands may be given a preference when sold to the United States; that the Indian system of schools, farming and manufacturing be followed;

that all of the protection thrown around the American Indians may be given to the unfortunate citizens of the United States; that a Commissioner of Labor and Land Development be appointed; and that a bureau of labor and land development be created for the purpose herein contemplated.

Joint resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Birdsall, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, King, Luce, Lyon, Mott, Owens, Scott, Shearer, Stuckenbruck, Thompson, and Wolfe—25.

NOES—Senator Kehoe—1.

Joint resolution ordered transmitted to the Assembly.

ADJOURNMENT.

At nine o'clock and forty-five minutes p.m., on motion of Senator Wolfe, the President pro tem. declared the Senate adjourned until Monday, April 19, 1915, at 11 o'clock a.m.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Monday, April 19, 1915.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

LEAVES OF ABSENCE.

Senator Gerdes was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Tyrrell was, on motion of Senator Breed, granted leave of absence for this day.

Senator Wolfe was, on motion of Senator Scott, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 16, 1915, the further reading was dispensed with, on motion of Senator Rush.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills to which was referred the request of Senator Mott to introduce a bill entitled—An Act to appropriate money to pay the claims of corporations, arising from exemptions under the provisions of section 14 of article XIII of the Constitution, for the return of corporation license tax erroneously collected—has had the same under consideration and respectfully reports the same back and recommends that such request be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—31.

NOES—None.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with the above report:

By Senator Mott: Senate Bill No. 1261—An Act to appropriate money to pay the claims of corporations, arising from exemptions under the provisions of section 14 of article XIII of the Constitution, for the return of corporation license tax erroneously collected.

Bill read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 350—An Act to amend "An Act to provide for the incorporation and organization and management of municipal water districts" by adding thereto a new section to be known as section 27*a*, providing for the disincorporation of said districts—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

MADDUX, Chairman.

Senate Bill No. 350 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1247—An Act to add a new section to the Penal Code to be numbered section 1329*a*, relating to fees of witnesses in criminal cases;

Also: Senate Bill No. 922—An Act to amend section 196*a* of the Civil Code, relating to the support of illegitimate children;

Also: Senate Bill No. 1252—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 1235, relating to dissolution of trust companies;

Also: Senate Bill No. 230—An Act to add a new section to the Civil Code, to be numbered 128*a*, providing for the service of summons and complaint on the district attorney in actions for divorce or annulment of marriage, and conditioning the courts' jurisdiction thereon;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 1247, 922, 1252 and 230 ordered on file for second reading

Also:

SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1100—An Act to amend section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases;

Also: Assembly Bill No. 330—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be designated and known as section 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases;

Also: Assembly Bill No. 903 An Act providing for the preferential rights of certain persons to purchase public lands of the State;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bill No. 1100 ordered on file for second reading.

Assembly Bills Nos. 330 and 903 ordered on file for second reading.

Also:

SACRAMENTO, April, 19, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1162—An Act establishing a Bureau of Child and Animal Protection, making an appropriation therefor, and defining the duties thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended, and be re-referred to the Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 1162 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 26—An Act to add a new section to the Civil Code of the State of California, to be numbered section 172b, relating to community property—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do not pass as amended.

KEHOE, Chairman.

Senate Bill No. 26 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 17, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 447—An Act to amend sections 1518 and 1519 of the Political Code, to add thereto a new section to be numbered 1518*a*, all relating to the State Board of Education and prescribing its powers and duties; and to repeal section 1492 of the Political Code;

Also: Senate Bill No. 448—An Act to amend section 1489 of the Political Code, relating to the powers and duties of normal school boards;

Also: Senate Bill No. 424—An Act to amend section 1543 of the Political Code, relating to the duties of superintendent of schools;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

ANDERSON, Chairman.

Senate Bills Nos. 447, 448 and 424 ordered on file for second reading.

Also:

SACRAMENTO, April 17, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 811—An Act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

ANDERSON, Chairman.

Senate Bill No. 811 ordered on file for second reading.

Also:

SACRAMENTO, April 17, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 560—An Act to amend section 1714 of the Political Code of the State of California relating to the library fund in cities, or cities and counties, not divided into school districts—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

ANDERSON, Chairman.

Assembly Bill No. 560 ordered on file for second reading.

Also:

SACRAMENTO, April 17, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 411—An Act to establish the Allensworth Polytechnic Institute in the county of Tulare, and making an appropriation therefor;

Also: Senate Bill 938—An Act to appropriate money to construct an assembly hall at the San Jose State Normal School;

Has had the same under consideration, and respectfully reports the same back and recommends that they be re-referred to the Committee on Finance.

ANDERSON, Chairman.

Senate Bills Nos. 411 and 938 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, April 17, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 880—An Act to appropriate money for the purchase of land adjoining the grounds of the San Diego State Normal School—has had the same under consideration, and respectfully reports the same back and recommends that it do pass and be re-referred to the Committee on Finance.

ANDERSON, Chairman.

Senate Bill No. 880 ordered re-referred to Committee on Finance.

THIRD READING OF SENATE BILLS—(OUT OF ORDER).

Senator Anderson asked for, and was granted, unanimous consent to take up Senate Bills Nos. 229 and 231 for third reading at this time, out of the regular order.

REPORTS OF STANDING COMMITTEE—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 229—An Act to add a new section to the Code of Civil Procedure to be numbered 1020, relating to the service of summons in actions for divorce or annulment of marriage;

Also: Senate Bill No. 231—An Act to add a new section to the Political Code, to be numbered 4153*a*, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and to authorize the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes, and providing for their compensation;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they be referred to Senator Kehoe as a Select Committee of One to amend in the manner stated in such amendments.

AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED TWENTY-NINE.

AMENDMENT NUMBER ONE.

On page 1, lines 5 and 6, after the comma following the word "void" strike out the words "the State shall be a party defendant, and".

AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED THIRTY-ONE.

AMENDMENT NUMBER ONE.

On page 1, line 4, after the figures "4153*a*." strike out the words "It shall be the duty of the district attorney and he" and insert in lieu thereof the following: "The district attorney".

AMENDMENT NUMBER TWO.

On page 2, line 29, strike out all of said line and the rest of the bill down to and including the period following the word "attorneys" in line 5, page 3.

KEHOE, Chairman.

Report adopted.

Senate Bill No. 229—An Act to add a new section to the Code of Civil Procedure to be numbered 1020 relating to the service of summons in actions for divorce or annulment of marriage.

Bill read third time.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the President appointed Senator Kehoe a Special Committee of One to amend Senate Bill No. 229 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 229, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Anderson, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 231—An Act to add a new section to the Political Code, to be numbered 4153a, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and to authorize the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes, and providing for their compensation.

Bill read third time.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the President appointed Senator Kehoe a Special Committee of One to amend Senate Bill No. 231 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 231, with instructions to amend, respectfully reports the same back amended as per instructions.

KEHOE, Committee.

Report read and on motion of Senator Anderson, adopted.

Bill ordered to print and re-engrossment.

PETITION—(OUT OF ORDER).

By consent of the Senate, the following petition was offered by Senator Slater, out of the regular order, and ordered printed in the Journal:

Senator Slater and Members of the Legislature, Sacramento, California:

WHEREAS, The State of California, since 1862, has encouraged the viticultural industry, by sending abroad commissioners to secure grape cuttings from all the principal wine producing countries of Europe; by establishing a separate department in the State University at Berkeley, to teach grape growing and wine making; by adding an agricultural school at Davis, where viticulture is now taught; by creating a State board of viticultural commissioners; and by appropriating nearly $300,000 to foster all this work; and

WHEREAS, The Department of Agriculture, U. S. A., has aided in the development of the viticultural industry by conducting valuable experiments at a dozen stations in different parts of the State for the benefit of the vineyardists; and

WHEREAS, The Federal Government has protected our dry wines by favorable tariff laws and encouraged the production of pure sweet wines under the act of 1890; and

WHEREAS, In view of all this encouragement, 15,000 settlers have invested money in the grape industry in the belief that they would be protected; and

WHEREAS, There are today in California 330,000 acres in vines, which, with the 700 wineries and numerous packing houses and shipping plants, represent an investment of $150,000,000 from which the State derives an annual income of $30,000,000; and

WHEREAS, Efforts are being made to destroy this valuable industry by preventing the manufacture of wine, thus wiping out the sole market for the grapes of thousands of desirable vineyardists; therefore, be it.

Resolved by the Molino Grape Protective Association, That we heartily endorse the sentiments expressed in Assembly Constitutional Amendment No. 40, introduced by the Hon. Bismarck Bruck, which provides that "No law or constitutional amendment which shall damage, injure or destroy the value of or prevent the use of any vineyard, wine cellar, hop field, brewery, distillery or other property used in producing, growing or raising grapes or hops, or in manufacturing or producing or shipping wine, beer, malt or distilled liquors, existing at the time of the passage or adoption of such law or constitutional amendment, shall take effect until just compensation shall have been first made to or paid into court for the owner"; and be it further

Resolved, That this resolution be spread on the minutes of this meeting and a copy be forwarded to Governor Johnson and to our representatives in the Senate, and Assembly, with the request that they do all in their power to bring about the adoption of Assembly Constitutional Amendment No. 40.

MOLINO GRAPE PROTECTIVE ASSOCIATION.
J. C. BENNETT, President.
FRANK P. KELLEY, Secretary.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Luce, the consideration of the motion to reconsider the vote whereby Senate Bill No. 510 was refused passage was continued until the next legislative day.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 954 passed by the following vote:

AYES—Senators Anderson, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Rush, Scott, Slater, and Strobridge—23.

NOES—Senators Ballard, Cogswell, Maddux, Owens, and Stuckenbruck—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 239—An Act creating a board of retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, the Sonoma State Home, state prison at Folsom and state prison at San Quentin, providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said board of retirement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 239 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Rush, Scott, Strobridge, and Thompson—29.

NOES—Senator Maddux—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a Board of Examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act.

Bill read third time.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 16, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a Board of Examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act has had the same under consideration, and respectfully reports the same back and recommends that it be referred to Senator Butler as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 9 of the printed bill, after the word "method" insert a semicolon and add the following words: "who shall have been graduated from a legally incorporated college or colleges, school or schools teaching a drugless system or systems, method or methods, requiring actual attendance during such course".

AMENDMENT NUMBER TWO.

On page 2, line 10 of the printed bill, after the word "dentistry" insert a comma, then strike out the words "or optometry," and insert in lieu thereof the word "chiropody,".

AMENDMENT NUMBER THREE.

On page 13 of the printed bill, strike out all of lines 21 to 31, inclusive, and insert in lieu thereof the following:

"SEC. 19. Any person of good moral character who holds an unrevoked certificate to practice any drugless system issued to him in the District of Columbia or in any state or territory of the United States having a standard of requirements in no degree less than the standard of requirements as provided in this Act, shall upon the presentation of said certificate to the Board of Examiners for Drugless Physicians of the State of California, together with a sworn statement that he is the bona fide holder thereof shall receive a license to practice said drugless system in the State of California without examination."

AMENDMENT NUMBER FOUR.

On page 13 of the printed bill, beginning with line 32, strike out all to and including line 37 and down to and including lines 1 to 34 on page 14, and insert in lieu thereof the following:

"SEC. 20. Any person of good moral character who has been engaged in the actual practice of any drugless system or method of treating sick or afflicted human beings within the State of California for a period of not less than one year prior to the first meeting of the Board of Examiners herein provided for and who has a diploma issued to him by an incorporated school or college requiring actual attendance during said course shall, upon the payment of twenty-five dollars be entitled to make application for and shall be given an oral, practical and clinical examination by the board by applying to it for such examination within six months after the appointment of the first board; *provided, further,* that any person of good moral character who has been engaged in the actual practice of a drugless system in the State of California for a period of five years next preceding the passage of this Act, shall, upon the payment of twenty-five dollars be permitted to take the examination as herein provided for. If, after examination, it is determined by a majority vote of the board that such applicant is qualified to practice such drugless system, then the said applicant shall receive a license to practice, and it shall be the duty of the board to issue such certificate as set forth in section 8 of this Act. Such application shall be made upon a blank to be furnished by the board and shall contain among other things, the following information: The name of the applicant; his address, length of time of his actual practice within the State of California; nature, character and method of treating the sick or afflicted human beings within the State of California; name of college or school teaching drugless system or systems, method or methods from which applicant has received his diploma. Any applicant failing or refusing to fill out and file such application blank must be refused the right of examination."

AMENDMENT NUMBER FIVE.

On page 14 of the printed bill, strike out all of lines 35 to 37 inclusive, and all of lines 1 to 10, inclusive, on page 15, and insert in lieu thereof the following:

"SEC. 21. Any person receiving a certificate under and by virtue of any of the terms of this Act is entitled to and may be allowed to use the words 'drugless physician' or any other word or words or abbreviations which designate the system or systems, method or methods, practiced by the holder thereof."

BUTLER, Chairman.

Report adopted.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the President appointed Senator Butler a Special Committee of One to amend Senate Bill No. 310 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 310, with instructions to amend, respectfully reports the same back, amended as per instructions.

BUTLER, Committee.

Report read and, on motion of Senator Scott, adopted.

Bill ordered to print, and re-engrossment.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

SENATE CONSTITUTIONAL AMENDMENT NUMBER ONE.

A resolution to propose to the People of the State of California an amendment to the Constitution of the State by adding a new section to article VI thereof, to be designated as section 26, relating to the method of selection of the Justices of the Supreme Court and of the District Courts of Appeal.

The Legislature of the State of California, at its regular session commencing the fourth day of January, 1915, two-thirds of the members elected to each of the two houses voting in favor thereof, hereby proposes to the qualified electors of the State that a new section be added to article VI of the Constitution of the State, to be designated as section 26 and to read as follows:

Sec. 26. The Justices of the Supreme Court and of the District Courts of Appeal, elected or appointed at or prior to the election at which this amendment is adopted, shall hold office for the respective terms for which they were chosen. After the adoption of this amendment all Justices of the said courts shall be appointed by the Governor and confirmed by the Senate. The terms of office of the Justices of the said courts shall be as now provided. If a vacancy occur in the office of Justice, of any of the said courts, the Governor shall appoint a person to fill such vacancy. At every session of the Legislature the Governor shall submit to the Senate for its approval or rejection all appointments made under the authority of this section since the adjournment of the preceding session of the Legislature. If any appointment thus submitted be not confirmed, the Governor shall immediately nominate, and by and with the advice and consent of the Senate shall appoint, a person to fill the vacancy. Justices appointed under the provisions of this section shall be ineligible to any other office or public employment than a judicial office or employment during the term for which they shall have been appointed. In addition to the methods of removal by the Legislature provided by sections 17 and 18 of article IV and by section 10 of this article, the provisions of article XXIII relative to the recall of elective public officers shall be applicable to Justices appointed pursuant to the provisions of this section so far as the same relate to removal from office; and, until otherwise provided by law, the vote cast for the office of Governor at the last preceding election in the State, or in the district, as the case may be, for which the Justice was appointed or elected, shall be used as the basis for determining the number of signatures necessary for a recall petition. In case of such removal the Governor shall appoint the successor to the person removed as in other cases of vacancy. All provisions of this article in conflict with this section are superseded hereby.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 1 refused adoption by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Campbell, Chandler, Cogswell, Cohn, Flint, Kehoe, King, Maddux, Owens, Rush, Slater, Strobridge, and Thompson—17.

NOES—Senators Beban, Benedict, Birdsall, Brown, Butler, Carr, Crowley, Duncan, Finn, Flaherty, Irwin, Jones, Luce, Lyon, Mott, Purkitt, Scott, Shearer, and Stuckenbruck—19.

NOTICE OF MOTION TO RECONSIDER.

Senator Jones gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Constitutional Amendment No. 1 was refused passage.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 19, 1915

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 1006 An Act prohibiting the preparation, sale, barter, shipment or exchange of any worthless, contaminated, dangerous or harmful hog cholera serum or virus; requiring every establishment for the preparation of hog cholera serum or virus to be inspected and licensed by the director of the Agricultural Experiment Station of the University of California; and providing penalties for violation of any of the provisions hereof;

Also: Senate Bill No. 737—An Act to amend an Act entitled "An Act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, by amending sections 3, 4, 7 and 9 thereof, and by adding a new section thereto to be known and numbered as section 11½, all relating to the licensing of stallions and jacks, and providing for the reporting of the collection of fees to the State Controller and the creation of a fund to be known as the Stallion Registration Board Contingent Fund;

Also: Senate Bill No. 918—An Act authorizing certain suits against the State, and regulating the procedure therein;

Also: Senate Bill No. 158—An Act to add a new section to the Political Code, to be numbered 620*b*, relating to the withdrawal of deposit of securities by insurance companies;

Also: Senate Bill No. 602—An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part of public highways, squares, lands, alleys, parks, storm water drains, settling basins, courts, and places, within counties, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assesment of property therein to pay the expense of such improvement;

Also: Senate Bill No. 932—An Act to validate the organization and formation of levee districts;

Also: Senate Joint Resolution No. 1—Relative to aid from the Government of the United States for furnishing means of employment and sustenance to citizens of the United States who have been thrown out of employment by reason of the use of labor saving machinery and devices; setting aside of certain lands to be used in establishing farming colonies and providing for the disposition of the products of such lands;

Also: Senate Bill No. 1204—An Act providing for the manner of construction and equipment of window sashes in certain classes of windows;

Also: Senate Bill No. 945—An Act to amend sections 1 and 5 of an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880, as amended and approved June 11, 1913;

Also: Senate Bill No. 986—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by adding thereto a new section to be numbered 12*a*;

Also: Senate Bill No. 505—An Act to amend section 7 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to deputies of Labor Commissioner;

Also: Senate Bill No. 668—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," by amending sections 1, 3, 11, 15, 20, 25, 28, 32, 36, 37, 46, 47, 48, 49, 56, 61, 61*a*, 65, 67, 68, 80, 83, 96, 98, 99, 101, 127, 144 and 145 thereof and by adding new sections thereto to be numbered sections 13, 57 and 85, all relating to the definition and regulation of the business of banking;

Also: Senate Bill No. 462—An Act to amend section 1617 of the Political Code, relating to the powers and duties of trustees of common school districts and of boards of education in city school districts;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 857—An Act to make lawful certain agreements between employees and laborers, and to limit the issuing of injunctions in certain cases—and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1180—An Act to amend an Act to amend sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 of an Act entitled "An Act to provide for the division of municipalities into sewer districts and for the construction of, or acquisition and maintenance of sewers therein providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911;

Also: Senate Bill No. 1215—An Act to add a new section to the Civil Code to be known and numbered as section 1829, relating to the opening of safe deposit boxes or vaults by safe deposit companies;

Also: Senate Bill No. 1072—An Act to add a new section to the Civil Code, to be numbered 330, relating to debts owing to and stock standing in the name of decedents;

Also: Senate Bill No. 533—An Act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records and accounts of all such charges, and to make an annual written report thereof; requiring each such charge to be just and reasonable and to be devoted to no other purpose than such hospital service; and prescribing penalties for violations of the provisions thereof;

Also: Senate Bill No. 837—An Act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains, except in such cases or classes of cases as may be permitted by the Railroad Commission;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At twelve o'clock and twenty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

By order of the President pro tem., Senate Bill No. 1078 was passed on file.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan, Senate Bill No. 74 was passed on file.

Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof.

By order of the President pro tem., Senate Bill No. 1049 was passed on file.

Senate Bill No. 1077—An Act to amend section 13 of an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts or parts of Acts in conflict with this Act," approved June 2, 1913.

On motion of Senator Crowley, Senate Bill No. 1077 was passed on file.

Senate Bill No. 895—An Act to amend an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, by adding thereto a new section to be known as section 12, limiting the hours of employment of female pupil or student nurses in hospitals, prescribing penalties for the violation thereof, and providing for the enforcement of the restrictions imposed.

On motion of Senator Birdsall, Senate Bill No. 895 was passed on file.

Senate Bill No. 1227—An Act to prevent the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service, and to prescribe penalties for violation of the provisions hereof.

On motion of Senator Shearer, Senate Bill No. 1227 was passed on file.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 1180—An Act to amend an Act to amend sections 1, 2, 3, 4 and 5 of an Act entitled "An Act to provide for the division of municipalities into sewer districts and for the construction of, or acquisition and maintenance of sewers therein providing a system of district sewer bonds to pay the cost of such constructon of, or acquisition and also for the payment of such bonds," approved April 14, 1911.

On motion of Senator Purkitt, Senate Bill No. 1180 was passed on file.

Senate Bill No. 162—An Act to amend section 4300*a* of the Political Code, relating to the fees of county clerks.

By order of the President pro tem., Senate Bill No. 162 was passed on file.

Senate Bill No. 945—An Act to amend section 1 of an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880, as amended June 11, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 945 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Irwin, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At twelve o'clock and thirty minutes p.m., the President pro tem. declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

USE OF SENATE CHAMBER GRANTED.

Senator Mott asked for and was granted unanimous consent for the use of the Senate Chamber for a public hearing Tuesday, April 20, 1915, at 8 o'clock p.m., on Senate Bill No. 1258 by the Committee on Oil Industries, providing the Senate shall not be in session.

CONSIDERATION OF ASSEMBLY FILE—THIRD READING OF BILLS.

Assembly Bill No. 444—An Act to add a new section to the Political Code of the State of California to be numbered section 1752, relating to conventions of high school principals.

By order of the President pro tem., Assembly Bill No. 444 was passed on file.

Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; creating a liability on the part of the employers to pay damages in certain cases; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Lyon moved to refer to Senator Flaherty as a Special Committee of One to amend Assembly Bill No. 487 as follows:

AMENDMENT NUMBER ONE.

By striking out of section 1, line 5, the words "such month" and insert in lieu thereof the following: "the month following the one in which such wages were earned".

AMENDMENT NUMBER TWO.

Strike out of section 1, line 8 of the printed bill, the word "such" and insert in lieu thereof the following: "the same".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 19, 1915

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 487, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLAHERTY, Committee.

Report read and, on motion of Senator Lyon, adopted.

Bill ordered to print and re-engrossment.

Assembly Bill No. 1515—An Act to repeal section 2189 of the Civil Code, relating to passenger who has not paid fare upon a railroad train.

On motion of Senator Finn, Assembly Bill No. 1515 was passed on file.

Assembly Bill No. 589—An Act to amend section 7 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

On motion of Senator Butler, Assembly Bill No. 589 was passed on file.

Assembly Bill No. 1502—An Act to amend sections 717 and 718 of the Civil Code of the State of California, relating to the leasing of agricultural lands and to the leasing of lands for agriculture and horticultural purposes, and to the leasing of property of a municipality, a minor or incompetent person, and to the leasing of city or town lots.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1502 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, and Thompson—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1535 (Substitute for Assembly Bills Nos. 456 and 1126. Without reference to committee).—An Act to amend sections 3, 5, 6, 9, 11, 12, 18, 21, 23, 25, 27, 42, 43, 60, 63, 66, 67, 74 and 75 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and repealing section 36, and sections 84, 85, 86, 87, 88 and 89 thereof, relating to work in unincorporated territory.

On motion of Senator Breed, Assembly Bill No. 1535 was passed on file.

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding thereto a new section to be numbered 642*a*, relating to Building and Loan Associations.

Bill read third time.

On motion of Senator Benson, Assembly Bill No. 50 was passed on file.

Assembly Bill No. 662—An Act granting to municipal corporations of the State of California the right to construct, operate and maintain water and gas pipes, mains or conduits, electric light and electric power lines, and telephone and telegraph lines, along or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 662 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 51—An Act to amend an Act known as "The Building and Loan Commission Act"—chapter 354, laws of 1911, approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be numbered 9*a*, relating to the powers and duties of the Building and Loan Commissioner, fixing the grade and penalty for non-compliance with his orders, providing for the assistance of a peace officer to enforce his demands and fixing the grade of evidence required for the confirmation of his action.

On motion of Senator Benson, Assembly Bill No. 51 was passed on file.

Assembly Bill No. 55—An Act to amend section 792 of the Political Code of the State of California, relating to qualifications and application to become notaries.

By order of the President pro tem., Assembly Bill No. 55 was passed on file.

Assembly Bill No. 455—An Act to provide for the issuance of street improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property secured thereby and for the payment of the bonds so issued.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Slater moved to refer to Senator Shearer as a Special Committee of One to amend Assembly Bill No. 455 as follows:

AMENDMENT NUMBER ONE.

On page 9, line 33, of the printed bill, strike out the words "sold in the same manner".

AMENDMENT NUMBER TWO.

On page 9, strike out all of lines 34, 35 and 36.

AMENDMENT NUMBER THREE.

On page 9, line 37, strike out the words "such delinquent sale", and insert in lieu thereof the words "advertised and sold by the treasurer in the same manner and form as already provided, and be subject to redemption in the same manner as property sold for non-payment of general municipal taxes".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 455, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHEARER, Committee.

Report read and, on motion of Senator Slater, adopted.

Bill ordered to print, and re-engrossment.

Assembly Bill No. 1047—An Act to amend section 8 of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1047 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR LYON IN THE CHAIR.

At two o'clock and thirty minutes p.m., Senator Lyon of the Twenty-ninth District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1304—An Act to prevent deception in the manufacture, packing and sale of raisins and providing a penalty for the violation thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1304 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 22—An Act declaring all buildings and places nuisances, wherein or upon which any spirituous, vinous, malt or other alcoholic liquor is unlawfully sold, served or given away, or which are used for the purpose of unlawfully selling, serving or giving away such liquors; and providing for the abatement of such nuisances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 22 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 370—An Act to amend the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 12 of an Act entitled "An Act to promote the drainage of wet, swamp and overflowed lands, and to promote the public health in communities in which they lie," approved March 21, 1903, and to add a new section to said Act to be numbered section 1½ including lands lying partially within municipalities subject to draining from the same system of works, and to add nine new sections to said Act to be numbered 8*a*, 8*b*, 8*c*, 8*d*, 8*e*, 8*f*, 8*g*, 8*h*, 8*i*, respectively, all relating to the issuance of bonds to cover the cost of draining wet, swamp and overflowed lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 370 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, and Stuckenbruck—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1184—An Act to amend section 397 of the Penal Code, relating to the sale of intoxicating liquors to habitual drunkards or Indians.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1184 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 908—An Act amending section 3466½ of the Political Code of the State of California, relating to invalid assessments in reclamation districts, and providing for the re-assessments of said lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 908 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 240—An Act to amend an Act entitled "An Act to provide for the indicating of the net quantity of foodstuffs and stuffs intended to be used or prepared for use as food or medicines, when sold or offered or exposed for sale in containers, and providing penalties for the violation thereof,'' approved May 24, 1913, by amending sections 3, 5 and 6 of said Act and adding a new section thereto to be known as section 13 thereof, relating to the manner in which quantity shall be designated.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 240 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 850—An Act to amend the Penal Code of the State of California by adding thereto two new sections to be known and numbered as section 349*b* and section 349*c*, relating to labor unions.

On motion of Senator Strobridge, Assembly Bill No. 850 was passed on file.

Assembly Bill No. 489—An Act to amend section 14 of an Act entitled ''An Act creating a Board of Pilot Commissioners for the harbor of San Diego, defining their duties and fixing their compensation,'' approved March 2, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 489 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1256—An Act to amend section 4234 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1256 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 907—An Act to provide for the deposit of funds in the county treasury, for the presentation to, and approval by, the board of supervisors, registration, interest upon, time of payment and receipt in payment of assessment of warrants, of Reclamation District No. 108, created by that certain Act of the Legislature of the State of California, approved April 23, 1913, and entitled, "An Act legalizing the consolidation and reorganization or Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith," and situated in Colusa and Yolo counties, and providing that the board of supervisors of the county of Colusa shall have jurisdiction of all matters concerning said district, and all funds of said district shall be deposited with the county treasurer of the county of Colusa.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 907 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cohn, Duncan, Flaherty, Flint, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 41—An Act to validate the organization and incorporation of municipal corporations.

On motion of Senator Anderson, Assembly Bill No. 41 was passed on file.

Assembly Bill No. 995—An Act to amend sections 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21 and 22 of an Act entitled "An Act to provide for local improvements upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities, such Act to be known as 'the local improvement Act of 1901,' " which became a law under constitutional provision without the Governor's approval February 26, 1901, and to add thereto a new section to be numbered 22*a*, relating to alteration of plans for local improvements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 995 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 740—An Act relating to the powers and privileges of officers and employees of state reformatories in arresting pupils who have escaped or been rescued therefrom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 740 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Irwin, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At three o'clock and five minutes p.m. Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER FIFTEEN.

A resolution to propose to the People of the State of California, an amendment to the Constitution of said State by amending section 1½, of article XIII thereof, relating to the exemption of churches from taxation.

The Legislature of the State of California, at its regular session commencing on the fourth day of January, 1915, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes that section 1½ of article XIII of the Constitution of the State of California, be amended to read as follows:

Section 1½. All buildings, and so much of the real property on which they are situated as may be required for the convenient use and occupation of said buildings, when the same are used solely and exclusively for religious worship and social purposes for the benefit of the organized religious body using said property for such purposes, shall be free from taxation; *provided*, that no building so used which may be rented for religious purposes and rent received by the owner therefor, shall be exempt from taxation.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 15 adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, and Thompson—31.

NOES—None.

Constitutional amendment ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Benedict, the Senate took up for consideration Assembly Amendments to Senate Bill No. 561.

Senate Bill No. 561—An Act to amend section 956 of the Code of Civil Procedure of the State of California, relating to what may be reviewed on appeal from judgment.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED SIXTY-ONE.

AMENDMENT NUMBER ONE.

In line 3 of the title, strike out the words "of the State of California".

AMENDMENT NUMBER TWO.

On page 1, line 2, strike out the words "of the State of California".

AMENDMENT NUMBER THREE.

On page 1, line 8, strike out the comma after the word "party" and insert in lieu thereof a period.

AMENDMENT NUMBER FOUR.

On page 1, line 8, strike out all from and including the word "including" to and including the word "taken" in line 10, and insert in lieu thereof the following: "the court may also on such appeal review any order on motion for a new trial. The provisions of this section do not authorize the court to review any decision or order from which an appeal might have been taken."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 561?"

The roll was called, and Assembly amendments to Senate Bill No. 561 were concurred in by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Jones Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—30.

NOES—None.

Senate Bill No. 561 ordered to enrollment.

On motion of Senator Kehoe, the Senate took up for consideration Assembly amendments to Senate Bill No. 488.

Senate Bill No. 488—An Act to amend section 650 of the Code of Civil Procedure of the State of California, relating to exceptions.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED EIGHTY-EIGHT.

AMENDMENT NUMBER ONE.

In line 3 of the title, strike out the words "of the State of California".

AMENDMENT NUMBER TWO.

On page 1, line 2, strike out the words "of the State of California".

AMENDMENT NUMBER THREE.

On page 1, line 9, insert a comma after the word "pending".

AMENDMENT NUMBER FOUR.

On page 1, line 16, strike out the period after the word "relies" and insert the following: ", and may contain all matters reviewable on the same appeal whether occurring at the trial or on motion for a new trial".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 488?"

The roll was called, and Assembly amendments to Senate Bill No. 488, were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Irwin, Kehoe, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—28.

NOES—None.

Senate Bill No. 488 ordered to enrollment.

On motion of Senator Jones, the Senate took up for consideration Assembly amendments to Senate Bill No. 491.

Senate Bill No. 491—An Act to amend section 1054 of the Code of Civil Procedure, relating to the extension of time in which an act is to be done.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED NINETY-ONE.

AMENDMENT NUMBER ONE.

On page 1, line 4, strike out the word "undertaking" and insert in lieu thereof the word "undertakings".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 491?"

The roll was called, and Assembly amendment to Senate Bill No. 491 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—29.

NOES—None.

Senate Bill No. 491 ordered to enrollment.

On motion of Senator Kehoe, the Senate took up for consideration Assembly amendments to Senate Bill No. 486.

Senate Bill No. 486—An Act to amend sections 953*a* and 953*b* of the Code of Civil Procedure of the State of California, relating to a new and alternative method for the preparation of records to be used on appeal from judgments, orders or decree from the superior court to the supreme court or district courts of appeal.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED EIGHTY-SIX.

AMENDMENT NUMBER ONE.

In line 3 of the title, strike out the words "of the".

AMENDMENT NUMBER TWO.

In line 4 of the title, strike out the words "State of California".

AMENDMENT NUMBER THREE.

In line 6 of the title, strike out the word "decree" and insert in lieu thereof the word "decrees".

AMENDMENT NUMBER FOUR.

On page 2, line 7, strike out the word "are" and insert in lieu thereof the word "be".

AMENDMENT NUMBER FIVE.

On page 2, line 19, strike out the word "and".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 486?"

The roll was called, and Assembly amendments to Senate Bill No. 486 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Flaherty, Flint, Irwin, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, and Thompson—25.

NOES—None.

Senate Bill No. 486 ordered to enrollment.

WITHDRAWAL OF BILL.

Senator Crowley asked for and was granted unanimous consent to withdraw Senate Bill No. 517.

Senate Bill No. 517 ordered withdrawn and stricken from the file.

NOTICE OF MOTION TO RECONSIDER.

Senator Cogswell gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 15 was adopted.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(RESUMED).

On motion of Senator Jones, the Senate took up for consideration Assembly amendments to Senate Bill No. 489.

Senate Bill No. 489—An Act to amend sections 658, 659 and 660, and to repeal sections 661 and 662 of the Code of Civil Procedure of the State of California, all relating to new trials.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED EIGHTY-NINE.

AMENDMENT NUMBER ONE.

In line 5, of the title, strike out the words "of the State of California".

AMENDMENT NUMBER TWO.

On page 2, line 28, insert a colon after the word "judge".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 489?"

The roll was called, and Assembly amendments to Senate Bill No. 489 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Butler, Campbell, Chandler, Cohn, Crowley, Flaherty, Flint, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—26.

NOES—None.

Senate Bill No. 489 ordered to enrollment.

On motion of Senator Benson, the Senate took up for consideration Assembly amendment to Senate Bill No. 744.

Senate Bill No. 744—An Act to provide for the protection of breeders and growers of live stock from theft, for registration of brands, butchers and slaughter-houses, and the inspection of live stock and the hides thereof; creating a live stock inspection board to administer the Act; and prescribing penalties for violation of the provisions thereof.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVEN HUNDRED FORTY-FOUR.

AMENDMENT NUMBER ONE.

Amend the title as follows: After the semicolon in line 6 of the title, insert the following: "providing for the appointment of a secretary, other officers and employees, and their compensation;".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 744?"

The roll was called, and Assembly amendment to Senate Bill No. 744 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Chandler, Cohn, Crowley, Flaherty, Flint, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—27.

NOES—None.

Senate Bill No. 744 ordered to enrollment.

SENATOR STROBRIDGE IN THE CHAIR.

At three o'clock and twenty-five minutes p.m., Senator Strobridge of the Thirteenth District, in the chair.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(RESUMED).

On motion of Senator Thompson, the Senate took up for consideration Assembly amendments to Senate Bill No. 653.

Senate Bill No. 653—An Act to amend section 1240 of the Code of Civil Procedure of the State of California, relating to the private property which may be taken under title VII of part III of the Code of Civil Procedure.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED FIFTY-THREE.

AMENDMENT NUMBER ONE.

On page 2, line 17, after the word "town" insert a comma and the word "irrigation".

AMENDMENT NUMBER TWO.

On page 2, line 24, after the word "town" insert the word "irrigation".

AMENDMENT NUMBER THREE.

On page 2, line 23, after the word "town" insert the word "irrigation".

AMENDMENT NUMBER FOUR.

On page 3, line 8, after the figure "5" insert the following: "Property appropriated to any public use by any irrigation district, may be taken by another irrigation district for another public use and purpose, which is consistent with the use of such property for such existing purposes to the same extent as such property is then used; *provided*, that the right to such limited use in common shall include the right to enlarge, change or improve the property so taken; *provided further*, that such enlargement, change or improvement shall not interfere with the original use or any necessary extension or enlargement of such use".

AMENDMENT NUMBER FIVE.

On page 3, line 8, strike out the figure "5" and insert in lieu thereof the figure "6".

AMENDMENT NUMBER SIX.

On page 3, line 14, strike out the figure "6" and insert in lieu thereof the figure "7".

AMENDMENT NUMBER SEVEN.

On page 4, line 9, strike out the figure "7" and insert in lieu thereof the figure "8".

AMENDMENT NUMBER EIGHT.

On page 4, line 11, strike out the figure "8" and insert in lieu thereof the figure "9".

AMENDMENT NUMBER NINE.

On page 4, line 18, strike out the figure "9" and insert the figures "10".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 653?"

The roll was called, and Assembly amendments to Senate Bill No. 653 were concurred in by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Chandler, Crowley, Flaherty, Flint, Irwin, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—26.

NOES—None.

Senate Bill No. 653 ordered to enrollment.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At three o'clock and thirty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(RESUMED).

On motion of Senator Strobridge, the Senate took up for consideration Assembly amendments to Senate Bill No. 735.

Senate Bill No. 735—An Act to amend sections 1, 4, 5 and 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by an Act approved March 20, 1905, and as amended by an Act approved March 4, 1907, and as amended by an Act approved April 21, 1911.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED THIRTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title, strike out the following: "One".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the following word: "one".

AMENDMENT NUMBER THREE.

Strike out from and inclusive of line 2, page 1, of the printed bill, down to and inclusive of line 9, page 3, thereof.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 735?"

The roll was called, and Assembly amendments to Senate Bill No. 735 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Chandler, Cohn, Crowley, Flaherty, Flint, Irwin, Kehoe, Luce, Lyon Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—29.
NOES—None.

Senate Bill No. 735 ordered to enrollment.

On motion of Senator Lyon, the Senate took up for consideration Assembly amendments to Senate Bill No. 983.

Senate Bill No. 983—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by amending sections 4, 7, 12 and 14.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINE HUNDRED EIGHTY-THREE.

AMENDMENT NUMBER ONE.

On page 3, line 11, strike out the word "twenty-five" and insert in lieu thereof the following: the word "ten".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 983?"

The roll was called, and Assembly amendment to Senate Bill No. 983 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Chandler, Cohn, Crowley, Duncan, Flint, Irwin, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—28.
NOES—None.

Senate Bill No. 983 ordered to enrollment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1006—An Act prohibiting the preparation, sale, barter, shipment or exchange of any worthless, contaminated, dangerous or harmful hog cholera serum or virus; requiring every establishment for the preparation of hog cholera serum or virus to be inspected and licensed by the director of the agricultural experiment station of the

University of California; and providing penalties for violation of any of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1006 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Brown, Butler, Campbell, Chandler, Cohn, Crowley, Duncan, Flint, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 737—An Act to amend an Act entitled "An Act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, by amending sections 3, 4, 7 and 9 thereof, and by adding a new section thereto to be known and numbered section 11½, all relating to the licensing of stallions and jacks, and providing for the reporting of the collection of fees to the State Controller and the creation of a fund to be known as the stallion registration board contingent fund.

On motion of Senator Cohn, Senate Bill No. 737 was passed on file.

Senate Bill No. 986—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by adding thereto a new section to be numbered 12*a*.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 986 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Breed, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Flint, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Stuckenbruck, and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR KEHOE IN THE CHAIR.

At three o'clock and forty-five minutes p.m., Senator Kehoe, of the First District, in the chair.

REPORTS OF STANDING COMMITTEE (OUT OF ORDER).

By consent of the Senate, the following reports of standing committee were received and read, out of the regular order:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 343—An Act authorizing the Imperial Irrigation District to acquire the irrigation system and works of the California Development Company and its subsidiary company and successors in California and Mexico by condemnation or purchase, and, in case of purchase, to exchange bonds of said district for such irrigation system and works or for property interests therein—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

MADDUX, Chairman.

Assembly Bill No. 343 ordered on file for second reading.

Also:

SACRAMENTO, April 15, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 889—An Act to add a new section to the Civil Code of the State of California to be numbered 1410*b*, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

MADDUX, Chairman.

Senate Bill No. 889 ordered on file for second reading.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 918—An Act authorizing certain suits against the State, and regulating the procedure therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 918 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 158—An Act to add a new section to the Political Code, to be numbered 620*b*, relating to the withdrawal of deposit of securities by insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 158 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 505—An Act to amend section 7 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883, as amended, relating to deputies of labor commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 505 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 668—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," by amending sections 1, 3, 11, 15, 20, 25, 28, 32, 36, 37, 46, 47, 48, 49, 56, 61, 61*a*, 65, 67, 68, 80, 83, 96, 98, 99, 101, 127, 144 and 145 thereof and by adding new sections thereto to be numbered sections 13, 57 and 85, all relating to the definition and regulation of the business of banking."

On motion of Senator Thompson, Senate Bill No. 668 was passed on

Senate Bill No. 462—An Act to amend section 1617 of the Political Code, relating to the powers and duties of trustees of common school districts and of boards of education in city school districts.

On motion of Senator Benedict, Senate Bill No. 462 was passed on file.

Senate Bill No. 602—An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part of public highways, squares, lands, alleys, parks, storm water drains, settling basins, courts, and places, within counties, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Carr moved to refer to Senator Lyon as a Special Committee of One to amend Senate Bill No. 602 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 11, strike out the words "an ordinance" and insert in lieu thereof "a resolution".

AMENDMENT NUMBER TWO.

On page 2, line 7, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER THREE.

On page 2, line 9, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER FOUR.

On page 2, line 10, strike out "works" and insert "work".

AMENDMENT NUMBER FIVE.

On page 2, line 13, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER SIX.

On page 2, line 14, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER SEVEN.

After line 20, page 2, after the period following the word "designated", insert the following: "The county clerk shall immediately upon the passage of said resolution of intention, mail postage prepaid, to each property owner whose property is to be assessed to pay the cost and expenses of said improvement at his last known address as the same appears upon the tax rolls of said county or where no address so appears to the general delivery at the county seat a postal card containing a notice which shall be in the following or substantially the following form: (filling blanks)

"'You are hereby notified that on the --------- day of -------------, 19--, the board of supervisors of the county of -----------------, State of California, by virtue of an Act known as the "Highway Opening and Widening Act of 1915" passed a resolution of intention providing for a public improvement, namely, the condemnation of land for the widening (or opening) of ------------------- road between public highways known as ---------- and ----------. You are hereby referred to the said resolution for further particulars. Property belonging to you is to be assessed for this improvement.

County Clerk.'

"If any lots or parcels of land in the assessment district be assessed to "unknown" owners on the tax rolls of said county, no postal cards containing such notice need be mailed to the unknown owners thereof.

The county clerk shall upon the completion of the mailing of said postal cards, file in the office of the county surveyor an affidavit setting forth the time and manner of the compliance with this requirement; *provided*, that the failure of the county clerk to mail said cards, or the failure of the property owner to receive the same shall in no wise affect the validity of the proceedings or prevent the board of supervisors of the county from acquiring jurisdiction to order the work: *provided, however*, that the board of supervisors may require affidavits to be filed showing the mailing of notices before it adopts the resolution ordering the work."

AMENDMENT NUMBER EIGHT.

On page 2, line 23, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER NINE.

On page 3, line 12, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER TEN.

On page 3, strike out the word "ordinance" in lines 13 and 14, and insert "resolution".

AMENDMENT NUMBER ELEVEN.

On page 3, line 29, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER TWELVE.

On page 3, line 32, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 6, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 11, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 25, strike out "ordinance" where it occurs both times and insert "resolution" in lieu thereof.

AMENDMENT NUMBER SIXTEEN.

On page 4, line 33, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 35, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 2, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER NINETEEN.

On page 5, line 4, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER TWENTY.

On page 5, line 6, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 7, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 15, strike out "ordinance" where it occurs both times and insert "resolution".

AMENDMENT NUMBER TWENTY-TWO AND ONE-HALF.

On page 5, line 17, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 24, strike out "part" and insert "party".

AMENDMENT NUMBER TWENTY-FOUR.

On page 6, line 36, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 30, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER TWENTY-SIX.

On page 8, line 6, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 9, line 30, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 9, line 37, strike out "ordinance" and insert "resolution".

AMENDMENT NUMBER TWENTY-NINE.

On page 10, line 11, strike out "order" and insert "resolution".

AMENDMENT NUMBER THIRTY.

On page 10, line 15, strike out "order" and insert "resolution".

AMENDMENT NUMBER THIRTY-ONE.

On page 10, line 26, strike out "order" and insert "resolution".

AMENDMENT NUMBER THIRTY-TWO.

On page 10, line 36, strike out "ordinances" and insert "resolutions".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 602, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Committee.

Report read and, on motion of Senator Carr, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 932—An Act to validate the organization and formation of levee districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 932 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 533—An Act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records, and accounts of all such charges, and to make an annual written report thereof; requiring each such charge to be just and reasonable and to be devoted to no other purpose than such hospital service; and prescribing penalties for violations of the provisions thereof.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Scott moved to refer to Senator Crowley as a Special Committee of One to amend Senate Bill No. 533 as follows:

AMENDMENT NUMBER ONE.

Amend section 5, page 2, line 33, of the amended printed bill, by striking out all after the word "to", all of lines 34, 35, 36 and 37. On page 3, strike out all of line 1, up to the word "all", and insert in lieu thereof the following: "auditing and inspection of".

AMENDMENT NUMBER TWO.

Amend section 5, page 3, by adding after the word "Act", in line 18 of the printed amended bill, the following: "The written report required by section 2 hereof when made by a public utility shall be filed with the Railroad Commission All other written reports required by section 2 hereof shall be filed with the Industrial Accident Commission".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 533, with instructions to amend, respectfully reports the same back, amended as per instructions.

CROWLEY, Committee.

Report read and, on motion of Senator Scott, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 1215—An Act to add a new section to the Civil Code to be known and numbered as section 1829, relating to the opening of safe deposit boxes or vaults by safe deposit companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1215 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1072—An Act to add a new section to the Civil Code to be numbered 330, relating to debts owing to and stock standing in the name of decedents.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Ballard moved to refer to Senator Anderson as a Special Committee of One to amend Senate Bill No. 1072, by adding a new paragraph at the end of page 2 of the printed bill as follows:

AMENDMENT NUMBER ONE.

"This section shall be subject to the provisions of the Inheritance Tax Act, and particularly section 13 thereof, and no transfer of any shares of stock standing in the name of a decedent shall be valid under this section unless the written consent thereto of the State Controller or some duly authorized representative thereof be first obtained."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1072, with instructions to amend, respectfully reports the same back, amended as per instructions.

ANDERSON, Committee.

Report read and, on motion of Senator Ballard, adopted.
Bill ordered to print, and re-engrossment.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 789—An Act to amend section 4275 of the Political Code, relative to the salary of officers and the per diem and mileage of grand jurors and trial jurors in counties of the forty-sixth class;

Also: Senate Bill No. 1219—An Act granting to the city of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Eureka, and regulating the management, use and control thereof;
And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 789 ordered to the file of Unfinished Business.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At four o'clock and five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration the following amendment to Senate Bill No. 1219:

Senate Bill No. 1219—An Act granting to the city of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Eureka, and regulating the management, use and control thereof.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWELVE HUNDRED NINETEEN.

AMENDMENT NUMBER ONE.

Strike out all of line 6, page 1, and insert in lieu thereof the following: "situate in the county of Humboldt, State of California, and described as follows, to wit:".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1219?"

The roll was called, and Assembly amendment to Senate Bill No. 1219 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flint, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Rush, Scott, Slater, Stuckenbruck, and Thompson—25.
NOES—None.

Senate Bill No. 1219 ordered to enrollment.

LEAVES OF ABSENCE.

Senator Chandler asked for and was granted leave of absence for the balance of this legislative day for Senators Chandler, Benson, Rush, Stuckenbruck, Duncan, Cogswell, and Anderson, members of the Committee on Drainage, Swamp and Overflowed Lands.

ASSEMBLY MESSAGES—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 772—An Act to amend sections 1925, 1927, 1928, 1928*a*, 1928*b*, 1928*d*, 1929, 1930, 1931, 1934, 1951, 1954, 1957, 1963, 1985, 2006, 2081, 1908, 2079, 2086, 2107, 1962, 1967, 1981, 1984, 2080, 2111, 2112 of the Political Code of the State of California, and to add one new section to said code to be known as section 1963*a*, all relating to the organization, equipment, maintenance and government of the National Guard of the State of California:

Also: Senate Bill No. 234—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 772 and 234 ordered to enrollment.

Also:

SACRAMENTO, April 17, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 15th passed Senate Bill No. 542—An Act to amend section 4075 and section 4076 of the Political Code, relating to payment and form of claims against the county.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 542 ordered to enrollment.

Also:

SACRAMENTO, April 17, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 710—An Act to amend section 1731 of the Political Code, relating to the election or appointment of members of high school boards;

Also: Senate Bill No. 423—An Act to amend section 1730 of the Political Code, relating to boards of trustees in high school districts;

Also: Senate Bill No. 195—An Act authorizing municipal corporations to permit other municipal corporations and counties to construct and maintain sewers, water mains and other conduits, and pole lines for the transmission of electricity and electric energy in, through, over, along and across its streets and public places, and to construct and maintain sewers, water mains and other conduits and pole lines for the transmission of electricity and electric energy for their joint benefit and at their joint expense, through, over, along and across such streets and public places, and to make and enter into contracts for such purposes, prescribing a method for compelling such use of such streets and public places.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 710, 423 and 195 ordered to enrollment.

Also:

SACRAMENTO, April 17, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 81—An Act to amend that certain Act of the Legislature of the State of California entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as subsequently amended, by adding a new section thereto to be numbered section 146, relating to trusts and dispensing with the deposit of securities in certain instances:

Also: Senate Bill No. 1224—An Act to amend section 16 of an Act entitled the "Bank Act" of the State of California, approved March 1, 1909, approved as amended April 21, 1911, approved as amended May 31, 1913.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 81 and 1224 ordered to enrollment.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 131—An Act to amend section 4277 of the Political Code of the State of California, relating to salaries, fees and compensation of officers of counties of the forty-eighth class;

Also: Assembly Bill No. 625—An Act to amend section 4266 of the Political Code, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class;

Also: Assembly Bill No. 1029—An Act to amend section 4264 of the Political Code, relating to the salaries and fees of officers in counties of the thirty-fifth class;

Also: Assembly Bill No. 746—An Act to provide for the abandonment of portions of routes of state roads and highways by the Advisory Board of State Department of Engineering, and for consent thereto in certain cases by county boards of supervisors.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 131, 625 and 1029 read first time, and referred to Committee on County Government.

Assembly Bill No. 746 read first time, and referred to Committee on Roads and Highways.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 279—An Act authorizing the establishment of a cash revolving fund for the Department of Engineering and defining its use;

Also: Assembly Bill No. 1003—An Act to amend sections 1 and 6 of an Act entitled "An Act providing for the sale of street railroad and other franchises in counties and municipalities and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts," approved March 22, 1905, as amended by an Act approved March 3, 1909;

Also: Assembly Bill No. 400—An Act relating to municipal charters and providing for cities having freeholder charters or charters under the general laws of the State of California, to make and enforce any and all general laws or regulations in respect to municipal affairs, and to elect to proceed under such general laws in lieu of the charter provisions;

Also: Assembly Bill No. 48—An Act to amend section 3106 of the Political Code of the State of California, relating to cemeteries, and defining what constitutes a public cemetery.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 279 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1003 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 400 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 48 read first time, and referred to Committtee on Judiciary.

Also:

SACRAMENTO, April 16, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1053—An Act to amend section 1 of an Act entitled "An Act prohibiting the destruction of foodstuffs, food products or food articles," approved June 5, 1913;

Also: Assembly Bill No. 660—An Act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution;

Also: Assembly Bill No. 496—An Act to add a new section to the Penal Code of the State of California to be numbered 400b, relating to advertising the cure or treatment of venereal diseases;

Also: Assembly Bill No. 129—An Act to amend section 3460 of the Political Code, relating to assessments and re-assessments in reclamation districts.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1053 and 496 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 660 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 129 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

SACRAMENTO, April 17, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 788—An Act to amend sections 2283 and 2289 of the Political Code, relating to the support and maintenance of orphans, half orphans and abandoned children;

Also: Assembly Bill No. 1045—An Act to amend section 9 of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911;

Also: Assembly Bill No. 1000—An Act to amend section 1955 of the Civil Code of the State of California, relating to the letting and hiring of personal property.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 788 read first time and referred to Committee on Finance.

Assembly Bill No. 1045 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1000 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, April 17, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 499—An Act to amend section 67 of the Penal Code, relating to giving or offering bribes;

Also: Assembly Bill No. 497—An Act to amend section 274 of the Penal Code, relating to furnishing or administering drugs, etc., with intent to produce miscarriage;

Also: Assembly Bill No. 495—An Act to amend section 68 of the Penal Code, relating to asking or receiving bribes;

Also: Assembly Bill No. 583—An Act to amend section 863 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations";

Also: Assembly Bill No. 1567—An Act to take title to and thereafter maintain as a State highway the toll road in Tuolumne and Mariposa counties, known as the Big Oak Flat and Yosemite road.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 499 and 495 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 497 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 583 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1567 read first time, and referred to Committee on Roads and Highways.

Also:

SACRAMENTO, April 17, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1565—An Act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessment, levy, collection and disbursement of taxes therein;

Also: Assembly Bill No. 486—An Act granting to the city of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and regulating the management, use and control thereof;

Also: Assembly Bill No. 334—An Act granting to the town of Redwood City the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and regulating the management, use and control thereof;

Also: Assembly Bill No. 341—An Act to legalize bonds issued and to be issued and sold by irrigation districts.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

Assembly Bill No. 1565 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 486 and 334 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 341 read first time, and referred to Committee on Irrigation.

Also:

SACRAMENTO, April 17, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 340—An Act to amend an Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes, approved March 31, 1897, by adding thereto two sections to be known respectively as section 61*b* and section 61*c*, relating to the acquiring of irrigation systems and works by the exchange of bonds therefor and the validation of such bonds;

Also: Assembly Bill No. 775—An Act to amend section 1595 of the Political Code of the State of California, relating to the calling of an election of trustees;

Also: Assembly Bill No. 803—An Act to amend an Act entitled "An Act to provide for the alteration of the boundaries of, and for the annexation of, territory to incorporated towns and cities, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of annexed territory," approved March 19, 1889, and the amendment thereto approved March 20, 1905, and the amendment thereto approved May 1, 1911.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

Assembly Bill No. 340 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 775 read first time, and referred to Committee on Elections.

Assembly Bill No. 803 read first time, and referred to Committee on Municipal Corporations.

Also:

SACRAMENTO, April 17, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1264—An Act regarding the purchase of supplies and advertising by counties, defining the duties and powers of officers relating thereto, and establishing a legal square and a legal rate;

Also: Assembly Bill No. 145—An Act to amend section 4145 of the Political Code of the State of California, relating to the duties of coroners;

Also: Assembly Bill No. 1496—An Act to provide for the formation, management and dissolution of county power pumping districts; for supply the land owners and inhabitants thereof with water and with the power necessary to pump the same; for the levy and collection of taxes on property in such districts; and for the issuance of county power pumping district bonds and for the payment thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1264 and 145 read first time, and referred to Committee on County Government.

Assembly Bill No. 1496 read first time, and referred to Committee on Municipal Corporations.

Also:

SACRAMENTO, April 17, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 885—An Act to amend section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of Legislature; of reports of Supreme Court;

Also: Assembly Bill No. 254—An Act to amend section 499*a* of the Penal Code of the State of California relating to the stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor;

Also: Assembly Bill No. 169—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof;

Also: Assembly Bill No. 1301—An Act to add a new chapter to title V of part III of the Political Code to be known as chapter IV*c* relating to the establishment of a County Mosquito Extermination Commission, and to define their powers and duties.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 885 and 169 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 254 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 1301 read first time, and referred to Committee on Public Health and Quarantine.

Also:

SACRAMENTO, April 17, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 758—An Act to validate the organization of sanitary districts and their proceedings whereby the boundaries thereof were altered, and outlying contiguous territory in the same county as such sanitary district annexed thereto;

Also: Assembly Bill No. 653—An Act to amend section 1861 of the Civil Code, relating to lien of hotel keepers on property of guests for charges;

Also: Assembly Bill No. 1073—An Act to provide for the acquisition by municipalities of land for public park, public play ground or public library purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring such land;

Also: Assembly Bill No. 1564—An Act to validate proceedings for the annexation of territory to, incorporation in, and inclusion thereof within municipal corporations;

Also: Assembly Bill No. 1159—An Act to amend section 1109 of the Penal Code relating to evidence required in certain cases.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 758, 653 and 1159 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 1073 and 1564, read first time, and referred to Committee on Municipal Corporations.

Also:

SACRAMENTO, April 19, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 783—An Act to amend section 1210 of the Political Code, relating to sample ballots;

Also: Assembly Bill No. 1485—An Act to amend section 4131 of the Political Code of the State of California, relating to what is to be recorded by county recorders;

Also: Assembly Bill No. 1355—An Act to amend section 1491*a* of the Code of Civil Procedure, relating to the filing statement as to publication of notice to creditors.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 783 read first time, and referred to Committee on Elections.

Assembly Bill No. 1485 read first time, and referred to Committee on County Government.

Assembly Bill No. 1355 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, April 19, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 715—An Act to provide for and regulate primary elections and providing for the election of party committees, and to repeal the Act providing for and regulating primary elections known as the Direct Primary Law and approved June 16, 1913, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act;

Also: Assembly Bill No. 1526—An Act to amend sections 1073, 1079, 1083*a*, 1094, 1096, 1097, 1113, 1115, 1127, 1129, 1130, 1133, 1192, 1288, 1290, 1294 and 4025 of the Political Code, relating to elections; to add a new section to the same code to be numbered 1083*b*, relating to the same subject-matter, and to repeal sections 1097*a*, 1102, 1143, 1253, 1285, 1286, 1287, 1334, 1335, 1344, 1345, 1359, 1361*a*, 1366*a* and 4026 of the Political Code, also relating to the same subject-matter.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 19, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1456—An Act to amend section 1197 of the Political Code, relating to form of ballots;

Also: Assembly Bill No. 1457—An Act to provide for the indication by the registered qualified electors of their choice for nomination by their respective political parties for President of the United States through the election of the delegates of said political parties to their respective national conventions, and to repeal an Act approved December 24, 1911, known as the Presidential Primary Act, and also to repeal all other Acts or parts of Acts inconsistent with or in conflict with the provisions of this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 839 An Act to amend section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies;

Also: Senate Bill No. 459 An Act to create a flood control district to be called "Los Angeles County Flood Control District"; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof;

Also: Senate Bill No. 410—An Act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this Act a misdemeanor, and repealing legislation inconsistent with this Act;

And report that the same have been correctly engrossed.

LUCE, Vice Chairman.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from the committees on this legislative day.

Senate Bill No. 350—An Act to amend "An Act to provide for the incorporation and organization and management of municipal water districts" by adding thereto a new section to be known as section 27*a*, providing for the disincorporation of said districts.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend title by striking out all of lines 2 to 5, inclusive, and insert in lieu thereof the following:

"To amend 'An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary thereto, and also to provide for the distribution and sale of water by said districts', approved May 1, 1911, as amended by Act approved December 24, 1911, by adding to said Act two new sections to be numbered 27*a*, and 27*b*, providing for the disincorporation of such districts, the payment of its obligations upon such disincorporation, the return of its surplus funds to the tax payers, the disposal of the records of said district, the winding up of the affairs of said district and the powers of boards of supervisors upon the winding up of such affairs."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 1 to 5, inclusive, strike out all of lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. An Act entitled, 'An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of waterworks, and for the acquisition of all property necessary thereto, and also to provide for the distribution and sale of water by said districts,' approved May 1, 1911, as amended by an Act approved December 24, 1911, is hereby amended by adding to said Act two new sections to be numbered 27*a* and 27*b*, and to read as follows:"

Amendment adopted.

AMENDMENT NUMBER THREE.

Page 1, lines 11 to 13, strike out all said lines 11 to 13 and insert in lieu thereof the following: "twenty-five per cent. of the qualified registered electors of the district praying for the disorganization and disincorporation of".

Amendment adopted.

AMENDMENT NUMBER FOUR.

Strike out all the lines beginning with the word "upon" in line 14, page 1, and ending with the word "satisfied" in line 3, page 3, and insert in lieu thereof the following:

"Upon the presentation of such petition the county clerk shall examine the same within ten days after such presentation and ascertain whether or not said petition is signed by the requisite number of qualified electors. When the county clerk has completed his examination of the petition he shall attach to the same his certificate properly dated, showing the result of such examination, and if from such examination he shall find that said petition is signed by the requisite number of qualified registered electors residing within the boundaries of such proposed water district, or is not so signed, he shall certify that the same is sufficient or insufficient, as the case may be. If the same is found insufficient by him, supplemental petitions may be filed at the times and in the manner and for the same purpose as supplemental petitions to the original petition for the incorporation of a district, as set forth in section 3 of this Act. The sufficiency or insufficiency of such petition shall not be subject to review by the board of supervisors. After an election for the disincorporation of a water district hereunder the sufficiency of such petition in any respect shall not be subject to judicial review or be otherwise questioned.

"If by the certificate of the county clerk such petition, or such petition as amended or supplemented is shown to be sufficient, the county clerk shall present the same to the board of supervisors without delay. When such petition is presented by the county clerk as aforesaid, the board of supervisors shall give notice of an election to be held in said proposed water district for the purpose of determining whether or not the same shall be disincorporated and dissolved; *provided, however*, that in the event the said district shall have issued bonds, the board of supervisors shall not consider said petition or take any action hereunder until evidence shall be furnished showing said bonds to have been fully satisfied. Said notice of election shall be published in a newspaper published in said district and determined by said board most likely to give notice to those interested in said hearing, at least once a week for a period of three weeks; said notice shall state that the question of disincorporating said corporation shall be submitted to the legal voters of said district at the time appointed for such election, and electors shall be invited thereby to vote upon such proposition by placing upon their ballots the cross as provided by law after the words 'For Disincorporation' or 'Against Disincorporation'. The board of supervisors shall cause a copy of said notice to be mailed by the clerk of said board to each of the directors of said municipal water district, within five days after the date of the first publication thereof, and no election shall be had until proof of such mailing is furnished by affidavit of the clerk of said board. Such election shall be held and conducted in the same manner as the election on the organization of said district, as nearly as practicable in conformity with the general election laws of the State of California, in so far as said general laws may be applicable, except as in this Act otherwise provided. At the first regular meeting next after the date of said election, the board of supervisors shall proceed to canvass the vote cast thereat; if it be found by the canvass of said votes that less than a majority of the votes cast were in favor of disincorporation, said board of supervisors shall declare the petition for disincorporation denied. In case it shall appear from said canvass that a majority of all the votes cast were in favor of disincorporation, said board of supervisors shall under their hands make and file in their office, and cause to be entered upon the records of their proceedings an order that the petition for such disincorporation be granted, and declaring that such municipal water district be disincorporated; said order to take effect at the time hereinafter provided. Said board of supervisors shall, in case said municipal water district is so disincorporated, forthwith cause its clerk, or other officer performing the duties of clerk, by an order entered in its minutes, to make and transmit to the Secretary of State a certified copy of the notice of election hereinbefore provided for, the whole number of electors voting for said disincorporation and the number of electors voting against said disincorporation. Twenty days from and after the holding of the election, in case a majority of said votes were cast in favor of said disincorporation, said municipal water district shall be forever disincorporated.

"27*b*. Upon the disincorporation of any water district in the manner hereinbefore provided for, the board of supervisors shall forthwith, after ascertaining by said canvass that the disincorporation has been carried, determine the amount of the indebtedness of said municipal corporation, the amount of money in the treasury thereof and all indebtedness due or coming due the said municipal water district, and the directors of said district shall furnish the said board of supervisors with a statement showing said amount of indebtedness, the said amount of money in the treasury and all indebtedness due or coming due said district, and said municipal water district shall before the expiration of thirty days turn over to the treasurer of said county all moneys of said water district in his possession, and said county treasurer shall place said money in a special fund to be drawn upon as hereinafter provided for. Upon the disincorporation of said district every public office of said district shall immediately turn over to the board of supervisors of the county in which said district is situated, all public property of every nature and description in their possession, including all public records and data of every nature and description. Nothing contained in this Act shall be held to relieve said municipal water district, or the territory included within it, from any liability of any debt contracted by said district prior to its disincorporation. All warrants for said indebtedness shall be drawn on order of the board of supervisors of the county in which said municipal water district is situated, on the fund hereinabove provided for in the county treasury. All moneys paid into the county treasury under the provisions of this Act shall be placed in the special fund hereinbefore provided for. If at any time after the disincorporation of said district it shall be found that there is not sufficient money in the treasury to the credit of the fund hereinbefore provided, with which to pay any indebtedness of said water district, said board of supervisors shall have the power, and it shall be their duty, to levy and there shall be collected from the territory formerly included within said district, a tax or taxes sufficient in amount to pay the said indebtedness as the same shall become due; such tax or taxes, assessments and collections shall be made in the same manner and at the same time that other taxes of the county are levied and collected, and they shall be an additional tax within said territory for the payment of said debts. If after payment of all debts of said district there shall remain any surplus in the hands of said county treasurer to the credit of the fund hereinbefore mentioned, the board of supervisors shall appropriate said surplus and declare a dividend pro rata to the taxpayers of said district duly paid, and said taxpayers shall have the right to have the amount of such pro rata dividends refunded to them on demand, and the said board of supervisors shall refund such pro rata to said taxpayers and each thereof. The board of supervisors of the county in which any such water district has been disincorporated, shall have the power and it shall be the duty of said board, if the board of directors of such municipal water district shall fail or refuse to return to said board the statement of said amounts as hereinbefore in this Act provided, to ascertain the indebtedness, other than the bonded indebtedness, of said district at the time of its disincorporation, the amount of money in its treasury and the amount due it at the said time; said board of supervisors shall make provision for the collection of the amounts due to said district, for the closing up of its affairs, and any Act or Acts necessary for said purposes not otherwise herein provided for, shall upon the order of said board of supervisors directing the same, be as fully done and performed and with as full effect as if the same had been performed by the proper officers of said district before disincorporation, and said county shall succeed to and possess all the right of said district in and to said indebtedness, and shall have the power to sue for or otherwise collect any such debts in the name of said county, and all costs and expenses of ascertaining the facts hereinbefore mentioned, and all other costs and expenses incurred by the board of supervisors in the execution of the orders and duties of said board of supervisors provided for in this Act, shall be paid out of the special fund in this Act provided for.

"It is the intention that no municipal water district shall be disincorporated until all bonded indebtedness shall have been fully paid, and by the word 'indebtedness' as used herein is meant all indebtedness other than said bonded indebtedness unless the latter is expressly used."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

Senate Bill No. 1247—An Act to add a new section to the Penal Code to be numbered section 1329*a*, relating to fees of witnesses in criminal cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 922—An Act to amend section 196*a* of the Civil Code, relating to the support of illegitmate children.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1252—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 1235, relating to dissolution of trust companies.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1100—An Act to amend section 583 of the Code of Civil Procedure, relating to the dismissal of actions in certain cases.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 26—An Act to add a new section to the Civil Code of the State of California, to be numbered section 172½, relating to community property.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, strike out the words "which inventory must be" and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, after the word "recorded" insert the following: "during the life time of both husband and wife".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 12, strike out the comma following the word "situated" and insert in lieu thereof a period and the following: "The filing of such inventory for record as aforesaid shall constitute notice to all persons and conclusive evidence that all of such property, together with the proceeds, rents, issues and profits thereof is community property of such husband and wife,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 12, after the word "wife" insert the words "all of".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, lines 13 and 14, after the word "inventory" strike out the words "vests absolutely in the survivor." and insert in lieu thereof the following: "not theretofore disposed of according to law, together with the proceeds, rents, issues and profits thereof shall vest absolutely in the survivor without administration; *provided*, that upon the death of the husband all of such property not exempt from execution shall be liable for the payment of his debts."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 447—An Act to amend sections 1518 and 1519 of the Political Code, to add thereto a new section to be numbered 1518*a*, all relating to the State Board of Education and prescribing its powers and duties; and to repeal section 1492 of the Political Code.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, insert between the word "and" and the word "executive" the following words: "shall act as".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 16, immediately following the period insert the following: "The concurrence of the majority of all the members of the State board shall be necessary to the validity of any of its acts" and a period.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 24, beginning with the word "the" immediately following the word "send" strike out the remainder of the line.

Amendment adopted.

AMENDMENT NUMBER THREE AND ONE-HALF.

On page 2, line 25, strike out all reading matter up to and including the word "and".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, lines 30 and 31, strike out lines 30 and 31.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 12, insert between the word "eighteen" and the word "of" the following: "a".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 16, strike out the following words: "may be embodied".

Amendment adopted.

AMENDMENT NUMBER SIX AND ONE-HALF.

On page 3, line 17, strike out the following words: "by the board in", and insert in lieu thereof the following words: "the board may adopt".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 28, strike out the word "publication", and insert in lieu thereof the following word: "publishing".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 31, strike out the comma immediately following the word "used" and the following: "when published, in", and insert in lieu thereof the following words: "in the".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 32, strike out the period and insert in lieu thereof a comma and the following: "and that all other regular textbooks shall be selected by the various normal school authorities from said list" and a period.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 5, line 35, immediately following the line 35 add two new paragraphs to be designated (*c*) and (*d*), and to read as follows:

"(*c*) To establish and prescribe by general regulations the qualifications upon which county boards of education may grant to any person a special certificate to teach any special subject or subjects in such grades as are mentioned therein; *provided*, that no qualification shall be prescribed for certification to teach in any grade, whatever, a vocational subject unless the candidate shall have had, as a minimum, three years' experience as a journeyman, or (where this terminology does not apply) its equivalent, in the vocation in which he desires certification.

"(*d*) To consider the cases of individual applicants who are not possessed of the qualifications prescribed in paragraph (*c*) of this section, or in the general regulations of the State Board of Education, and when the State Board of Education is satisfied that any applicant possesses qualifications equivalent to those so specified, it may issue to such applicant a state board credential upon which county boards of education may grant to him a special certificate to teach such special subject or subjects as are listed in said credential in such grades and for such length of time as therein specified" and a period.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 6, line 1, strike out "(*c*)" and insert in lieu thereof the following: "(*e*)".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 6, line 12, strike out "(*d*)" and insert in lieu thereof the following: "(*f*)".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 6, line 34, strike out "(*c*)" and insert in lieu thereof the following: "(*g*)".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 7, line 4, strike out "(*f*)" and insert in lieu thereof the following: "(*h*)".

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 448—An Act to amend section 1489 of the Political Code, relating to the powers and duties of normal school boards.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 37, immediately following line 37, add a new paragraph, to be numbered 14 and to read as follows:

"14. To establish and maintain courses of study only in accordance with the rules and regulations prescribed by the State Board of Education as provided in section 1519 of the Political Code" and a period.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 424—An Act to amend section 1543 of the Political Code, relating to the duties of the superintendent of schools.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

COMMITTEE AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED TWENTY-FOUR.

AMENDMENT NUMBER ONE.

On page 2, line 37, beginning with the comma after the word "insured", strike out the remainder of the line.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 1, strike out the words "census marshal", and the comma following the word "marshal".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 4, after the word "Third" insert the letter "*a*".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, between lines 7 and 8, insert the following:

"*b.* On the order of the board of trustees or board of education of any elementary school district located within or having the same boundaries as a high school district which has established an intermediate school course as provided for in section 1750*a* of the Political Code, to transfer from the school funds of such elementary school district to the fund of the board having control of such intermediate school course, such sum as may be agreed upon, as provided in section 1617*d* of the Political Code, by said board of trustees or board of education and said board having control of such intermediate school course, for the tuition of pupils residing in such elementary school district and attending such intermediate school course; *provided*, that all of the funds so transferred shall be applied exclusively to the support of the grades of such intermediate school course corresponding to the seventh and eighth grades of the regular elementary schools."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 3, strike out the period and insert in lieu thereof a semicolon and the following: "*provided*, that no person shall be entitled to receive a temporary certificate more than once in the same county."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 811—An Act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 889—An Act to add a new section to the Civil Code of the State of California to be numbered 1410*b*, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

COMMITTEE AMENDMENT TO SENATE BILL NUMBER EIGHT HUNDRED EIGHTY-NINE

AMENDMENT NUMBER ONE.

On page 1, line 12, after the word "intake" strike out the period and insert in lieu thereof a semicolon and add the following: "*provided, however*, that no act herein authorized, when performed, shall prevent, retard or obstruct the building thereafter of any reclamation, protection or flood control levee and the maintenance thereof; nor shall any Act herein authorized prevent the use of any natural channel nor the enlargement thereof, for municipal purposes or for use in connection with any artificial system of drainage, irrigation or flood control not causing the flow of water in the channel at the intake of such canal to be less than the quantity of water the owners and appropriators may have the right to divert into said intake; nor shall any Act herein authorized prevent the use of any natural channel or the enlargement thereof to convey water appropriated under the laws of the State of California, where such natural channel shall be designated as the means, or part of the means of conveying the water so appropriated; nor shall the Acts herein authorized limit the powers or authority of the Water Commission of the State of California to accomplish in its own way the purposes of this section, nor interfere with the construction of any flood control works in accordance with any plan of flood control adopted by the Reclamation Board."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Assembly Bill No. 560—An Act to amend section 1714 of the Political Code of the State of California, relating to the library fund in cities, or cities and counties, not divided into school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 343—An Act authorizing the Imperial Irrigation District to acquire the irrigation system and works of the California Development Company and its subsidiary company and successors in California and Mexico by condemnation or purchase, and, in case of purchase, to exchange bonds of said district for such irrigation system and works or for property interests therein.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 330—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be designated and known as section 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 903—An Act providing for the preferential rights of certain persons to purchase public lands of the State.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1081—An Act to provide county boards of public welfare and to define the powers and duties thereof;

Also: Assembly Bill No. 840—An Act to amend section 4256 of the Political Code relating to the compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BREED, Chairman.

Assembly Bills Nos. 1081 and 840 ordered on file for second reading.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Assembly Bill No. 1406—An Act to add a new section to the Civil Code to be numbered and designated 653*ha*, providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do—has had the same under consideration, and respectfully reports the same back with amendment, and recommends that it do pass as amended.

JONES, Chairman.

Assembly Bill No. 1406 ordered on file for second reading.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills reported from the above committees.

Assembly Bill No. 1081—An Act to provide county boards of public welfare and to define the powers and duties thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 840—An Act to amend section 4256 of the Political Code, relating to the compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1406—An Act to add a new section to the Civil Code to be numbered and designated 653*ha*, providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, strike out the period after the word "county", and insert in lieu thereof a semicolon and the following: "*provided, however,* that in the event the by-laws of any such unincorporated society, organization, or association specify a particular method or manner of calling or giving notice of a meeting, such provision shall be followed, in addition to the method herein above provided, in a call or notice of any meeting given by said twelve members."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

THIRD READING OF SENATE BILL—(OUT OF ORDER).

Senator Jones asked for and was granted unanimous consent to take up at this time, out of the regular order, Senate Bill No. 720 for the purpose of amendment.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Benson as a Special Committee of One to amend Senate Bill No. 720 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, strike out the word "fifteen", and insert in lieu thereof the word "eighteen", and strike out the figures "1500", and insert in lieu thereof the figures "1800".

AMENDMENT NUMBER TWO.

On page 2, line 25, of the printed bill, strike out the word "four", and insert in lieu thereof the word "two".

AMENDMENT NUMBER THREE.

On page 2, line 29, of the printed bill, strike out the word "two", and insert in lieu thereof the word "six".

AMENDMENT NUMBER FOUR.

On page 3, line 10, of the printed bill, strike out the word "eighty", and insert in lieu thereof the word "twenty", and strike out the figures "1380", and insert in lieu thereof the figures "1320".

AMENDMENT NUMBER FIVE.

On page 3, line 12, of the printed bill, strike out the words "twelve hundred", and insert in lieu thereof the words "ten hundred and twenty", and in line 13, strike out the figures "1200", and insert in lieu thereof the figures "1020".

AMENDMENT NUMBER SIX.

On page 4, line 2, of the printed bill, after the semicolon following the word "annum", insert the following: "also one deputy auditor who shall receive a salary of twelve hundred dollars per annum; also one deputy auditor to serve as such for a period of eight months in each year, who shall receive a salary of one hundred (100) dollars per month".

AMENDMENT NUMBER SEVEN.

On page 4, line 5, of the printed bill, strike out the word "five" and insert in lieu thereof the word "six".

AMENDMENT NUMBER EIGHT.

On page 4, line 7, of the printed bill, strike out the word "four" and insert the word "five".

AMENDMENT NUMBER NINE.

On page 4, line 34, of the printed bill, strike out the word "seven" and insert in lieu thereof the word "twelve".

AMENDMENT NUMBER TEN.

On page 5, line 3, of the printed bill, strike out the word "nine" and insert in lieu thereof the word "eleven".

AMENDMENT NUMBER ELEVEN.

On page 5, line 30, of the printed bill, strike out the comma after the word "month" and insert in lieu thereof a semicolon and the following: "two copyists who shall each receive a salary of twelve hundred (1200) dollars per annum,".

AMENDMENT NUMBER TWELVE.

On page 5, line 30, of the printed bill, strike out the word "seven" and insert in lieu thereof the word "five".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 32, of the printed bill, after the semicolon following the word month, insert the following: "one searcher of records to serve as such at a salary of twelve hundred (1200) dollars per annum;".

AMENDMENT NUMBER FOURTEEN.

On page 6, line 29, of the printed bill, strike out the words "twelve hundred" and insert in lieu thereof the words "thirteen hundred and twenty" and strike out the figures "1200" and insert in lieu thereof the figures "1320".

AMENDMENT NUMBER FIFTEEN.

On page 7, line 3, of the printed bill, after the word "draftsman" strike out the words "to prepare" and insert in lieu thereof the following: "whose duties shall include the preparation of".

AMENDMENT NUMBER SIXTEEN.

On page 7, line 4, of the printed bill, strike out the word "recorder" and insert in lieu thereof the word "assessor".

AMENDMENT NUMBER SEVENTEEN.

On page 7, line 5, of the printed bill, after the semicolon following the word "annum" insert the following: "one deputy at a salary of twelve hundred (1200) dollars per annum and one deputy at a salary of nine hundred and sixty (960) dollars per annum;".

AMENDMENT NUMBER EIGHTEEN.

On page 7, line 13, of the printed bill, after the comma following the word "duties" insert the following: "including inspection of roads and bridges under construction or other work performed by him or his representatives."

AMENDMENT NUMBER NINETEEN.

On page 8, line 25, of the printed bill, insert the word "each" after the word "shall" and strike out the word "each" after the word "salary".

AMENDMENT NUMBER TWENTY.

On page 8, line 28, of the printed bill, and following, make a separate indenture or paragraph of the sentence contained in the lines 28 to 32, inclusive.

AMENDMENT NUMBER TWENTY-ONE.

On page 10, lines 12 and 13, of the printed bill, set off as a separate paragraph the following sentence: "Constables shall be allowed all necessary expenses incurred in conveying prisoners."

AMENDMENT NUMBER TWENTY-TWO.

On page 10, line 14, of the printed bill, strike out the word "the" after the word "classifying".

AMENDMENT NUMBER TWENTY-THREE.

On page 10, line 27, of the printed bill, strike out the words "a majority of" and insert in lieu thereof the words "twenty-five per cent of the".

AMENDMENT NUMBER TWENTY-FOUR.

On page 10, line 31, of the printed bill, strike out the word "shall" and insert in lieu thereof the word "may".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 720, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Committee.

Report read and, on motion of Senator Jones, adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Brown, the consideration of the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage was continued until the next legislatuve day.

ADJOURNMENT.

At four o'clock and fifty minutes p.m., on motion of Senator Kehoe, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Tuesday, April 20, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 19, 1915, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Manley J. Clark, of Oakland.

PETITION.

The Secretary presented the following petition, which was read and ordered printed in the Journal:

FRESNO, CALIFORNIA, April 19, 1915.

The Clerk of the Senate of California, Sacramento:

Presbytery of San Joaquin in full session with 6000 members, urgently asks Senators and Assemblymen to refuse reimbursement of liquor men's losses supposed due to prohibition. Presbytery represents fifteen thousand of the best people in the San Joaquin Valley.

GEO. B. GREIG, State Clerk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1138—An Act to regulate the building and occupancy of dwelling houses in incorporated and unincorporated towns, cities, cities and counties, and to provide penalties for the violation thereof;

Also: Senate Bill No. 260—An Act to amend section 4236 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers and of grand and trial jurors in counties of the seventh class;

Also: Senate Bill No. 796—An Act to amend an Act entitled "An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, by amending sections 1 and 2, both relating to cold storage;

Also: Senate Bill No. 1202—An Act to provide for the regulation and supervision of racing meetings; establishing a State racing commission for the purpose of administering the provisions hereof, and defining its powers and duties; prohibiting bookmaking; and prescribing penalties for violation of the provisions of the Act;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 595—An Act to amend section 4014 of the Political Code of the State of California;

Also: Senate Bill No. 572—An Act to amend section 633 of the Political Code, relating to the licensing of insurance agents;

And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 500—An Act to amend section 4250 of the Political Code, relating to the salaries and fees of the officers of the counties of the twenty-first class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Assembly Bill No. 500 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 950—An Act to amend an Act entitled "An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, by amending section 1 of said Act, and making the description more certain, amending section 6 of said Act in reference to the certifying and depositing of a certified copy of assessment, amending section 7 of said Act in reference to the lien of said assessment, and also amending the said section 7 in regard to the collection of the assessments, issuance of warrants and the payment of all moneys that may be collected into the county treasury of Yolo County;

Also: Senate Bill No. 666—An Act to amend section 4248 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the nineteenth class;

Also: Senate Bill No. 498—An Act to add two new sections to the Political Code of the State of California, to be numbered 2697 and 2698, relating to the abandonment of highways.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 950, 666 and 498 ordered to enrollment.

Also:

SACRAMENTO, April 19, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 54—An Act to repeal an Act entitled "An Act providing for the removal of human remains from cemeteries in any city, or city and county in this State, and repealing all Acts in conflict therewith," approved April 24, 1911;

Also: Senate Bill No. 951—An Act approving, confirming and declaring valid the creation, formation and organization of Reclamation District No. 108, created by that certain Act of the Legislature of the State of California entitled "An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith," approved April 23, 1913, and all Acts and proceedings of said district and the board of trustees thereof, and also more clearly defining the exterior boundaries of said district;

Also: Senate Bill No. 1173—An Act to amend an Act entitled "An Act to permit the consolidation of elections and to provide a procedure therefor," approved June 11, 1913, by amending section 4 thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 54, 951 and 1173 ordered to enrollment.

Also:

SACRAMENTO, April 19, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 266—An Act to provide for memorial halls, and meeting places for army and navy veterans of the Civil War, the Spanish-American War and the Philippine Insurrection;

Also: Senate Bill No. 13—An Act to amend the Code of Civil Procedure by adding thereto a new section to be numbered and known as section 1871, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses;

Also: Senate Bill No. 1210—An Act to amend section 103 of the Code of Civil Procedure, relating to justices' courts;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 266, 13 and 1210 ordered to the file of Unfinished Business.

Also:

SACRAMENTO, April 19, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 11—An Act to amend section 2552 of the Political Code of the State of California, relating to the salaries and compensation of the officers of the Board of State Harbor Commissioners of San

Francisco, and the employees of the State of California employed by and under said Board of State Harbor Commissioners of San Francisco;

Also: Senate Bill No. 670—An Act to amend section 290*a* of the Civil Code of the State of California, relating to corporations authorized to Act as executor, administrator, guardian, assignee, receiver, depositary or trustee or to engage in the business of banking;

Also: Senate Joint Resolution No. 5—Relative to memorializing the Congress of the United States to initiate proceedings therein for the submission to the several states of an amendment to the Constitution of the Unied States giving Congress power to enact a uniform divorce law.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills No. 11 and 670 and Senate Joint Resolution No. 5 ordered to enrollment.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof.

On motion of Senator Thompson, Senate Bill No. 1049 was passed to the foot of the file.

Senate Bill No. 1077—An Act to amend section 13 of an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913.

On motion of Senator Flaherty, Senate Bill No. 1077 was passed on file.

Senate Bill No. 895—An Act to amend an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, by adding thereto a new section to be known as section 12, limiting the hours of employment of female pupil or student nurses in hospitals, prescribing penalties for the violation thereof, and providing for the enforcement of the restrictions imposed.

On motion of Senator Birdsall, Senate Bill No. 895 was passed to the foot of the file.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 751—An Act to amend section 2287 of the Civil Code of the State of California, relating to appointment of trustees.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 751 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Stuckenbruck, and Thompson—26.

NOES—Senators Ballard, Beban, Finn, Flaherty, Kehoe, and Strobridge—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Breed gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 751 was passed.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Finn, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Finn, Senate Bill No. 60 was passed on file.

Senate Bill No. 1180—An Act to amend an Act to amend sections 1, 2, 3, 4 and 5 of an Act entitled "An Act to provide for the division of municipalities into sewer districts and for the construction of, or acquisition and maintenance of sewers therein providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911.

On motion of Senator Purkitt, Senate Bill No. 1180 was passed on file, to retain its place.

Senate Bill No. 1227—An Act to prevent the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service, and to prescribe penalties for violation of the provisions hereof.

Bill read third time.

On motion of Senator Strobridge, Senate Bill No. 1227 was ordered re-referred to Committee on Finance.

Senate Bill No. 162—An Act to amend section 4300*a* of the Political Code, relating to the fees of county clerks.

On motion of Senator Benson, Senate Bill No. 162 was passed on file.

Senate Bill No. 857—An Act to make lawful certain agreements between employers and laborers, and to limit the issuing of injunctions in certain cases.

On motion of Senator Lyon, Senate Bill No. 857 was passed on file.

Senate Bill No. 737—An Act to amend an Act entitled "An Act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, by amending sections 3, 4, 7 and 9 thereof, and by adding a new section thereto to be known and numbered section 11½, all relating to the licensing of stallions and jacks, and providing for the reporting of the collection of fees to the State Controller and the creation of a fund to be known as the Stallion Registration Board Contingent Fund.

On motion of Senator Cohn, Senate Bill No. 737 was passed on file.

Senate Bill No. 668—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," by amending sections 1, 3, 11, 15, 20, 25, 28, 32, 36, 37, 46, 47, 48, 49, 56, 61, 61*a*, 65, 67, 68, 80, 83, 96, 98, 99, 101, 127, 144 and 145 thereof and by adding new sections thereto to be numbered sections 13, 57 and 85, all relating to the definition and regulation of the business of banking."

By order of the President, Senate Bill No. 668 was passed on file.

Senate Bill No. 462—An Act to amend section 1617 of the Political Code, relating to the powers and duties of trustees of common school districts and of boards of education in city school districts.

On motion of Senator Benedict, Senate Bill No. 462 was passed on file.

Senate Bill No. 572—An Act to amend section 633 of the Political Code, concerning the licensing of insurance and surety agents; providing for the revoking of such licenses and providing a penalty for violation thereof.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 572 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1202—An Act to provide for the regulation and supervision of racing meetings; establishing a state racing commission for the purpose of administering the provisions hereof, and defining its powers and duties; prohibiting book-making; and prescribing penalties for violation of the provisions of the Act.

On motion of Senator Beban, Senate Bill No. 1202 was passed on file.

Senate Bill No. 839—An Act to amend section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 839 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 459—An Act to create a flood control district to be called "Los Angeles County Flood Control District," to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 459 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Lyon, Maddux, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 410—An Act defining mattresses; regulating the making, remaking, and sale thereof; prohibiting the use of unsanitary and unhealthy materials therein; requiring that materials used shall be accurately described, and the percentage of materials used in each mattress stated, and prescribing the manner in which mattresses shall be labeled; and making the violation of any of the provisions of this Act a misdemeanor, and repealing legislation inconsistent with this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 410 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.
NOES—Senator Ballard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 230—An Act to add a new section to the Civil Code, to be numbered 128*a*, providing for the service of summons and complaint on the district attorney in actions for divorce or annulment of marriage, and conditioning the courts' jurisdiction thereon.

On motion of Senator Anderson, Senate Bill No. 230 was passed on file; to retain its place.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON FINANCE.

Senate Chamber, Sacramento, April 20, 1915.

Mr. President: Your Committee on Finance, to which was referred Senate Bill No. 161—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor;

Also: Senate Bill No. 897—An Act making an appropriation to pay for furnishing, repairing, renovating and improving the Governor's residence;

Also: Senate Bill No. 961—An Act creating an advisory pardon board; defining and prescribing the powers and duties thereof; and making an appropriation therefor;

Also: Senate Bill No. 962—An Act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor;

Also: Senate Bill No. 980—An Act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California;

Also: Senate Bill No. 1116—An Act to provide for the return to the owners thereof of any funds paid into the state treasury, by any receiver in conformity with the provisions of section 570 of the Code of Civil Procedure; prescribing the procedure relative thereto; and making an appropriation therefor;

Also: Senate Bill No. 1117—An Act to provide for making restitution to the persons who are or may become entitled thereto in accordance with the provisions of sections 3408*a*, 3571 and 3572 of the Political Code of the principal sums by them, of by their respective predecessors in interest, paid to the State of California and thereafter deposited in the state treasury to the credit of the State School Land Fund pursuant to law, prescribing certain duties of the Register of the State Land Office, the State Controller and the State Treasurer with respect thereto, and making an appropriation for such purpose;

Also: Senate Bill No. 1119—An Act to provide for making restitution to the persons who are or may become entitled thereto, in accordance with the provisions of sections 3571 and 3572 of the Political Code, of the sums by them, or by their respective predecessors in interest, paid to the State of California as interest upon the unpaid balance of the purchase price of lands wrongfully sold, or to which the State is unable to pass title, and thereafter deposited in the State treasury to the credit of the State School Fund pursuant to law; prescribing certain duties of the Register of the State Land Office, the State Controller and the State Treasurer with respect thereto; and making an appropriation for such purpose;

Also: Senate Bill No. 1139—An Act to provide for the payment of awards of court, or judgments, rendered in conformity with the provisions of section 1272 of the Code of Civil Procedure, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 161, 897, 961, 962, 980, 1116, 1117, 1119 and 1139 ordered on file for second reading.

Also:

Sacramento, April 20, 1915.

Mr. President: Your Committee on Finance to which was referred Senate Bill No. 108—An Act to amend section 445 of the Political Code of the State of California, authorizing the Controller of State to maintain an inheritance tax department and in connection therewith to appoint an inheritance tax attorney and assistants thereto;

Also: Senate Bill No. 236—An Act to provide for the establishment and maintenance of vocational courses and schools by local boards of education for the purpose of encouraging agricultural, industrial, trade, commercial and all other practical subjects, and providing state aid therefor;

Also: Senate Bill No. 237—An Act to provide for the establishment and maintenance of classes for the training of vocational teachers and providing state aid therefor;

Also: Senate Bill No. 814—An Act to provide for the licensing of motor vehicles engaged in the carrying of passengers for hire upon the public highways in the State of California;

Also: Senate Bill No. 855—An Act to amend section 55 of the Political Code, relating to the State Board of Control;

Also: Senate Bill No. 1151—An Act appropriating money to repay subscribers to the fund for constructing the bridge across the Colorado River at Yuma, Arizona;

Also: Senate Bill No. 1243—An Act making an appropriation for the construction of a cell building and wall and for other improvements at Folsom State Prison;

Also: Senate Bill No. 1244—An Act reappropriating the money appropriated by an Act entitled "An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison," approved June 7, 1913, and making the same available for the construction of a cell building and wall and for other improvements at Folsom State Prison;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 108, 236, 237, 814, 855, 1151, 1243 and 1244 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Committee on Commerce and Navigation to which was referred Senate Bill No. 628—An Act declaring kelp beds to be the property of the State of California and providing for the control and leasing of said beds—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BROWN, Chairman.

Senate Bill No. 628 ordered on file for second reading.

Also:

SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on Commerce and Navigation to which was referred Assembly Bill No. 32—An Act to amend an Act entitled "An Act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire the property of the State of California located on the water front of San Francisco, California," approved March 25, 1901, and all Acts or parts of Acts amendatory thereof, by amending section 2 thereof, said amendment relating to the aggregate amount of such insurance and the cost thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BROWN, Chairman.

Assembly Bill No. 32 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 1497—An Act to recognize and declare valid all proceedings in and relative to the Waterford Irrigation District and the organization thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

MADDUX, Chairman.

Assembly Bill No. 1497 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Bill No. 851—An Act to establish a standard for the packing in the State of California of the kinds of fresh fruits specified in this Act, for sale or for transportation for sale, for interstate and foreign shipment, and to prevent deception in the packing; also to establish a system of inspection for the same—has had the same under consideration, and respectfullly reports the same back and recommends that it do pass as amended.

KING, Chairman.

Assembly Bill No. 851 ordered on file for second reading.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Bill No. 184—An Act to regulate the sale of eggs that have been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering the same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof;

Also: Assembly Bill No. 185—An Act to regulate the sale of food and drink, the ingredients of which are in part composed of eggs shipped or imported into the State of California, from any point or place outside of the United States, requiring the marking of all bills of fare or menu cards placed on tables or counters in establishments preparing, serving or offering for sale any such food or drink, and fixing penalties for the violation of the same or of any of the provisions thereof;

Also: Assembly Bill No. 186—An Act to regulate the placing of cards in all packages or wrappers enclosing manufacturers' food products, before being sold or offered for sale, which are composed in part of eggs shipped or imported into the State of California, from any point or place outside of the United States, and fixing penalties for the violation of the same or of any of the provisions thereof;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KING, Chairman.

Assembly Bills Nos. 184, 185 and 186 ordered on file for second reading.

ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Committee on Mines and Mining, to which was referred Assembly Bill No. 1306—An Act to amend section 1426*n* of the Civil Code, relating to fees for recording affidavits of labor or improvements on mining claims—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

COHN, Chairman.

Assembly Bill No. 1306 ordered on file for second reading.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 462—An Act to amend section 1617 of the Political Code, relating to the powers and duties of trustees of common school districts and of boards of education in city school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 462 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 597, heretofore set as a special order for eleven o'clock a.m., the same was taken up for consideration.

Senate Bill No. 597—An Act to amend sections 190, 192, 193, 194 and 195 of the Code of Civil Procedure, relating to jurors.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benedict moved to refer to Senator Brown as a Special Committee of One to amend Senate Bill No. 597 as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended in the Senate April 9, 1915, strike out all of line 28 and insert in lieu thereof the following: "necessary for said juror to be excused; *provided, however,* that no woman shall be summoned to serve as a juror who does not file, during the forty-five days immediately preceding the fifteenth day of January of each year, with the clerk of the Superior Court of the county in which she resides, a written or printed statement signed by herself declaring her willingness to serve as a juror in that year."

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Purkitt, Wolfe and Thompson.

The Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One lost by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Duncan, Kehoe, King, Owen, Slater, Strobridge, Stuckenbruck, and Thompson—11.

NOES—Senators Ballard, Beban, Benson, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Luce, Maddux, Mott, Purkitt, Scott, Shearer, Tyrrell, and Wolfe—25.

INTRODUCTION OF JOINT RESOLUTION—(OUT OF ORDER).

By consent of the Senate the following joint resolution was introduced out of the regular order:

By Senator Chandler: Senate Joint Resolution No. 14—Relative to the delegation of an expert on fruit-tree diseases to visit the San Joaquin Valley, State of California, to investigate a disease known as "little leaf" which attacks the peach and other deciduous fruit trees and grapevines, to discover the cause and advise orchardists as to the cure of the disease.

Resolution referred to Committee on Agriculture.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED NINETY-SEVEN—(RESUMED).

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Butler moved to refer to Senator Brown as a Special Committee of One, to amend Senate Bill No. 597 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 28 of the amended bill, strike out the period after the word "excused" and insert in lieu thereof a semicolon and the following: "*provided*, that no woman shall ever be required to serve as a juror in any of the courts of this State unless she has previously filed with the clerk of the Superior Court a notice in writing that she is willing to serve as such juror."

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Maddux, Wolfe and Crowley.

The Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One lost by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Butler, Campbell, Cohn, Duncan, Finn, Flaherty, Flint, Kehoe, King, Owens, Rush, Slater, Strobridge, and Thompson—17.

NOES—Senators Ballard, Beban, Benson, Breed, Carr, Chandler, Cogswell, Crowley, Gerdes, Irwin, Jones, Luce, Maddux, Mott, Purkitt, Scott, Shearer, Stuckenbruck, Tyrrell, and Wolfe—20.

MOTION.

Senator Campbell moved that the Senate go into executive session for further consideration of Senate Bill No. 597.

The question being on the motion to go into executive session.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Purkitt, Crowley and Benson.

The Secretary was directed to call the roll.

The roll was called, and the motion to go into executive session carried by the following vote:

AYES—Senators Ballard, Benedict, Brown, Campbell, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, King, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Strobridge, Stuckenbruck, and Thompson—23.

NOES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Carr, Duncan, Jones, Kehoe, Luce, Rush, Scott, Slater, Tyrrell, and Wolfe—16.

Secretary Edwin F. Smith at the desk.

PARTIAL SUSPENSION OF RULE.

Senator Lyon moved that Rule No. 61 be suspended in so far as it applied to the exclusion of regularly accredited press representatives from the executive session.

The question being on the motion to partially suspend the application of Rule No. 61.

The roll was called, and the motion to suspend carried by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Wolfe—31.

NOES—None.

IN EXECUTIVE SESSION.

FURTHER CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED NINETY-SEVEN—(RESUMED).

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Butler moved to refer to Senator Brown as a Special Committee of One, to amend Senate Bill No. 597 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 28 of the amended bill, after the word "excused", strike out the period and insert in lieu thereof a semicolon and the following: "*provided*, no woman shall ever be required to serve as a juror in any of the courts of this State if she shall file in writing with the clerk of the Superior Court of the county in which she resides, notice that she does not desire to serve as a juror."

Motion lost.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson the hour of recess was extended until one o'clock and twenty minutes p.m.

LEAVE OF ABSENCE.

Senator Hans was, on motion of Senator Tyrrell, granted leave of absence for the balance of this day.

FURTHER CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED NINETY-SEVEN—(RESUMED).

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Tyrrell moved to refer to Senator Luce as a Special Committee of One, to amend Senate Bill No. 597 as follows:

AMENDMENT NUMBER ONE.

By striking out of section 6, line 28, the period after the word "excused".

AMENDMENT NUMBER TWO.

On page 2, line 28, of the amended bill, after the word "excused" strike out the period and insert in lieu thereof a semicolon and the following: "*provided, however*, that any female summoned as a juror must be excused upon her request to the court to be so excused."

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Luce, Slater and Shearer.

The Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One lost by the following vote:

AYES—Senators Anderson, Birdsall, Breed, Butler, Campbell, Cohn, Flaherty, Gerdes, King, Luce, Rush, Slater, Strobridge, Thompson, and Tyrrell—15.

NOES—Senators Ballard, Beban, Benson, Brown, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flint, Irwin, Jones, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Stuckenbruck, and Wolfe—22.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Luce moved to refer to Senator Jones as a Special Committee of One, to amend Senate Bill No. 597 as follows:

AMENDMENT NUMBER ONE.

By striking out of page 2, line 28, the period and inserting in lieu thereof the following: "; *provided*, that the court may excuse all women from serving on the jury in any case in which the said court has reason to believe that the testimony about to be adduced will be of such an unusually obscene character as to render it unfit for a jury not composed wholly of men."

Motion lost.

FINAL PASSAGE OF SENATE BILL NUMBER FIVE HUNDRED NINETY-SEVEN.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Campbell moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

The Secretary announced the absentees.

Time, one o'clock and ten minutes p.m.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At one o'clock and fifteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Campbell.

The Secretary was directed to call the roll, on passage of the bill, of Senators who had not answered to their names.

The roll was called, and Senate Bill No. 597 refused passage by the following vote:

AYES—Senators Anderson, Beban, Benson, Breed, Butler, Carr, Finn, Flaherty, Jones, Luce, Lyon, Rush, Scott, Slater, Thompson, Tyrrell, and Wolfe—17.

NOES—Senators Ballard, Birdsall, Brown, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, King, Maddux, Mott, Owens, Purkitt, Shearer, Strobridge, and Stuckenbruck—20.

EXECUTIVE SESSION CONCLUDED.

Senator Thompson moved that the executive session be concluded.

Motion carried.

RECESS.

At one o'clock and twenty minutes p.m., on motion of Senator Wolfe, the President declared the Senate at recess until three o'clock p.m.

RECONVENED.

At three o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

EXPLANATION OF ABSENCE.

Senator Benedict asked for, and was granted, unanimous consent to have the following explanation of his absence from the roll call on Senate Bill No. 597 printed in the Journal:

EXPLANATION OF ABSENCE FROM ROLL CALL ON SENATE BILL NUMBER FIVE HUNDRED NINETY-SEVEN.

MR. PRESIDENT: I desire to state that had I been present at roll call on final passage of Senate Bill No. 597 I would have voted "No." I had gone to my committee room in accordance with previous engagements to confer with the assistant city attorney of Los Angeles, believing that debate on the question would continue so long that recess would be taken and final vote had in the afternoon. Before going, however, I told Assistant Sergeant-at-Arms Newsom that I would be in my committee room and that he should call me in event that the Senate reached a roll call.

BENEDICT.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 444—An Act to add a new section to the Political Code of the State of California to be numbered section 1752, relating to conventions of high school principals.

Bill read third time previously.

By order of the president pro tem., Assembly Bill No. 444 was passed on file.

Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; creating a liability on the part of the employers to pay damages in certain cases; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act.

By order of the President pro tem., Assembly Bill No. 487 was passed on file.

Assembly Bill No. 589—An Act to amend section seven of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

On motion of Senator Butler, Senate Bill No. 589 was passed on file.

Assembly Bill No. 850—An Act to amend the Penal Code of the State of California by adding thereto two new sections to be known and numbered as section 349*b* and section 349c, relating to labor unions.

By order of the President pro tem., Assembly Bill No. 850 was passed on file.

Assembly Bill No. 41—An Act to validate the organization and incorporation of municipal corporations.

Bill read third time.

On motion of Senator Anderson, Senate Bill No. 41 was passed on file.

Assembly Bill No. 1515—An Act to repeal section 2189 of the Civil Code, relating to passenger who has not paid fare upon a railroad train.

By order of the President pro tem., Assembly Bill No. 1515 was passed on file.

Assembly Bill No. 903—An Act providing for the preferential rights of certain persons to purchase public lands of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 903 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 560—An Act to amend section 1714 of the Political Code of the State of California, relating to the library fund in cities, or cities and counties, not divided into school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 560 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 343—An Act authorizing the Imperial Irrigation District to acquire the irrigation system and works of the California Development Company and its subsidiary company and successors in California and Mexico by condemnation or purchase, and, in case of purchase, to exchange bonds of said district for such irrigation system and works or for property interests therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 343 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1081—An Act to provide county boards of charities and corrections and to define the powers and duties thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1081 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1247—An Act to add a new section to the Penal Code to be numbered section 1329a, relating to fees of witnesses in criminal cases;

Also: Senate Bill No. 922—An Act to amend section 196*a* of the Civil Code, relating to the support of illegitimate children;

Also: Senate Bill No. 1252—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 1235, relating to dissolution of trust companies;

Also: Senate Bill No. 1100—An Act to amend section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases;

Also: Senate Bill No. 811—An Act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method or treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor, and repealing all parts of an Act, entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act—and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 50—An Act to amend the Civil Code of the State of California by adding thereto a new section to be numbered 642*a*, relating to building and loan associations.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 50 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Breed, Brown, Butler, Campbell, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 51—An Act to amend an Act known as "The Building and Loan Commission Act"—chapter 354, laws of 1911, approved April 5, 1911, and amended by an Act approved December 18, 1911, by adding thereto a new section to be numbered 9*a*, relating to the powers and duties of the Building and Loan Commissioner, fixing the grade and penalty for non-compliance with his orders, providing for the assistance of a peace officer to enforce his demands and fixing the grade of evidence required for the confirmation of his action.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 51 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 840—An Act to amend section 4256 of the Political Code, relating to the compensation of officers and jurors of counties of the twenty-seventh class, their clerks, deputies, stenographers and assistants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 840 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No.1535—An Act to amend sections 3, 5, 6, 7, 9, 11, 12, 18, 21, 23, 25, 27, 42, 43, 60, 63, 66, 67, 74 and 75 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and repealing section 36, and sections 84, 85, 86, 87, 88 and 89 thereof, relating to work in unincorporated territory.

On motion of Senator Tyrrell, Assembly Bill No. 1535 was passed on file.

Assembly Bill No. 330—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be designated and known as section 1716, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 330 passed by the following vote:

Ayes—Senators Anderson, Beban, Breed, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, King, Lyon, Mott, Owens, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

Noes—Senators Ballard, Benedict, Benson, Carr, Jones, Kehoe, Luce, and Maddux—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT OF THE SENATE IN THE CHAIR.

At three o'clock and fifty minutes p.m., Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

CONSIDERATION OF MOTION TO RECONSIDER.

On motion of Senator Luce, the Senate took up consideration of his motion to reconsider the vote whereby Senate Bill No. 510 was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

NOES—None.

SENATOR COGSWELL IN THE CHAIR.

At four o'clock p.m., Senator Cogswell, of the Thirty-third District, in the chair.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED TEN.

Senate Bill No. 510—An Act to amend sections 2, 12, 13, 15, 16, 17, 19, 20, 22, 24, 25, 26, 29, 30, 31, 32, 33, 34, 36, 37, 46, 47, 57, 71, 72, 75, 76, 77 and 81 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'state compensation insurance fund,' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State, and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an Industrial Accident Commission, providing for its organization, defining its powers and duties, and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act; and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913, and to add thereto a new section to be numbered 75*a*.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Luce moved to refer to Senator Duncan as a Special Committee of One to amend Senate Bill No. 510 as follows:

AMENDMENT NUMBER ONE.

On page 5, line 32, of the printed bill, strike out the words "fifteenth day" and insert in lieu thereof the words "eleventh day".

AMENDMENT NUMBER TWO.

On page 6, line 1, of the printed bill, strike out the words "two weeks" and insert the words "ten days".

AMENDMENT NUMBER THREE.

On page 6, line 4, of the printed bill, strike out the words "two weeks" and insert in lieu thereof the words "ten days".

AMENDMENT NUMBER FOUR.

On page 6, line 7, of the printed bill, strike out the words "two weeks" and insert the words "ten days".

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Luce, Duncan and Finn.

The Secretary was directed to call the roll.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Luce moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

The Secretary announced the absentees.

Time, four o'clock and forty-seven minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and fifty minutes p.m. Senators Rush and Strobridge were brought to the bar of the Senate, and on motion of Senator Gerdes, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and fifty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Luce.

The Secretary was directed to call the roll, on the motion to refer to a Special Committee of One, of Senators who had not answered to their names.

The roll was called, and the motion to refer to a Special Committee of One to amend Senate Bill No. 510 lost by the following vote:

AYES—Senators Beban, Brown, Butler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, King, Luce, Lyon, Scott, Slater, Tyrrell, and Wolfe—17.

NOES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Campbell, Carr, Chandler, Cogswell, Irwin, Jones, Kehoe, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Strobridge, Stuckenbruck, and Thompson—22.

FINAL PASSAGE OF SENATE BILL NUMBER FIVE HUNDRED TEN.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 510 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Cogswell moved to reconsider the vote whereby Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 1½ of article XIII thereof, relating to the exemption of churches from taxation was adopted.

The question being on the motion to reconsider.

The roll was called and the motion carried by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Mott, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

RECONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER FIFTEEN.

Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 1½ of article XIII thereof, relating to the exemption of churches from taxation.

Constitutional amendment read previously.

AMENDMENTS FROM FLOOR.

The following amendments were offered and their adoption moved by Senator Cogswell:

AMENDMENT NUMBER ONE.

On page 1, line 10, after the word "worship" insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 11, before the word "social" insert the word "for".

Amendment adopted.

Constitutional amendment ordered to print.

SPECIAL ORDER RESET.

On motion of Senator Kehoe the consideration of Senate Bill No. 29 heretofore set as special order for this day, was reset as special order for consideration at eleven o'clock and fifteen minutes a.m. on Monday, April 26, 1915.

REPORT OF STANDING COMMITTEE

The following report of standing committee was received and read:

ON [illegible]

Senate Chamber, Sacramento, April [illegible], [illegible].

[illegible]

[illegible], Chairman.

MOTION TO RECONSIDER

Pursuant to his notice given on a previous day, Senator [illegible] moved to reconsider the vote whereby Senate Constitutional Amendment No. [illegible]—Proposed amendment to article VI of the Constitution, relative to the method of selecting the Justices of the Supreme Court, Justices of the District Courts of Appeal and Judges of the Superior Courts—was refused adoption.

CONSIDERATION OF MOTION TO RECONSIDER—POSTPONED

On motion of Senator [illegible], the consideration of the above motion to reconsider was postponed until the next legislative day.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON [illegible]

Senate Chamber, Sacramento, April [illegible], [illegible].

[illegible]

[illegible], Chairman.

Senate Bill No. [illegible] ordered on file for second reading.

Assembly Bill No. [illegible] ordered on file for second reading.

Also:

Sacramento, April [illegible], [illegible].

[illegible]

[illegible], Chairman.

Assembly Bills Nos. [illegible] and [illegible] ordered on file for second reading.

CONSIDERATION OF MOTION TO RECONSIDER.

On motion of Senator Brown the Senate took up the consideration of the motion to reconsider the vote whereby Senate Bill No. 558—An Act to amend section 2978 of the Political Code, relating to the Constitution of the State Board of Health and the terms of the members of said board—was refused passage.

The question being on the motion to reconsider.

The roll was called and the motion to reconsider the vote whereby Senate Bill No. 558 was refused passage carried by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

The question being on the passage of Senate Bill No. 558.

The roll was called, and Senate Bill No. 558 passed by the following vote:

AYES—Senators Ballard, Behan, Benedict, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, and Wolfe—27.

NOES—Senators Anderson, Benson, Birdsall, Breed, Chandler, Cohn, Jones, Maddux, Mott, Thompson, and Tyrrell—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECALL OF BILL FROM COMMITTEE.

Senator Jones moved that Senate Bill No. 720 be recalled from engrossment, and that the same be restored to its place on file.

Motion carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, April 20, 1915

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Bill No. 318—An Act to provide for the regulation of county jails county hospitals and almhouses, county orphanages, detention homes and city or town jails under the supervision of the State Board of Charities and Corrections—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

FINN, Chairman

Senate Bill No. 318 ordered on file for second reading.

SECOND READING OF SENATE BILL—(OUT OF ORDER).

Senator Jones asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bill reported from the above committee.

Senate Bill No. 318—An Act to provide for the regulation of county jails, county hospitals and almhouses, county orphanages, detention homes and city or town jails under the supervision of the State Board of Charities and Corrections.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the following: "alterations and improvements".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, strike out the words "*provided*, that if additions or new" and strike out all of lines 1, 2 and 3 on page 2 of the printed bill.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 17 and 18, strike out the words "or that certain improvements, additions or alterations should be made,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

Strike out all of section 4, beginning with line 23, on page 2, and extending to and including line 14 on page 3, of the printed bill.

Amendment adopted.

AMENDMENT NUMBER FIVE.

Renumber sections 5, 6 and 7 to read sections 4, 5 and 6.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

CONSIDERATION OF SENATE BILL—(OUT OF ORDER).

Senator Jones asked for and was granted unanimous consent to take up Senate Bill No. 720, out of the regular order, for the purpose of amendment.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Benson as a Special Committee of One to amend Senate Bill No. 720 as follows:

AMENDMENT NUMBER ONE.

On page 5, line 22, of the printed bill, after the semicolon following the word "annum", insert the following: "one supervising deputy assessor who shall receive a salary of sixteen hundred (1,600) dollars per annum."

AMENDMENT NUMBER TWO.

On page 5, line 22, of the printed bill, strike out the words "two office deputy assessors who shall each", and insert in lieu thereof the following: "one office deputy assessor who shall".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 720, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Committee.

Report read and, on motion of Senator Jones, adopted.

Bill ordered to print and re-engrossment.

ADJOURNMENT.

At five o'clock and thirty minutes p.m., on motion of Senator Gerdes, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Wednesday, April 21, 1915

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry L. Stark.

LEAVE OF ABSENCE.

Senator Hans was, on motion of Senator Thompson, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 20, 1915, the further reading was dispensed with, on motion of Senator Rush.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 1235—An Act to amend section 4255 of the Political Code relating to salaries and fees of officers in counties of the twenty-sixth class;

Also: Assembly Bill No. 625—An Act to amend section 4266 of the Political Code, relating to salaries and fees of officers and fees and mileage of jurors in counties of the twenty-seventh class;

Also: Assembly Bill No. 145—An Act to amend section 4145 of the Political Code of the State of California, relating to the duties of coroners:
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BREED, Chairman.

Senate Bill No. 1235 ordered on file for second reading.

Assembly Bills Nos. 625 and 145 ordered on file for second reading.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 1238—An Act to amend section 4262 of the Political Code, relating to salaries of officers of counties of the thirty-third class;

Also: Assembly Bill No. 1029—An Act to amend section 4264 of the Political Code, relating to the salaries and fees of officers in counties of the thirty-fifth class;
Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

BREED, Chairman.

Senate Bill No. 1238 ordered on file for second reading.

Assembly Bill No. 1029 ordered on file for second reading.

APPROVAL OF JOURNALS.

On motion of Senator Thompson, the Journals of Monday, March 29, 1915; Tuesday, March 30, 1915; Wednesday, March 31, 1915, Thursday, April 1, 1915; Friday, April 2, 1915; Monday, April 5, 1915; Tuesday, April 6, 1915; Wednesday, April 7, 1915; Thursday, April 8, 1915, and Friday, April 9, 1915 were approved as corrected.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Breed moved to reconsider the vote whereby Senate Bill No. 751—An Act to amend section 2287 of the Civil Code of the State of California, relating to appointment of trustees, was passed.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Breed, the consideration of the above motion to reconsider was postponed until the next legislative day.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Jones, the consideration of the motion to reconsider the vote whereby Senate Constitutional Amendment No. 1 was refused passage was continued until the next legislative day.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1230—An Act to amend sections 4, 5, and 6 of an Act entitled "An Act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911;

Also: Senate Bill No. 769—An Act to amend section 626*a* of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 852—An Act to amend section 630*a* of the Penal Code of the State of California, relating to the regulation of the business of wholesale dealers in fish and game and providing for a record of the transactions therein;

Also: Senate Bill No. 930—An Act to amend section 1216 of the Political Code, relating to the duties of Registrar of Voters.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1230, 769, 852 and 930 ordered to enrollment.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed and amended title, Senate Bill No. 538—An Act to amend section 4288 of the Political Code by adding a new section thereto permitting boards of supervisors in counties of first class or counties operating under a charter to fix dates of which salaried employees may be paid.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 681—An Act to divide the State of California into fish and game districts and to repeal an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21st, 1911, and all Acts or parts of Acts inconsistent herewith;

Also: Senate Bill No. 323—An Act to amend section 3 of an Act entitled "An Act requiring the compilation and publication of reports of the financial transactions of the several counties and municipalities of the State, and making an appropriation therefor," approved April 21, 1911, by providing penalties for violations of said Act, and prescribing certain duties of the Attorney General with reference thereto;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 323, 681 and 538.

Senate Bill No. 323—An Act to amend section 3 of an Act entitled "An Act requiring the compilation and publication of reports of the financial transactions of the several counties and municipalities of the State, and making an appropriation therefor," approved April 21, 1911, by providing penalties for violations of said Act, and prescribing certain duties of the Attorney General with reference thereto.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED TWENTY-THREE.

AMENDMENT NUMBER ONE.

On page 2, strike out all after the period in line 4 and all of line 5.

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 323?"

The roll was called, and Assembly amendment to Senate Bill No. 323 was concurred in by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Campbell, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Shearer, Strobridge, Stuckenbruck, and Thompson—25.

NOES—None.

Senate Bill No. 323 ordered to enrollment.

Senate Bill No. 681—An Act to divide the State of California into fish and game districts and to repeal an Act entitled "An Act to divide the State of California into six fish and game districts," approved March 21, 1911, and all Acts or parts of Acts inconsistent herewith.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED EIGHTY-ONE.

AMENDMENT NUMBER ONE.

On page 2, line 3, of the printed bill as amended in Senate March 19, 1915, strike out the word "Tehama" and the comma immediately following, and strike out the word "Butte" and the comma immediately following.

AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed bill, insert after the word "Sutter" the following: ", Tehama, Butte".

AMENDMENT NUMBER THREE.

On page 2, line 13, of the printed bill, insert between the semicolon and the word "twelve" the following: "and fish and game district twelve *a*".

AMENDMENT NUMBER FOUR.

On page 2, line 31, of the printed bill, strike out the word "Glenn" and the comma immediately following.

AMENDMENT NUMBER FIVE.

On page 2, line 36, of the printed bill, insert after the word "Yolo" the following: "and Glenn".

AMENDMENT NUMBER SIX.

On page 2, line 37, of the printed bill, insert between the period and the word "twelve" the following: "and fish and game district twelve *a*".

AMENDMENT NUMBER SEVEN.

On page 6, of the printed bill, and between lines 4 and 5, insert a section as follows:

"SEC. 13*a*. Fish and game district twelve *a* shall consist of and include all the waters of the Sacramento River flowing within the main channel between the bridge across said river at Colusa and the Vina ferry near the town of Vina, in Tehama County".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 681?"

The roll was called, and Assembly amendments to Senate Bill No. 681 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Shearer, Stuckenbruck, and Thompson—27.

NOES—None.

Senate Bill No. 681 ordered to enrollment.

Senate Bill No. 538—An Act to amend section 4288 of the Political Code by adding a new section thereto permitting boards of supervisors in counties of first class or counties operating under a charter to fix dates of which salaried employees may be paid.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED THIRTY-EIGHT.

AMENDMENT NUMBER ONE.

In line 3 of title, strike out the words "by adding a new section thereto".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 538?"

The roll was called, and Assembly amendment to Senate Bill No. 538 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Senate Bill No. 538 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1042—An Act to amend section 3555 of the Political Code relating to the judgment and costs of foreclosing the interests of purchasers of State lands.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 1042 ordered to enrollment.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 821—An Act to amend sections 1 and 11 of an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913;

Also: Senate Bill No. 268—An Act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law;

Also: Senate Bill No. 72—An Act to add a new section to the Civil Code to be numbered 2940½ relative to presumption payment of mortgages ten years after maturity of the obligations secured thereby;

Also: Senate Bill No. 648—An Act validating and confirming the organization of lighting districts.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 821, 268, 72 and 648 ordered to enrollment.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on April 19th passed as amended, Senate Bill No. 1218—An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the state, county, city and county and city government in this State, except in certain schools, to validate certain Acts, and to repeal all Acts in conflict herewith—and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1218.

Senate Bill No. 1218—An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county and city government in this State, except in certain schools, to validate certain Acts, and to repeal all Acts in conflict herewith.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWELVE HUNDRED EIGHTEEN.

AMENDMENT NUMBER ONE.

On page 1, line 13 of the printed bill, strike out the word "of" and insert in lieu thereof the word "to".

AMENDMENT NUMBER TWO.

On page 2, after line 17 of the printed bill, insert a new paragraph and section to read as follows:

"SEC. 4. As used in this Act the term 'person who has declared his intention to become a citizen' shall not include any person who fails to secure his certificate of naturalization within six months after the time that he is entitled by law to secure the same."

AMENDMENT NUMBER THREE.

On page 2, line 18 of the printed bill, strike out the figure "4" and insert in lieu thereof the figure "5".

AMENDMENT NUMBER FOUR.

On page 2, line 24 of the printed bill, strike out the figure "5" and insert in lieu thereof the figure "6".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1218?"

The roll was called, and Assembly amendments to Senate Bill No. 1218 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Gerdes, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—28.
NOES—None.

Senate Bill No. 1218 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by adding to article VI thereof a new section to be numbered 10½, relative to the length of time a person appointed to fill a vacancy in the office of Justice of the Supreme Court, Justice of the District Court of Appeal or Judge of a Superior Court, shall hold office;

Also: Senate Joint Resolution No. 12—Relative to the protection of second-growth timber on watersheds.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Constitutional Amendment No. 11 ordered to enrollment.

Senate Joint Resolution No. 12 ordered to enrollment.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 62—An Act creating a reclamation district to be called and known as "Big Valley Reclamation District"; providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Big Valley Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Big Valley Reclamation District;

Also: Assembly Bill No. 220—An Act creating a reclamation district to be called and known as "Upper Lake Reclamation District"; providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Upper Lake Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Upper Lake Reclamation District.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 62 and 220 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 722—An Act to provide for the establishment of passenger service upon the State Railroad located on The Embarcadero, in the city and county of San Francisco;

Also: Assembly Bill No. 57—An Act to amend an Act entitled "An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913;

Also: Assembly Bill No. 1107—An Act to amend section 4239 of the Political Code, relating to county officers, and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the tenth class;

Also: Assembly Bill No. 728—An Act to amend section 4246 of the Political Code, relating to salaries and fees of officers in counties of the seventeenth class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 722 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 57 read first time, and referred to Committee on Municipal Corporations.

Assembly Bills Nos. 1107 and 728 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1460—An Act to amend section 1539 of the Code of Civil Procedure, relating to the service of orders to show cause;

Also: Assembly Bill No. 1461—An Act to amend section 1547 of the Code of Civ'l Procedure relating to notices of sale at public auction;

Also: Assembly Bill No. 1462—An Act to amend section 1549 of the Code of Civil Procedure relating to notices of sale at public sale;

Also: Assembly Bill No. 1463—An Act to amend section 1531 of the Code of Civil Procedure, relating to orders to show cause on sale of real estate.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1460, 1461, 1462 and 1463 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 930—An Act to amend section 1 of an Act entitled "An Act in relation to fences, and other structures erected to annoy, and for the abatement of nuisances," approved May 28, 1913;

Also: Assembly Bill No. 668—An Act to amend section 843 of the Political Code, relating to a county officer acting as a deputy of another county officer of the same county;

Also: Assembly Bill No. 505—An Act to provide for the enforcement of labor laws of the State of California by the Commissioner of the Bureau of Labor Statistics;

Also: Assembly Bill No. 1235—An Act to amend the Political Code by adding a new section thereto to be numbered 1618*a*, providing for the establishment of separate schools for the instruction of the mentally deficient.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 930 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 668 read first time, and referred to Committee on County Government.

Assembly Bill No. 505 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1235 read first time, and referred to Committee on Education.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 686—An Act to add a new section to the Penal Code to be numbered 330*b*, relating to the shaking of dice by women and minors;

Also: Assembly Bill No. 770—An Act to amend section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909;

Also: Assembly Bill No. 263—An Act to amend section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks;

Also: Assembly Bill No. 485—An Act granting to the city of Burlingame the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and regulating the management, use and control thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 686 read first time, and referred to Committee on Public Morals.

Assembly Bill No. 770 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 263 read first time, and referred to Committee on County Government.

Assembly Bill No. 485 read first time, and referred to Committee on Municipal Corporations.

CONSIDERATION OF ASSEMBLY AMENDMENTS (OUT OF ORDER).

On motion of Senator Jones, the Senate took up for consideration Assembly amendments to Senate Bill No. 13, out of the regular order.

Senate Bill No. 13—An Act to amend the Code of Civil Procedure of California by adding thereto a new section to be numbered and known as section 1871, relating to experts, their appointment by the court, or a judge thereof, and providing for their compensation and manner of examination as witnesses.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THIRTEEN.

AMENDMENT NUMBER ONE.

In line 2 of the title, strike out the words "of California".

AMENDMENT NUMBER TWO.

On page 1, line 2, strike out the words "of California".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 13?"

The roll was called, and Assembly amendments to Senate Bill No. 13 were concurred in by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Maddux, Owens, Rush, Scott, Shearer, Slater, Thompson, and Tyrrell—27.

NOES—None.

Senate Bill No. 13 ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 722—An Act to amend sections 1, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16½, 17 and 18 of an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board and defining its powers," approved December 24, 1911, as amended by an Act approved May 26, 1913, and to add thirteen new sections to said Act to be numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32, relating to the organization, powers and duties of said Reclamation Board, and creating a revolving fund and appropriating money therefor—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

CHANDLER, Chairman.

Senate Bill No. 722 ordered on file for second reading.

Also:

SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 129—An Act to amend section 3460 of the Political Code, relating to assessments and re-assessments in reclamation districts;

Also: Assembly Bill No. 1080—An Act to amend an Act entitled "An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, by amending section 1 of said Act, and making the description more certain, amending section 6 of said Act in reference to the certifying and depositing of a certified copy of assessment, amending section 7 of said Act in reference to the lien of said assessment, and also amending the said section 7 in regard to the collection of the assessments, issuance of warrants and the payment of all moneys that may be collected into the county treasury of Yolo County;

Also: Assembly Bill No. 1082—An Act approving, confirming and declaring valid the creation, formation and organization of Reclamation District No. 108, created by that certain Act of the Legislature of the State of California entitled "An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining and establishing the boundaries of the consolidated district; providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith," approved April 23, 1913, and all Acts and proceedings of said district and the board of trustees thereof, and also more clearly defining the exterior boundaries of said district;

Also: Assembly Bill No. 1149—An Act relating to the assessments levied under and by virtue of an Act entitled "An Act to create a drainage district to be called 'Sacramento Drainage District,' to promote drainage therein; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensations of such officers and providing for the creation, division and management of reclamation, swamp land, levee, drainage and protection districts within said Sacramento Drainage District, and providing for levying and collecting assessments upon the lands within said drainage district," approved March 20, 1905, and all Acts amendatory thereof;

Also: Assembly Bill No. 1150—An Act relating to the transfer of money now held in a special fund created under and by virtue of an Act entitled "An Act to create a drainage district to be called 'Sacramento Drainage District,' to promote drainage therein; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers and providing for the creation, division and management of reclamation, swamp land, levee, drainage and protection districts within said Sacramento Drainage District, and providing for levying and collecting assessments upon the lands within said drainage district," approved March 20, 1905, and all Acts amendatory thereof, to the general fund of the counties in which such money is held;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

Assembly Bills Nos. 129, 1080, 1082, 1149 and 1150 ordered on file for second reading.

ON REVENUE AND TAXATION.

Senate Chamber, Sacramento, April 20, 1915.

Mr. President: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1338—An Act to amend sections 3682, 3692, 3696, 3714, 3732, 3737, 3746 and 3756 of the Political Code, relating to the assessment, equalization and collection of taxes—has had the same under consideration, and respectfully reports the same back with amendment and recommends that it do pass as amended

COGSWELL, Chairman.

Assembly Bill No. 1338 ordered on file for second reading.

Also:

Sacramento, April 20, 1915.

Mr. President: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1046—An Act to add a new section to the Political Code, to be numbered section 3804*b*, relating to the cancellation of erroneous assessments—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

COGSWELL, Chairman.

Assembly Bill No. 1046 ordered on file for second reading.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(OUT OF ORDER).

On motion of Senator Scott, the Senate took up for consideration Assembly amendments to Senate Bill No. 266, out of the regular order.

Senate Bill No. 266—An Act to provide for memorial halls and meeting places for Army and Navy Veterans of the Civil war, the Spanish-American war and the Philippine insurrection.

On motion of Senator Scott, Senate Bill No. 266 was passed on file.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(RESUMED).

On motion of Senator Purkitt, the Senate took up for consideration Assembly amendments to Senate Bill No. 789.

Senate Bill No. 789—An Act to amend section 4275 of the Political Code of the State of California, relative to the salary of officers in counties of the forty-sixth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED EIGHTY-NINE.

AMENDMENT NUMBER ONE.

Strike out the entire title and insert in lieu thereof the following: "An Act to amend section 4275 of the Political Code, relative to the salary of officers and the per diem and mileage of grand jurors and trial jurors in counties of the forty-sixth class."

AMENDMENT NUMBER TWO.

On page 2, line 16, strike out the period at the end of the line and insert in lieu thereof a semicolon and add the following: *provided*, that all commissions and fees required or permitted by any law of this State or of the United States to be collected by the treasurer either as an officer, or ex officio officer, his deputies or assistants, for the performance of any official duty, shall be collected for the benefit of the county and shall be paid into the general fund of the county monthly."

AMENDMENT NUMBER THREE.

On page 2, lines 18, 19, and 20, strike out all commencing with the word "payable" in line 18, down to and including the word "and" at the end of the line 20.

AMENDMENT NUMBER FOUR.

On page 2, line 21, strike out the word "further".

AMENDMENT NUMBER FIVE.

On page 3, line 37, strike out the word "the" at the end of the line.

AMENDMENT NUMBER SIX.

On page 4, strike out all of lines 1, 2 and 3.

AMENDMENT NUMBER SEVEN.

On page 4, after line 10, add the following paragraph:

"SEC. 2. The compensation, fees, mileage and expenses provided for herein are intended to affect incumbents and shall take effect and be in force ninety days after the passage and approval of this Act".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 789?"

The roll was called, and Assembly amendments to Senate Bill No. 789 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Kehoe, King, Luce, Maddux, Owens, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

Senate Bill No. 789 ordered to enrollment.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 310 passed by the following vote:

AYES—Senators Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Lyon, Purkitt, Rush, Scott, Shearer, Stuckenbruck, Thompson, and Wolfe—23.

NOES—Senators Anderson, Birdsall, Carr, Chandler, Cogswell, Crowley, Jones, Luce, Maddux, Mott, Owens, Slater, Strobridge, and Tyrrell—14.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Benson gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 310 was passed.

EXPLANATION OF VOTE.

Senator Butler asked for, and was granted, unanimous consent to have the following explanation of his vote on Senate Bill No. 310 printed in the Journal.

MR. PRESIDENT: In explanation of my vote on Senate Bill No. 310, I have this to say:

I have always endeavored in deciding any question, to look at both sides as far as may lie within my power. I hold no brief for drugless healers, but there is a principle by which I have always endeavored to be guided and that is, that every person and every class of persons is entitled to the same consideration accorded to other persons or classes of persons.

Senate Bill No. 310 seeks to create a board of drugless healers and prescribes for them the standards of education which shall govern the issuing of licenses to practice drugless healing in this State. It does not seek to license them to practice medicine or surgery. It does not permit them to issue death certificates, and prescribes certain limitations beyond which they shall not go. The number of hours of study required in Senate Bill No. 310 for drugless practitioners is greater by some few hundred hours than the time required by Senate Bill No. 443; therefore it could not be contended that Senate Bill No. 310 would lower the standard of education for drugless practitioners.

On the other hand, as stated above, it would raise that standard. I do not understand that it is necessary for a person to have a medical education in order to practice drugless healing. It is, however, necessary that certain preliminary requirements should be adhered to, and that as I understand it, is provided for in Senate Bill No. 310. It was contended by the opponents of this bill that Senate Bill No. 443 made provision for issuing licenses to drugless healers, and this I shall not attempt to deny. But the provisions as laid down in that measure, make it so difficult for any one who desires to practice drugless healing, to fill the requirements, that it is safe to assume that very few, if any, would ever be able to take the examination, much less pass it and obtain a certificate from the State Board of Health of this State.

Although a member of the medical profession, when I entered the legislative halls of this State as a member, I left my medicine case and everything pertaining thereto, behind me and have endeavored to vote upon all questions pertaining to medical legislation as I would vote upon any other measures and decide for myself according to the merits of the case as I understand them.

In this instance, I tried to forget my calling and place myself in the position to pass without prejudice, upon the merits of this bill. I feel that the people who desire to practice drugless healing in this State, are entitled to fair consideration. I also feel that the people of the State of California who desire to avail themselves of the services of drugless practitioners, should have that right, and it was for those reasons that my vote was cast in favor of the bill. I believe in a high standard of education for those who enter the medical profession, and have never, at any time, sought to have them lowered. I believe, also, in a high standard of education for those who practice drugless healing but believe that they should be given the same consideration and the right to practice their profession that is given to doctors of medicine.

This explanation is for the purpose of refuting statements emanating from certain sources that it was my desire to lower the standard of medical education in this State. This statement is in no sense intended as an apology for I have no apologies to make, but simply to place myself on record as being in favor of doing unto others as I would like that they should do unto me.

E. M. BUTLER.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Campbell, the hour of recess was extended until twelve o'clock and forty-five minutes p.m.

RECESS.

At twelve o'clock and forty-five minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

SPECIAL ORDERS—(POSTPONED).

On motion of Senator Wolfe, the consideration of Assembly Bills Nos. 59 and 58 heretofore set as special order for two o'clock p.m., were temporarily postponed.

LEAVE OF ABSENCE.

Senator Rush was, on motion of Senator Campbell, granted leave of absence for the balance of this day.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Anderson, the privilege of the floor of the Senate chamber for this day was unanimously extended to Hon. W. H. Thomas, judge of the Superior Court of Orange County.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

SENATE CHAMBER, SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Joint Resolution No. 14—Relative to the delegation of an expert on fruit-tree diseases to visit the San Joaquin Valley, State of California, to investigate a disease known as "Little Leaf" which attacks the peach and other deciduous fruit trees and grape vines, to discover the cause and advise orchardists as to the cure of the disease has had the same under consideration, and respectfully recommends that it be adopted.

KING, Chairman.

Senate Joint Resolution No. 14 ordered on file.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 444—An Act to add a new section to the Political Code of the State of California to be numbered section 1752, relating to conventions of high school principals.

By order of the President pro tem., Assembly Bill No. 444 was passed on file.

Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; creating a liability on the part of the employers to pay damages in certain cases; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act.

By order of the President pro tem., Assembly Bill No. 487 was passed on file.

Assembly Bill No. 1535—An Act to amend sections 3, 5, 6, 7, 9, 11, 12, 18, 21, 23, 25, 27, 42, 43, 60, 63, 66, 67, 74 and 75 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and repealing section 36, and sections 84, 85, 86, 87, 88 and 89 thereof, relating to work in unincorporated territory.

On motion of Senator Tyrrell, Assembly Bill No. 1535 was passed on file.

Assembly Bill No. 55—An Act to amend section 792 of the Political Code of the State of California, relating to qualifications and application to become notaries.

On motion of Senator Tyrrell, Assembly Bill No. 55 was passed on file.

Assembly Bill No. 455—An Act to provide for the issuance of street improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property secured thereby and for the payment of the bonds so issued.

On motion of Senator Tyrrell, Assembly Bill No. 455 was passed on file.

Assembly Bill No. 850—An Act to amend the Penal Code of the State of California by adding thereto two new sections to be known and numbered as section 349*b* and section 349*c*, relating to labor unions.

By order of the President pro tem., Assembly Bill No. 850 was passed on file.

Assembly Bill No. 41—An Act to validate the organization and incorporation of municipal corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 41 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Chandler, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Purkitt, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1406—An Act to add a new section to the Civil Code of the State of California, to be numbered and designated 653*ha*, providing for the manner of calling meetings of an unincorporated society, etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1406 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Brown, Carr, Chandler, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Purkitt, Slater, Thompson, Tyrrell, and Wolfe—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 500—An Act to amend section 4250 of the Political Code of the State of California, relating to the salaries and fees of the officers of the counties of the twenty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 32—An Act to amend an Act entitled "An Act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire the property of the State of California located on the water front of San Francisco, California," approved March 25, 1901, and all Acts or parts of Acts amendatory thereof, by amending section 2 thereof, said amendment relating to the aggregate amount of such insurance and the cost thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1497—An Act to recognize and declare valid all proceedings in and relative to the Waterford Irrigation District and the organization thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 851—An Act to establish a standard for the State of California for packing of fresh fruits for sale or for transportation for sale for interstate and foreign shipment, and to prevent deception in the packing of fresh fruits for such purposes.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 28, after the word "Act", insert the following: "; *provided*, that any county having and enforcing a standard higher than the standard in this Act shall be exempt from the provisions of this Act".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 184—An Act to regulate the sale of eggs that have been shipped or imported into the State of California from any point or place outside of the State of California, requiring the marking thereof by all persons selling or offering the same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 185—An Act to regulate the sale of food and drink, the ingredients of which are in part composed of eggs shipped or imported into the State of California, from any point or place outside of the State of California, requiring the marking of all bills of fare or menu cards placed on tables or counters in establishments preparing, serving or offering for sale any such food or drink, and fixing penalties for the violation of the same or of any of the provisions thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 186—An Act to regulate the placing of cards in all packages or wrappers enclosing manufacturers' food products, before being sold or offered for sale, which are composed in part of eggs shipped or imported into the State of California, from any point or place outside of the State of California and fixing penalties for the violation of the same or of any of the provisions thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1306—An Act to amend section 1426*n* of the Civil Code of the State of California, relating to fees for recording affidavits of labor or improvements of mining claims.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 817—An Act to add a new section to the Penal Code of the State of California, to be known as section 654*b*, relating to the protection of the purchasers of real estate against fraud and deception.

Bill read second time, and ordered on file for third reading.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

By consent of the Senate, the second reading of Senate bills was taken up, out of the regular order.

Senate Bill No. 161—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 897—An Act making an appropriation to pay for furnishing, repairing, renovating and improving the Governor's residence.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 961—An Act creating an advisory pardon board; defining and prescribing the powers and duties thereof; and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 962—An Act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 980—An Act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1116—An Act to provide for the return to the owners thereof of any funds paid into the state treasury by any receiver in conformity with the provisions of section 570 of the Code of Civil Procedure; prescribing the procedure relative thereto; and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1117—An Act to provide for making restitution to the persons who are or may become entitled thereto in accordance with the provisions of sections 3408*d*, 3571 and 3572 of the Political Code of the principal sums by them, or by their respective predecessors in interest, paid to the State of California and thereafter deposited in the state treasury to the credit of the state school land fund pursuant to law, prescribing certain duties of the Register of the State Land Office, the State Controller and the State Treasurer with respect thereto; and making an appropriation for such purpose.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1119—An Act to provide for making restitution to the persons who are or may become entitled thereto, in accordance with the provisions of sections 3571 and 3572 of the Political Code.

of the sums by them, or by their respective predecessors in interest, paid to the State of California as interest upon the unpaid balance of the purchase price of lands wrongfully sold, or to which the State is unable to pass title, and thereafter deposited in the State treasury to the credit of the state school fund pursuant to law; prescribing certain duties of the Register of the State Land Office, the State Controller and the State Treasurer with respect thereto; and making an appropriation for such purpose.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1139—An Act to provide for the payment of awards of court, or judgments, rendered in conformity with the provisions of section 1272 of the Code of Civil Procedure, and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading

Senate Bill No. 108—An Act to amend section 445 of the Political Code of the State of California, authorizing the Controller of State to maintain an inheritance tax department and in connection therewith to appoint an inheritance tax attorney and assistants thereto.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendment was offered by Committee on Judiciary:

AMENDMENT NUMBER ONE.

Strike out of page 3 of the printed bill all of section 2.

Amendment adopted.

During second reading of the bill, the following committee amendments were offered by Committee on Finance:

AMENDMENT NUMBER ONE.

On page 2, line 7, strike out the word "three", and insert in lieu thereof the following: "five".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, lines 8, 9 and 10, strike out the words: "one of whom shall have his office in the city of Los Angeles, one of whom shall have his office in the city and county of San Francisco" and insert in lieu thereof the following: "two of whom shall have their offices in the city of Los Angeles, two of whom shall have their offices in the city and county of San Francisco".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 24, strike out the word "said", and insert in lieu thereof the following: "one".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 26, following the period, insert the following: "The salary of the second assistant inheritance tax attorney, whose office shall be in the city of Los Angeles, shall be two thousand four hundred dollars per annum."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 27, strike out the word "said" and insert in lieu thereof the following: "one".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 29, after the period insert the following: "The salary of the second assistant inheritance tax attorney, whose office shall be in the city and county of San Francisco, shall be two thousand four hundred dollars per annum."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 31, strike out the word "four", and insert in lieu thereof "seven".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 236—An Act to provide for the establishment and maintenance of vocational courses and schools by local boards of education for the purpose of encouraging agricultural, industrial, trade, commercial and all other practical subjects, and providing state aid therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered by the Committee on Education:

AMENDMENT NUMBER ONE.

On page 1, line 12, after the word "courses" insert the following: "and courses supplementary to vocations".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 9, strike out the comma after the word "determine."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 10, after the word "Saturdays" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 16, strike out the comma after the word "half".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 17, strike out the comma after the word "half".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 18, strike out the comma after the word "hours".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 24, strike out the words "p.m." and insert in lieu thereof the following: "; fourth, that no pupil shall be deprived of credit for failure to attend school on Saturday".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 33, after the comma following the word "employed" insert the following: "and not in attendance upon a regular day school,".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 4, strike out the words "section one" and insert in lieu thereof the following: "the provisions".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 5, strike out the word "or" and insert in lieu thereof the following: "of".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 16, strike out the words "certificated vocational" and insert in lieu thereof the following: "properly qualified".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 10, strike out the word "daily".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 5, line 23, strike out the words "certificated vocational" and insert in lieu thereof the following: "properly qualified".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 6, line 15, following the word "therein" insert the following: "for any year".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 6, lines 15 and 16, strike out the word "accredited" and insert in lieu thereof the following: "approved for that year".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 6, lines 16 and 17, after the word "education" strike out the words "and such accreditation when made shall be made annually." and insert in lieu thereof the following: "*provided, however*, that instruction in a skilled occupation shall not be approved unless the teacher of the same shall have had as a minimum three years experience as a journeyman, or (where such terminology does not apply) its equivalent, in said occupation, and that instruction in a technical subject or instruction in a subject supplementary to a vocation shall not be approved unless the teacher of such subject shall hold a special certificate to teach the same."

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 19, strike out the word "accredited" and insert in lieu thereof the following: "approved".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 21, strike out the word "accreditation" and insert in lieu thereof the following: "approval".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 7, line 17, strike out the word "in" and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 8, line 2, strike out the period after the word "advisable" and insert a semicolon and the following: "*provided*, that, with the approval of the State Board of Education, two or more school districts may unite and make a joint survey of the vocational situation of the community in which such districts are situated".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE

On page 8, line 5, after the word "district" insert the following: "school".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

To add a new section to the bill to be known as "Section 12." and to read as follows:

"SEC. 12. Whenever students receiving instruction pursuant to this Act are performing practical work for the benefit of a manufacturer, employer, or other person or establishment, and the products or results of such work enter into competition with the products or results of work of journeymen mechanics employed or displaced in the industry affected, there shall be established by the local board of education or school authorities having charge of such vocational students, a board of appraisement consisting of three manufacturers or employers and three journeymen mechanics in said industry, which board of appraisement shall determine the difference in cost of production or work of journeymen mechanics and of such vocational students or apprentices, and the amount of the difference thus determined shall be paid by the manufacturer, employer or other person or establishment benefited, into the special fund of the local school district to be used solely for the purpose of maintaining vocational education."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE

To add a new section to the bill to be known as "Section 13." and to read as follows:

"SEC. 13. No student or apprentice receiving instruction pursuant to this Act shall be required or permitted, in the event of a strike, lockout or other labor trouble involving the mechanics and employees of any manufacturer, employer or other person or establishment, to accept a position vacated by another workman. The local board of education maintaining such instruction is hereby required to enforce this provision by suspending any pupil or apprentice who violates it, and said board may expel any pupil or apprentice who persistently disregards or violates the same."

Amendment adopted.

During second reading of the bill, the following committee amendments were offered by Committee on Finance:

AMENDMENT NUMBER ONE.

On page 3, line 13, insert immediately after the word "given" and preceding the following comma (,) the following: "in his district".

Amendment adopted.

AMENDMENT NUMBER TWO

Add a new section immediately following section 13, as follows:

"SEC. 14. It is hereby provided that should the amount estimated by the State Controller under the provisions of section 5 of this Act exceed one hundred fifty thousand dollars for the biennial period ending June 30, 1917, then there shall be and there is hereby appropriated in lieu of the amount estimated as provided in said section the sum of one hundred thousand dollars which amount shall constitute the 'State Vocational Education Fund' for said biennial period. This entire amount shall be apportioned under the same restrictions, in the same manner and upon the same basis as provided elsewhere in this Act for the apportionment of the vocational education fund except that the same shall be apportioned pro rata to the various school districts entitled to State aid under the provisions of this Act."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 237—An Act to provide for the establishment and maintenance of classes for the training of vocational teachers and providing State aid therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, lines 18 and 19, strike out the words "passed the period of apprenticeship" and insert in lieu thereof the following: "had experience as a journeyman, or (where this terminology does not apply, its equivalent,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On pages 2 and 3, strike out all of sections 5 and 6.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 814—An Act to provide for the licensing of motor vehicles engaged in the carrying of passengers for hire upon the public highways in the State of California.

COMMITTEE AMENDMENTS.

On motion of Senator Wolfe, Senate Bill No. 814 was passed on file, and the pending committee amendments ordered printed in the Journal.

AMENDMENT NUMBER ONE.

Amend the title by striking out all after the words "An Act" and insert in lieu thereof the following:

"To provide for the licensing of motor vehicles to operate upon the streets and public highways of the State of California and engage in the business of carrying passengers for hire by indiscriminately accepting and discharging them at successive points thereon; and making an appropriation for the purpose of carrying out the provisions of this Act."

AMENDMENT NUMBER TWO.

Strike out all of Section 1 and insert in lieu thereof the following:

"SECTION 1. The term "motor vehicle" as used herein shall mean and include any automobile or motor bus engaged in the business of carrying passengers for hire, which is held out or announced by sign, voice or other device or advertisement to operate or run, or which is operated or run over any of the streets or public highways in this State and indiscriminately accepts and discharges such persons as may offer themselves for transportation at successive and indefinite points along the way or route on which it is used or operated or may be running."

AMENDMENT NUMBER THREE.

Strike out the word "Sec." and insert in lieu thereof the word "Section" where same occurs on page 1, of the printed bill, lines 5, 10 and 13; on page 2, line 3; and on page 3, lines 3, 7, 17 and 30.

AMENDMENT NUMBER FOUR.

Amend section 5, of the printed bill, by striking out lines 4 to 37, both inclusive, on page 2, and lines 1 and 2, on page 3, and insert in lieu thereof the following: "For each motor vehicle twelve dollars and fifty cents ($12.50) per annum for each seat of its seating capacity, exclusive of the seat to be occupied by the driver thereof".

Also add to said section 5 the following: "Said annual license tax shall be for the calendar year commencing January first, and ending December thirty-first of each year, and shall be due and payable on the first day of January of each year; *provided*, that for the year 1915 the license period shall be four months commencing September first and ending December thirty-first, and the amount of the license tax for said year 1915 shall be one-third of the annual license tax. Anything herein to the contrary notwithstanding, if application for a license for a motor vehicle is made during the period beginning on the first day of April and ending on the thirtieth day of June in any year, three-fourths of the annual license fee shall be paid; if application is made during the period beginning on the first day of July and ending on the thirtieth day of September, one-half of the annual license fee shall be paid; if application is made during the period beginning on the first day of October and ending on the thirty-first day of December, one-fourth of the annual license fee shall be paid".

AMENDMENT NUMBER FIVE.

Amend section 6, line 3, on page 3, of the printed bill, by striking out the words "State Engineer" and insert in lieu thereof the words "Superintendent of the Motor Vehicle Department of California".

AMENDMENT NUMBER SIX.

Amend section 7, on page 3, of the printed bill, by striking out the words "State Engineer" and insert in lieu thereof the words "Superintendent of the Motor Vehicle Department of California", in lines 7, 10 and 12; and by inserting between the words "size" and "and", in line 9, a comma and the word "color".

AMENDMENT NUMBER SEVEN.

Amend section 8, on page 3, of the printed bill, by striking out the words "State Engineer" in lines 18, 25 and 27, and insert in lieu thereof the words "Superintendent of the Motor Vehicle Department of California"; and by adding to the said section the following: "The said Superintendent shall be and is hereby empowered, authorized and directed to do any and all other acts as to him, in his discretion, may seem necessary or proper to fully and fairly carry out each and all of the intents and purposes of this Act as though the same were fully herein set forth. Subject to the approval of the State Board of Control the said Superintendent shall have authority to employ such additional clerks as may be necessary to enable him to carry out the provisions of this Act; such additional clerks to be paid such salaries as may be fixed by the State Board of Control".

AMENDMENT NUMBER EIGHT.

Add a new section to be known and designated as section 9 to read as follows:

"SEC. 9. Upon the transfer of ownership of any motor vehicle, its registration shall expire, and the person in whose name such vehicle is registered shall forthwith file with the department, a written notice containing the date of such transfer of ownership and the name, postoffice address, and business address, if any, of the new owner. Any person who has transferred the ownership of any motor vehicle or who has lost possession thereof, if he applies within ten days after such transfer or loss of possession, may have assigned to another motor vehicle the registered number of the motor vehicle so transferred or lost."

AMENDMENT NUMBER NINE.

Amend section 9, of the printed bill, by striking out the figure "9" in line 30, on page 3, and insert in lieu thereof the figure "10". Also by inserting between the words "owning" and "or" in said line 30, a comma and the word "controlling". Also in line 31, on said page 3, insert between the words "any" and "public" the words "street or". Also in line 34, on said page 3, strike out the period following the word "misdemeanor" and insert in lieu thereof a comma and the following: "punishable by a fine of not less than twenty-five dollars ($25.00) or more than three hundred dollars ($300) or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment".

AMENDMENT NUMBER TEN.

Add a new section to be known and designated as section 11 to read as follows:

"SEC. 11. The sum of three thousand dollars ($3000) or so much thereof as may be necessary, is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the purpose of carrying out the provisions of this Act."

AMENDMENT NUMBER ELEVEN.

Add a new section to be known and designated as section 12 to read as follows:

"SEC. 12. If any section, subsection, sentence, exception, reservation, limitation, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act, and each section, subsection, sentence, exception, reservation, limitation, clause and phrase thereof, irrespective of the fact that any one or more of said sections, subsections, sentences, exceptions, reservations, limitations, clauses or phrases be declared unconstitutional."

Senate Bill No. 855—An Act to amend section fifty-five of the Political Code, relating to the State Board of Control.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Line 4, section 1, printed bill, strike out the word "four" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 1151—An Act appropriating money to repay subscribers to the fund for constructing the bridge across the Colorado River at Yuma, Arizona.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, strike out after the word "out" the following: "the money in the hands of" and insert in lieu thereof the following: "any moneys in".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 3, strike out the word "treasurer" and insert in lieu thereof the word "treasury".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 3, after the word "to" strike out the rest of the line and also lines 4, 5, 6 and 7, and insert in lieu thereof the following: "pay the claim of Ed. Fletcher against the State of California."

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 1243—An Act making an appropriation for the construction of a cell building and wall and for other improvements at Folsom State Prison.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, strike out the word "ten", and insert in lieu thereof the following: "twenty-five".

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading

Senate Bill No. 1244—An Act re-appropriating the money appropriated by an Act entitled "An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison," approved June 7, 1913, and making the same available for the construction of a cell building and wall and for other improvements at Folsom State Prison.

COMMITTEE AMENDMENT.

During second reading of the bill the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, after section 1, add a new section as follows:

"SEC. 2. Inasmuch as the cell accommodations at Folsom State Prison are entirely inadequate to accommodate the constantly increasing number of inmates, the additional building for which provision is hereby made is declared to be necessary for the immediate preservation of the public peace and safety, and this Act is hereby declared to be an urgency measure within the meaning of section 1 of article IV of the Constitution."

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 628—An Act declaring kelp beds to be the property of the the State of California and providing for the control and leasing of said beds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of lines 6 and 7 on page 1, of the printed bill, and insert in lieu thereof the following: "ment and which are shown in that certain report entitled 'Potash from Kelp,' Report No. 100, found in the records of the office of the Secretary of United States Department of Agriculture."

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 10, page 1, of the printed bill, strike out the word "board" and insert in lieu thereof the word "boards".

Amendment adopted.

AMENDMENT NUMBER THREE.

Strike out all of section 3 on pages 1 and 2 of said printed bill, and insert in lieu thereof the following:

"SEC. 3. Said kelp beds may be leased to persons, firms and corporations in quantities stated in said leases and in the manner and subject to the conditions as follows:

" 'The Board of Supervisors shall enact by ordinance such laws, rules and regulations as it shall or may deem necessary or proper relative to and concerning the manner of advertising said leases heretofore mentioned for sale and for the execution of said lease or leases. All said leases shall be sold at public auction to the highest bidder after such reasonable notice given as shall be provided by such ordinance, in no event, however, to be less than ten days, and the bids for said leases shall be made at a price per wet ton of said kelp when cut. No lease shall be made for a term longer than twenty-five years and every lease shall contain a provision that the said lessee shall cut not less than twenty-five hundred tons of kelp during each and every year of said term and shall harvest and make the same into some product or products produced from kelp; and shall contain the further provision that said kelp shall not be cut to a greater depth than twelve feet below the surface of the water. Said leases shall contain the further provision and the said supervisors may enact ordinances to the end that said lessee shall exert due caution in protecting buoys for lobster pots, nets and other apparatus used by fishermen in the locality where said kelp is being cut. Time shall be the essence of each and every and all conditions contained in said lease or leases and the failure of said lessee to cut and manufacture at least twenty-five hundred tons of wet kelp during each and every year shall work a forfeiture of said lease and in the event the said lessee shall violate any of the provisions contained in said lease, said lease shall become void and shall be again sold at public auction by the said board of supervisors, and each of said leases shall contain provisions to that effect.' "

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 659--An Act to amend section 200 of the Code of Civil Procedure, relating to exemptions from liability to act as a juror

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1098—An Act to amend section 3366 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 14, after the comma following the words "civil war" insert the following: "in either the Union or Confederate army".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 15, after the word "insurrection" strike out the word "and" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 11, after the period following the word "wholesale" add the following:

"SEC. 2. This Act shall not be deemed to repeal any Act vesting municipal corporations with power to license for revenue purposes".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 130--An Act to amend section 1365 of the Code of Civil Proceduce relating to the order of persons entitled to administer upon estates.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, lines 5 and 6, after the word "grandchildren" strike out the comma and the words "or some competent person whom they or any of them may request to have appointed." and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, lines 8 and 9, after the word "estate" strike out the comma and the words "or some competent person whom they or any of them may request to have appointed." and insert in lieu thereof a period

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

CONSIDERATION OF ASSEMBLY BILL—(OUT OF ORDER).

Senator Irwin asked for and was granted unanimous consent to take up Assembly Bill No. 589, out of the regular order, for the purpose of amendment.

Assembly Bill No. 589—An Act to amend section 7 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved

March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Irwin moved to refer to Senator Lyon as a Special Committee of One, to amend Assembly Bill No. 589 as follows:

AMENDMENT NUMBER ONE.

On page 2, lines 25 to 29 inclusive, beginning in line 25 after the word "schedule" strike out the ";" and all of lines 26 to 29, inclusive, and insert in lieu thereof a "." and the following sentence: "It is provided, however, that the following drugs, medicines and chemicals may be sold by grocers and dealers generally without restriction, viz:".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 589, with instructions to amend, respectfully reports the same back, amended as per instructions.

LYON, Committee.

Report read and, on motion of Senator Irwin, adopted.

Bill ordered to print, and re-engrossment.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Lyon, the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 987—An Act to amend an Act entitled "An Act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911, by prohibiting the issuance of any scrip, coupons, cards, or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money—and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 987.

Senate Bill No. 987—An Act to amend an Act entitled "An Act prohibiting the issuance as payment for wages of any evidence of indebtedness unless the same is negotiable and payable without discount, and providing that the same must be payable upon demand," approved March 1, 1911, by prohibiting the issuance of any scrip, coupons, cards, or other thing redeemable in merchandise or purporting to be payable or redeemable otherwise than in money.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINE HUNDRED EIGHTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 2, line 7, after the word "money" add the following: "But nothing herein contained shall be construed to prohibit an employer from guaranteeing the payment of bills incurred by an employee for the necessaries of life or for the tools and implements used by such employee in the performance of his duties."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 987?"

The roll was called, and Assembly amendment to Senate Bill No. 987 was concurred in by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Campbell, Chandler, Cohn, Duncan, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—25.
NOES—None.

Senate Bill No. 987 ordered to enrollment.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committee were received and read, out of the regular order:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 770—An Act to amend section 1858 of the Political Code of the State of California relating to the attendance of children in the public schools of the State—has had the same under consideration, and respectfully reports the same back with amendment and recommends that it do pass as amended.

ANDERSON, Chairman.

Senate Bill No. 770 ordered on file for second reading.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 1060—An Act making an appropriation for the transfer to the University of California of the petroleum experimental station at the Panama-Pacific International Exposition—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it be re-referred to the Committee on Revenue and Taxation.

ANDERSON, Chairman.

Senate Bill No. 1060 ordered re-referred to Committee on Revenue and Taxation.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 239—An Act to amend section 1 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, as amended by Act approved March 20, 1905, and as further amended by an Act approved April 21, 1911, and relating to the age of school children;

Also: Assembly Bill No. 1002—An Act to amend section 1599 of the Political Code of the State of California, relating to the election of school trustees, and defining the duties of the county clerk in relation to such election;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

ANDERSON, Chairman.

Assembly Bills Nos. 239 and 1002 ordered on file for second reading.

Also:

SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 849—An Act to amend section 1665 of the Political Code of the State of California relating to the subjects in which instruction shall be provided in the elementary schools of the State—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

ANDERSON, Chairman.

Senate Bill No. 849 ordered on file for second reading.

WITHDRAWAL OF BILL.

Senator Benedict asked for and was granted unanimous consent to withdraw Senate Bill No. 500 on account of the fact that the provisions therein contained were provided for in Senate Bill No. 443.

Senate Bill No. 500 ordered withdrawn and stricken from the file.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 857—An Act to make lawful certain agreements between employers and laborers, and to limit the issuing of injunctions in certain cases.

On motion of Senator Lyon, Senate Bill No. 857 was passed to the file of Unfinished Business.

Senate Bill No. 231—An Act to add a new section to the Political Code, to be numbered 4153*a*, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and to authorize the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes, and providing for their compensation.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Anderson moved to refer to Senator Kehoe as a Special Committee of One, to amend Senate Bill No. 231 as follows:

AMENDMENT NUMBER ONE.

On page 1, after the comma following the word "marriage" on line 5 of the title, strike out the following words: "and to authorize the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes, and providing for their compensation.", and change the comma after the word "marriage" on line 5 to a period.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Special Committee on One, to which was referred Senate Bill No. 231, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Anderson, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 1077—An Act to amend section 13 of an Act entitled "An Act to regulate the examination of applicants for license, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts or parts of Acts in conflict with this Act," approved June 2, 1913.

Bill read third time.

On motion of Senator Flaherty, Senate Bill No. 1077 was passed to the file of Unfinished Business.

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

By order of the President pro tem., Senate Bill No. 1078 was passed on file.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan, Senate Bill No. 74 was passed on file.

Senate Bill No. 595—An Act to amend section 4014 of the Political Code of the State of California.

On motion of Senator Irwin, Senate Bill No. 595 was passed on file.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

By order of the President pro tem., Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

By order of the President pro tem., Senate Bill No. 60 was passed on file.

Senate Bill No. 1180—An Act to amend an Act to amend sections 1, 2, 3, 4 and 5 of an Act entitled "An Act to provide for the division of municipalities into sewer districts and for the construction of, or acquisition and maintenance of sewers therein; providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911.

On motion of Senator Benedict, Senate Bill No 1180 was passed on file.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Duncan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rev. N. J. Lowther and Mr. H. L. Smullin of Honcut.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 162—An Act to amend section 4300*a* of the Political Code, relating to the fees of county clerks.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gerdes moved to refer to Senator Wolfe as a Special Committee of One to amend Senate Bill No. 162 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 14 of the printed bill, after the word "petitioner", strike out the period and insert in lieu thereof a semicolon and add the following: "*provided*, that when the public administrator, in his official capacity is the petitioner, he shall be required to pay said fees only out of the assets of the estate coming into his possession."

AMENDMENT NUMBER TWO.

On page 2, line 23 of the printed bill, after the word "adoption", strike out the word "case" and insert in lieu thereof the word "cases".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of lines 28 to 35, inclusive, and insert in lieu thereof the following:

"For issuing marriage license, one-half to be paid to the county recorder, two dollars.

"For filing and indexing articles of incorporation, or amended articles of incorporation or any certified copy of articles of incorporation, one dollar.

"For filing certificate of increase or decrease of capital stock, one dollar.

"For filing certificate of increase or decrease of number of directors, one dollar.

"For filing notice of removal of principal place of business, one dollar.

"For filing certificate of creation of bonded indebtedness or increase or decrease thereof, one dollar.

"For filing and indexing certificates of co-partnership or fictitious names or auctioneers bonds, one dollar.

"For filing and indexing all papers to be kept by him, other than papers filed in actions or proceedings in court, and official bonds and certificates of appointment, each twenty-five cents.

"For issuing and recording any license required by law, not otherwise provided for, other than marriage license, one dollar.

"For examining and certifying to any copy of any paper, record or proceeding prepared by another and presented for his certificate, fifty cents, and one cent per folio for comparing the said copy with the original.

"For making satisfaction of, or credit on judgment, twenty-five cents.

"For administering each oath, without certificate, except in pending action or proceedings, ten cents.

"For taking any affidavit, except in criminal cases, twenty-five cents.

"For searching records or files, for each year, fifty cents.

"For taking and approving each undertaking, and the justification thereof, except in criminal cases, fifty cents.

"For taking acknowledgment of any deed or other instrument, including the certificate, fifty cents.

"For filing notice of appeal and appeal bonds each twenty-five cents."

CONSIDERATION OF MOTION—(POSTPONED).

On motion of Senator Wolfe, the consideration of the motion to refer to Special Committee of One was postponed until the next legislative day.

Senate Bill No. 837—An Act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains except in such cases or classes of cases as may be permitted by the Railroad Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 837 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Purkitt, Shearer, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 737—An Act to amend an Act entitled "An Act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, by amending sections 3, 4, 7 and 9 thereof, and by adding a new section thereto to be known and numbered section 11½, all relating to the licensing of stallions and jacks, and providing for the reporting of the collection of fees to the State Controller and the creation of a fund to be known as the stallion registration board contingent fund.

On motion of Senator Cohn, Senate Bill No. 737 was passed on file.

Senate Bill No. 1202—An Act to provide for the regulation and supervision of racing meetings; establishing a State Racing Commission for the purpose of administering the provisions hereof, and defining its powers and duties; prohibiting book-making; and prescribing penalties for violation of the provisions of the Act.

On motion of Senator Beban, Senate Bill No. 1202 was passed on file.

Senate Bill No. 1204—An Act providing for the manner of construction and equipment of window sashes in certain classes of windows.

On motion of Senator Scott, Senate Bill No. 1204 was passed on file.

Senate Bill No. 668—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," by amending sections 1, 3, 11, 15, 20, 25, 28, 32, 36, 37, 46, 47, 48, 49, 56, 61, 61*a*, 65, 67, 68, 80, 83, 96, 98, 99, 101, 127, 144 and 145 thereof and by adding new sections thereto to be numbered sections 13, 57 and 85, all relating to the definition and regulation of the business of banking.

By order of the President pro tem., Senate Bill No. 668 was passed on file.

Senate Bill No. 1138—An Act to regulate the building and occupancy of dwelling houses in incorporated and unincorporated towns, cities, cities and counties, and to provide penalties for the violation thereof.

On motion of Senator Anderson, Senate Bill No. 1138 was passed on file.

Senate Bill No. 260—An Act to amend section 4236 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers, and of grand and trial jurors in counties of the seventh class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Luce moved to refer to Senator Jones as a Special Committee of One, to amend Senate Bill No. 260 as follows:

AMENDMENT NUMBER ONE.

On line 17, page 5, of the printed bill, after the semicolon, insert: "one deputy who shall receive a salary of sixteen hundred and fifty dollars per annum;".

AMENDMENT NUMBER TWO.

On line 17, page 5, of the printed bill, strike out the word "first".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 260, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read and, on motion of Senator Luce, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 796—An Act to amend an Act entitled "An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, by amending sections 1 and 2, both relating to cold storage.

On motion of Senator Campbell, Senate Bill No. 796 was passed on file.

Senate Bill No. 229—An Act to add a new section to the Code of Civil Procedure to be numbered 1020, relating to the service of summons in actions for divorce or annulment of marriage.

On motion of Senator Anderson, Senate Bill No. 229 was passed on file.

Senate Bill No. 231—An Act to add a new section to the Political Code, to be numbered 4153*a*, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage, and to authorize the appointment of additional deputies by district attorneys in counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth classes, and providing for their compensation.

On motion of Senator Anderson, Senate Bill No. 231 was passed on file.

Senate Bill No. 230—An Act to add a new section to the Civil Code, to be numbered 128*a*, providing for the service of summons and complaint on the district attorney in actions for divorce or annulment of marriage, and conditioning the courts' jurisdiction thereon.

On motion of Senator Anderson, Senate Bill No. 230 was passed on file.

Senate Bill No. 1247—An Act to add a new section to the Penal Code to be numbered section 1329*a*, relating to fees of witnesses in criminal cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1247 passed by the following vote:

AYES—Senators Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Purkitt, Scott, Slater, Thompson, Tyrrell, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR COGSWELL IN THE CHAIR.

At three o'clock and fifteen minutes p.m., Senator Cogswell of the Thirty-third District, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 922—An Act to amend section 196*a* of the Civil Code, relating to the support of illegitimate children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 922 passed by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Scott, Slater, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1252—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 1235, relating to dissolution of trust companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1252 passed by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Purkitt, Scott, Slater, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1100—An Act to amend section 583 of the Code of Civil Procedure, relative to the dismissal of actions in certain cases.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1100 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Purkitt, Scott, Shearer, Slater, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 602—An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part of public highways, squares, lanes, alleys, parks, storm water drains, settling basins, courts, and places, within counties, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement:

Also: Senate Bill No. 533—An Act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records and accounts of all such charges, and to make an annual written report thereof; requiring each such charge to be just and reasonable and to be devoted to no other purpose than such hospital service; and prescribing penalties for violations of the provisions thereof;

Also: Senate Bill No. 1072—An Act to add a new section to the Civil Code to be numbered 330, relating to debts owing to and stock standing in the name of decedents; And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 250—An Act to amend "An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary thereto, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, as amended by Act approved December 24, 1911, by adding to said Act two new sections to be numbered 27*a* and 27*b*, providing for the disincorporation of such districts, the payment of its obligations upon such disincorporation, the return of its surplus funds to the tax payers, the disposal of the records of said district, the winding up of the affairs of said district and the powers of boards of supervisors upon the winding up of such affairs;

Also: Senate Bill No. 26—An Act to add a new section to the Civil Code of the State of California, to be numbered section 172½, relating to community property;

Also Senate Bill No. 447—An Act to amend sections 1518 and 1519 of the Political Code, to add thereto a new section to be numbered 1518*a*, all relating to the State Board of Education and prescribing its powers and duties; and to repeal section 1492 of the Political Code;

Also: Senate Bill No. 448—An Act to amend section 1489 of the Political Code, relating to the powers and duties of normal school boards;

Also: Senate Bill No. 424—An Act to amend section 1543 of the Political Code, relating to the duties of Superintendent of Schools;

Also: Senate Bill No. 889—An Act to add a new section to the Civil Code of the State of California to be numbered 1410*b*, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF SENATE BILLS (RESUMED).

Senate Bill No. 811—An Act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

By order of the President pro tem., Senate Bill No. 811 was passed on file.

Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof.

On motion of Senator Thompson, Senate Bill No. 1049 was passed on file.

Senate Bill No. 895—An Act to amend an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" approved June 12, 1913, by adding thereto a new section to be known as section 12, limiting the hours of employment of female pupil or student nurses in hospitals, prescribing penalties for the violation thereof, and providing for the enforcement of the restrictions imposed.

On motion of Senator Birdsall, Senate Bill No. 895 was passed on file.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 26—An Act to add a new section to the Civil Code of the State of California, to be numbered section 172½, relating to community property.

Bill read third time.

On motion of Senator Purkitt, Senate Bill No. 26 was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At four o'clock and forty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 533—An Act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records, and accounts of all such charges, and to make an annual written report thereof; requiring each such charge to be just and reasonable and to be devoted to no other purpose than such hospital service; and prescribing penalties for violations of the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 533 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 447—An Act to amend sections 1518 and 1519 of the Political Code, to add thereto a new section to be numbered 1518*a*, all relating to the State Board of Education, and prescribing its powers and duties; and to repeal section 1492 of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 447 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 448—An Act to amend section 1489 of the Political Code, relating to the powers and duties of normal school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 448 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King Luce, Maddux, Mott, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—32.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1072—An Act to add a new section to the Civil Code to be numbered three hundred and thirty, relating to debts owing to and stock standing in the name of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1072 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 602—An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part of public highways, squares, lands, alleys, parks, storm water drains, settling basins, courts, and places, within counties, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 602 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

Noes—Senators Purkitt, and Shearer—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

On motion of Senator Wolfe, Assembly Bills Nos. 58 and 59, heretofore set as special orders for this time, were taken up for consideration.

Assembly Bill No. 59—An Act to amend section one hundred ninety-eight of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Luce moved to refer to Senator Wolfe as a Special Committee of One to amend Assembly Bill No. 59 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, after the word "state", strike out the words "one year".

AMENDMENT NUMBER TWO.

On page 1, line 6, after the words "and county", strike out the words and figures "90 days", and insert in lieu thereof the following: "for two years immediately".

AMENDMENT NUMBER THREE.

On page 1, strike out all of lines 12 and 13.

CONSIDERATION OF MOTION—(POSTPONED).

The further consideration of motion to refer to Special Committee of One was, on motion of Senator Wolfe, postponed until the next legislative day.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 350—An Act to amend an Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary thereto, and also to provide for the distribution and sale of water by said districts, approved May 1, 1911, as amended by Act approved December 24, 1911, by adding to said Act two new sections to be numbered 27*a* and 27*b*, providing for the disincorporation of such districts, the payment of its obligations upon such disincorporation, the return of its surplus funds to the taxpayers, the disposal of the records of said district, the winding up of the affairs of said district and the powers of boards of supervisors upon the winding up of such affairs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 350 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, King, Luce, Maddux, Owens, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 392—An Act to amend section 1667 of the Political Code of the State of California;

Also: Senate Bill No. 475—An Act to amend section 599 of the Civil Code of the State of California, relating to what may be provided for in the by-laws, ordinances, constitutions or articles of incorporation of corporations now organized or that may hereafter be organized for purposes other than profit;

Also: Senate Bill No. 584—An Act to amend section 2466 of the Political Code and to add thereto a new section to be numbered 2466*a*, relating to rates of pilotage at San Francisco;

Also: Senate Bill No. 586—An Act to amend section 53 of the "Bank Act" of the State of California, approved March 1, 1909, approved as amended April 21, 1911;

Also: Senate Bill No. 639—An Act to amend section 442 of the Code of Civil Procedure, relating to cross-complaints;

Also: Senate Bill No. 982—An Act to amend an Act entitled "An Act providing for the time of payment of wages," approved May 1, 1911, by amending section 3 thereof, providing penalties for the violation of said act;

Also: Senate Bill No. 1025—An Act amending an Act entitled "An Act to provide for the alteration of the boundaries of and for the annexation of territory to municipal corporations, for the incorporation of such annexed territory in and as a part thereof, and for the districting, government and municipal control of such annexed territory," approved June 11, 1913, by amending sections 1, 5, 6, 7 and 11 thereof;

Also: Senate Bill No. 1089—An Act to amend the Political Code of the State of California by adding a new section thereto to be designated section 1194 relating to the preservation and subsequent destruction by the Secretary of State of initiative, referendum and recall petitions;

Also: Senate Bill No. 1201—An Act to amend section 1989 of the Code of Civil Procedure, relating to the attendance of a witness before a court, judge, justice or other officer, out of the county in which the witness resides;

Also: Senate Bill No. 1037—An Act to amend section 623 of the Political Code of the State of California, relating to the bonds of insurance companies;

Also: Senate Bill No. 560—An Act to amend sections 950, 951 and 952 of the Code of Civil Procedure, all relating to appeals;

Also: Senate Bill No. 881—An Act to add to the Code of Civil Procedure a new section to be known and numbered section 103*b*, relating to justices' court clerk and fixing the powers and duties;

Also: Senate Bill No. 1026—An Act to amend an Act entitled "An Act to provide for the consolidation of municipal corporations," approved June 11, 1913, by amending sections 5, 7, 10, 11 and 14, and by adding a new section thereto to be numbered section 13½ relating to certain non-contiguous municipal corporations;

Also: Senate Bill No. 972—An Act to amend section 636½ of the Penal Code, relating to the protection of fish;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this 21st day of April, 1915, at 11 o'clock a.m.

FLAHERTY, Chairman.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committee were received and read, out of the regular order:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 668—An Act to amend section 843 of the Political Code, relating to a county officer acting as a deputy of another county officer of the same county;

Also: Assembly Bill No. 263—An Act to amend section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks;

Also: Assembly Bill No. 728—An Act to amend section 4246 of the Political Code, relating to salaries and fees of officers in counties of the seventeenth class;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BREED, Chairman.

Assembly Bills Nos. 668, 263 and 728 ordered on file for second reading

Also:

SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1107—An Act to amend section 4239 of the Political Code, relating to county officers, and their salaries and deputies; to township officers and their compensations; and to the compensation of jurors and grand jurors in counties of the tenth class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BREED, Chairman.

Assembly Bill No. 1107 ordered on file for second reading.

SPECIAL ORDER.

Senator Wolfe moved that Assembly Bills Nos. 59 and 58 be made special orders for Thursday, April 22, 1915, immediately following the consideration of the Assembly File.

Motion carried.

ADJOURNMENT.

At four o'clock and thirty minutes p.m., on motion of Senator Wolfe, the President pro tem. declared the Senate adjourned

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IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Thursday, April 22, 1915.

The Senate met at ten o'clock a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe King, Luce, Lyon, Maddux, Mott, Owens, Perkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

By invitation of the President pro tem., prayer was offered by Rev. C. E. Woodman, of Newman Hall, Berkeley.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 21, 1915, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGES OF FLOOR EXTENDED.

On request of Senator Kehoe, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Ralph Bull, of Arcata.

On request of Senator Wolfe, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. M. P. Fitzpatrick, of San Francisco.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Judiciary to which was referred Senate Bill No. 574—An Act to amend section 928 of the Penal Code, relating to grand juries, permitting the use of the accounting department of the State Board of Control by the grand juries of the several counties of the State instead of employing "experts,":

Also: Assembly Bill No. 653—An Act to amend section 1861 of the Civil Code, relating to lien of hotel keepers on property of guests for charges;
Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Senate Bill No. 574 ordered on file for second reading.

Assembly Bill No. 653 ordered on file for second reading.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Judiciary to which was referred Assembly Bill No. 169—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901;

Also: Assembly Bill No. 1460—An Act to amend section 1539 of the Code of Civil Procedure, relating to the service of orders to show cause;

Also: Assembly Bill No. 1461—An Act to amend section 1547 of the Code of Civil Procedure relating to notices of sale at public auction;

Also: Assembly Bill No. 1462—An Act to amend section 1549 of the Code of Civil Procedure, relating to notices of sale at public sale;

Also: Assembly Bill No. 1463—An Act to amend section 1531 of the Code of Civil Procedure, relating to orders to show cause on sale of real estate;

Also: Assembly Bill No. 758—An Act to validate the organization of sanitary districts and their proceedings whereby the boundaries thereof were altered, and outlying contiguous territory in the same county as such sanitary district annexed thereto;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 169, 1460, 1461, 1462, 1463 and 758 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Kehoe, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended Senate Bill No. 278—An Act to amend sections 1490, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1502, 1503, 1505, 1507, 1510, 1512, 1513, 1514, 1569, 1622 and 1628 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons—and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 278.

Senate Bill No. 278—An Act to amend sections 1490, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1502, 1503, 1505, 1507, 1510, 1512, 1513, 1514, 1569, 1622 and 1628 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons

ASSEMBLY COMMITTEE AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED SEVENTY-EIGHT.

AMENDMENT NUMBER ONE.

On pages 1 and 2, section 1, strike out lines 4 to 6, inclusive, on page 1, and lines 1 to 14, inclusive, on page 2, and insert in lieu thereof the following:

"1490. Every executor or administrator must, immediately after his letters are issued, cause to be published in some newspaper of the county, if there be one, if not, then in such newspaper as may be designated by the judge or court, a notice to the creditors of the decedent, requiring all persons having claims against said decedent to file them, with the necessary vouchers, in the office of the clerk of the court from which the letters were issued, or to exhibit them, with the necessary vouchers, to the executor or administrator, at the place of his residence, to be specified in the notice, provided said residence or place of business shall be in the county in which said proceeding is had. Such notice must be published as often as the court or judge shall direct, but not less than once a week for four weeks. The court, or judge may also direct additional notice by publication or posting. In case such executor or administrator resigns, or is removed, before the time expressed in the notice, his successor must give notice only for the unexpired time allowed for such filing or presentation."

AMENDMENT NUMBER TWO.

On page 2, section 2, strike out lines 18 to 37, inclusive, and insert in lieu thereof the following:

"1493. All claims arising upon contracts, whether the same be due, not due, or contingent, and all claims for funeral expenses and expenses of the last sickness must be filed or presented within a time limited in the notice, and any claim not so filed or presented is barred forever; *provided, however*, that when it is made to appear by the affidavit of the claimant to the satisfaction of the court, or a judge thereof, that the claimant had no notice as provided in this chapter, by reason of being out of the State, it may be filed or presented at any time before a decree of distribution is entered. A brief description of every claim filed must be entered by the clerk in the register, showing the name of the claimant, the amount and character of the claim, the rate of interest, if any, and the date of filing."

AMENDMENT NUMBER THREE.

On page 3, section 3, line 4, strike out the comma after the word "filed" and insert in lieu thereof the following: "with the clerk, or presented to the executor or administrator,".

AMENDMENT NUMBER THREE AND ONE-HALF.

On page 3, section 3, strike out of lines 17 and 18 the words: "the first publication of notice to creditors" and insert in lieu thereof the words: "its approval by the administrator or executor and judge" and strike out in line 16 the words: "if the estate be insolvent, no." and insert in lieu thereof the word "no."

AMENDMENT NUMBER FOUR.

On page 3, section 3, line 9, strike out the comma after the word "filed" and insert in lieu thereof the following: "or presented,".

AMENDMENT NUMBER FIVE.

On page 3, section 4, line 23, insert after the word "file" the following: "or present".

AMENDMENT NUMBER SIX.

On page 3, section 4, line 29, insert after the word "filing" the following: "or presenting".

AMENDMENT NUMBER SEVEN.

On pages 3 and 4, section 5, strike out line 37 on page 3, lines 1 to 18, inclusive, on page 4 and the words "sented in time", on line 19, and insert in lieu thereof the following:

"1496. When a claim, accompanied by the affidavit required in this chapter, has been filed with the clerk, the executor or administrator must allow or reject it, and his allowance or rejection thereof must be in writing and filed with the clerk. If the executor or administrator so allow the claim after filing, the clerk must, immediately after the filing of such allowance, present the claim, together with the allowance, to the judge, and must at the time of such presentation endorse on the claim the date thereof. The judge must endorse upon the claim so filed his allowance or rejection, with the date thereof. When a claim, accompanied by the affidavit required in this chapter, is presented to the executor or administrator before filing, he must endorse thereon his allowance or rejection, with the day and date thereof. If he allow the claim so presented, it must be presented to the judge for his approval, who must in the same manner endorse upon it his allowance or rejection, and, if allowed, it must, within thirty days thereafter, be filed with the clerk. If, where a claim has been filed without presentation, the executor or administrator refuse or neglect to file such allowance or rejection for ten days after the claim has been filed, or if, where a claim has been presented before filing, the executor or administrator refuse or neglect to endorse such allowance or rejection for ten days after the claim has been presented to him, or if the judge refuse or neglect to endorse such allowance or rejection for ten days after the claim has been presented to him, such refusal or neglect may, at the option of the claimant, be deemed equivalent to a rejection on the tenth day; and if the presentation be made before filing by a notary, the certificate of such notary, under seal, shall be prima facie evidence of such presentation and the date thereof. If the claim be filed with the clerk, or presented to the executor or administrator, before the expiration of the time limited for the filing or presentation of claims, the same is filed or presented in time, though acted upon by the executor or administrator, and by the judge, after the expiration of such time".

AMENDMENT NUMBER EIGHT.

On page 4, section 6, line 32, strike out the comma after the word "filed" and insert in lieu thereof the following: "or presented,".

AMENDMENT NUMBER NINE.

On page 4, section 6, line 37, insert after the word "filed" the following: "or presented".

AMENDMENT NUMBER TEN.

On page 5, section 7, line 17, insert after the word "filing" the following: "or presenting".

AMENDMENT NUMBER ELEVEN.

On page 5, section 8, line 32, insert after the word "allowed," the following: "or presented and allowed,".

AMENDMENT NUMBER TWELVE.

On page 6, section 9, line 1, strike out the comma after the words "first filed" and insert in lieu thereof the following: "with the clerk, or presented to the executor or administrator,".

AMENDMENT NUMBER THIRTEEN.

On page 6, section 9, line 7, strike out the period at the end of the line and insert in lieu thereof the following: "or presented".

AMENDMENT NUMBER FOURTEEN.

On page 6, section 10, line 12, insert after the word "clerk," the following: "or present it to the executor or administrator for allowance or rejection,".

AMENDMENT NUMBER FIFTEEN.

On page 6, section 10, line 14, strike out the period at the end of the line and insert in lieu thereof the following: "or presentation".

AMENDMENT NUMBER SIXTEEN.

On page 6, section 11, line 18, strike out the comma after the word "filed" and insert in lieu thereof the following: "with the clerk, or presented to the executor or administrator,".

AMENDMENT NUMBER SEVENTEEN.

On page 6, section 12, line 31, insert after the word "filed" the following: "with the clerk, or presented to the executor or administrator,".

AMENDMENT NUMBER EIGHTEEN.

On page 7, section 13, line 7, insert after the word "claim" the following: "presented to him or".

AMENDMENT NUMBER NINETEEN.

On page 7, section 14, strike out of lines 24 and 25 the words "in the same manner as that of any other creditor, and the judge of the Superior Court" and insert in lieu thereof the following: "and must be presented by the clerk for allowance or rejection to the judge, who".

AMENDMENT NUMBER TWENTY.

On page 8, section 15, line 3, strike out the comma after the word "filed" and insert in lieu thereof the following: "with the clerk, or presented to the executor or administrator,".

AMENDMENT NUMBER TWENTY-ONE.

On page 8, section 15, line 5, after the word "subsequently" strike out the word "filed," and insert in lieu thereof the following: "so filed or presented,".

AMENDMENT NUMBER TWENTY-TWO.

On page 8, section 16, line 13, insert after the words "whether filed or not," and insert the following: "or whether presented or not,".

AMENDMENT NUMBER TWENTY-THREE.

On page 8, section 17, line 23, insert after the word "filed" the following: "or presented".

AMENDMENT NUMBER TWENTY-FOUR.

On page 9, section 18, line 27, insert after the words "filed and allowed," the following: "or presented and allowed,".

AMENDMENT NUMBER TWENTY-FIVE.

On page 9, section 18, line 35, insert after the words "filed and allowed," the following: "or presented and allowed,".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 278?"

The roll was called, and Assembly amendments to Senate Bill No. 278 were concurred in by the following vote:

AYES—Senators Ballard, Benson, Breed, Brown, Butler, Campbell, Chandler, Cohn, Duncan, Flaherty, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—27.

NOES—None.

Senate Bill No. 278 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 124—An Act to amend section 421 of the Civil Code relating to investments by insurance companies;

Also: Senate Bill No. 176—An Act to amend an Act entitled "An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof;" approved June 13, 1913, by providing for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes in such district; and for the issuance of county waterworks district bonds, and the payment thereof, by amending the title of said Act, by amending sections 1, 2, 3, 5, 6, 8, 9, 10, 11, 12, 13 and 14 thereof, and by adding a new section thereto, to be known as section 17 relating to change of name of said county irrigation districts, and to bond issues thereof.

Also: Senate Bill No. 324—An Act to amend sections 453*t* and 453*y* of the Civil Code, relating to title insurance companies.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 124, 176 and 324 ordered to enrollment.

Also:

SACRAMENTO, April 21, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 600—An Act to provide for submitting to the qualified electors of every city and county, or incorporated city or town, in this State, the question whether such city and county, or incorporated city or town, shall retain powers of control vested therein respecting all or any public utilities, and to provide for elections thereafter to surrender such powers of control in case the qualified electors of any such city and county, or incorporated city or town, shall have voted to retain such powers of control;

Also: Senate Bill No. 83—An Act to amend section 646 of the Civil Code, relating to building and loan associations;

Also: Senate Bill No. 650—An Act to amend section 594 of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 600, 83 and 650 ordered to enrollment.

Also:

SACRAMENTO, April 21, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 170—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor;

Also: Assembly Bill No. 1205—An Act to amend section 634 of the Political Code of the State of California, relating to the registration of policies of life insurance companies.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 170 read first time, and referred to Committee on Finance.

Assembly Bill No. 1205 read first time, and referred to Committee on Insurance.

Also:

SACRAMENTO, April 21, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 20th passed Assembly Bill No. 221—An Act creating a reclamation district to be called and known as "Tule Lake Reclamation District"; providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Tule Lake Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Tule Lake Reclamation District.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 221 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 161—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor;

Also: Senate Bill No. 897—An Act making an appropriation to pay for furnishing, repairing, renovating and improving the Governor's residence;

Also: Senate Bill No. 961—An Act creating an Advisory Pardon Board; defining and prescribing the powers and duties thereof; and making an appropriation therefor;

Also: Senate Bill No. 962—An Act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor;

Also: Senate Bill No. 980—An Act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California;

Also: Senate Bill No. 1116—An Act to provide for the return to the owners thereof of any funds paid into the state treasury by any receiver in conformity with the provisions of section 570 of the Code of Civil Procedure; prescribing the procedure relative thereto; and making an appropriation therefor;

Also: Senate Bill No. 1117—An Act to provide for making restitution to the persons who are or may become entitled thereto in accordance with the provisions of sections 3408*d*, 3571 and 3572 of the Political Code of the principal sums by them, or by their respective predecessors in interest, paid to the State of California and thereafter deposited in the state treasury to the credit of the State School Land Fund pursuant to law, prescribing certain duties of the Register of the State Land Office, the State Controller and the State Treasurer with respect thereto; and making an appropriation for such purpose;

Also: Senate Bill No. 1119—An Act to provide for making restitution to the persons who are or may become entitled thereto, in accordance with the provisions of sections 3571 and 3572 of the Political Code, of the sums by them, or by their respective predecessors in interest, paid to the State of California as interest upon the unpaid balance of the purchase price of lands wrongfully sold, or to which the State is unable to pass title, and thereafter deposited in the state treasury to the credit of the State School Fund pursuant to law; prescribing certain duties of the Register of the State Land Office, the State Controller and the State Treasurer with respect thereto; and making an appropriation for such purpose;

Also: Senate Bill No. 1139—An Act to provide for the payment of awards of court, or judgments, rendered in conformity with the provisions of section 1272 of the Code of Civil Procedure, and making an appropriation therefor;

Also: Senate Bill No. 659—An Act to amend section 200 of the Code of Civil Procedure, relating to exemptions from liability to act as a juror;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan, Senate Bill No. 74 was passed on file.

Senate Bill No. 162—An Act to amend section 4300*a* of the Political Code, relating to the fees of county clerks.

On motion of Senator Benson, Senate Bill No. 162 was passed on file.

Senate Bill No. 737—An Act to amend an Act entitled "An Act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, by amending sections 3, 4, 7 and 9 thereof, and by adding a new section thereto to be known and numbered section 11½, all relating to the licensing of stallions and jacks, and providing for the reporting of the collection of fees to the State Controller and the creation of a fund to be known as the stallion registration board contingent fund.

On motion of Senator Cohn, Senate Bill No. 737 was passed on file.

Senate Bill No. 796—An Act to amend an Act entitled "An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, by amending sections 1 and 2, both relating to cold storage.

Bill read third time.

On motion of Senator Campbell, Senate Bill No. 796 was passed on file.

Senate Bill No. 229—An Act to add a new section to the Code of Civil Procedure to be numbered 1020, relating to the service of summons in actions for divorce or annulment of marriage.

On motion of Senator Anderson, Senate Bill No. 229 was passed on file.

Senate Bill No. 230—An Act to add a new section to the Civil Code, to be numbered 128*a*, providing for the service of summons and complaint on the district attorney in actions for divorce or annulment of marriage, and conditioning the courts' jurisdiction thereon.

On motion of Senator Anderson, Senate Bill No. 230 was passed on file.

SENATOR STROBRIDGE IN THE CHAIR.

At ten o'clock and twenty-five minutes a.m., Senator Strobridge, of the Thirteenth District, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 26—An Act to add a new section to the Civil Code of the State of California, to be numbered section 172½, relating to community property.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 26 refused passage by the following vote:

AYES—Senators Butler, Campbell, Finn, Purkitt, Rush, Scott, Shearer, Slater, and Stuckenbruck—9.

NOES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe King, Luce, Maddux, Mott, Strobridge, Thompson, and Tyrrell—24.

Senate Bill No. 424—An Act to amend section 1543 of the Political Code, relating to the duties of superintendent of schools.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Anderson moved to refer to Senator Kehoe as a Special Committee of One, to amend Senate Bill No. 424, as follows:

AMENDMENT NUMBER ONE.

On page 7, line 27, strike out the word "county" and insert in lieu thereof the word "special".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 424, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Anderson, adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 811—An Act to amend section 1741 of the Political Code, relating to the powers and duties of high school boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 811 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof.

Bill read third time.

On motion of Senator Thompson, Senate Bill No. 1049 was passed on file.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

SENATE JOINT RESOLUTION NUMBER FOURTEEN.

Relative to the delegation of an expert on fruit-tree diseases to visit the San Joaquin Valley, State of California, to investigate a disease known as "Little Leaf" which attacks the peach and other deciduous fruit trees and grape vines, to discover the cause and advise orchardists as to the cure of the disease.

WHEREAS, A serious disease, probably physiological, probably bacterial, has attacked the decidrous fruit trees of orchards in the San Joaquin Valley, State of California, and has become a serious menace to the deciduous fruit interests, especially the peach, and is rapidly spreading not only to other orchards but also to other varieties of fruit trees, frequently causing the death of the trees attacked and decidedly lessening the amount of fruit produced; therefore, be it

Resolved by the Senate and the Assembly, jointly, That an earnest appeal be made to the United States Secretary of Agriculture, to send an expert to California to discover, if possible, the cause of this late and rapidly increasing disease, known as "Little Leaf," and to advise as to its control.

Joint resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 14 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, and Thompson—33.

NOES—None.

Joint resolution ordered transmitted to the Assembly.

Senate Bill No. 161—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

On motion of Senator King, Senate Bill No. 161 was passed on file.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 897—An Act making an appropriation to pay for furnishing, repairing, renovating and improving the Governor's residence.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 897 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 961—An Act creating an advisory pardon board; defining and prescribing the powers and duties thereof; and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 961 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—36.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 962—An Act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor.

On motion of Senator Thompson, Senate Bill No. 962 was passed on file.

Senate Bill No. 980—An Act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 980 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Strobridge, Stuckenbruck, Thompson, and Wolfe—30.
NOES—Senator Duncan—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1116—An Act to provide for the return to the owners thereof of any funds paid into the state treasury by any receiver in conformity with the provisions of section 570 of the Code of Civil Procedure; prescribing the procedure relative thereto; and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1116 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1117—An Act to provide for making restitution to the persons who are or may become entitled thereto in accordance with the provisions of sections 3408*d*, 3571 and 3572 of the Political Code of the principal sums by them, or by their respective predecessors in interest, paid to the State of California and thereafter deposited in the state treasury to the credit of the State school land fund pursuant to law, prescribing certain duties of the Register of the State Land Office, the State Controller and the State Treasurer with respect thereto; and making an appropriation for such purpose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1117 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Senate Bill No. 1119—An Act to provide for making restitution to the persons who are or may become entitled thereto, in accordance with the provisions of sections 3571 and 3572 of the Political Code, of the sums by them, or by their respective predecessors in interest, paid to the State of California as interest upon the unpaid balance of the purchase price of lands wrongfully sold, or to which the State is unable to pass title, and thereafter deposited in the state treasury to the credit of the State School Fund pursuant to law; prescribing certain duties of the Register of the State Land Office, the State Controller and the State Treasurer with respect thereto; and making an appropriation for such purpose.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 1119 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—31.
NOES—Senator Purkitt—1.

Title read and approved.
Bill ordered transmitted to the Assembly.
Senate Bill No. 1139—An Act to provide for the payment of awards of court, or judgments, rendered in conformity with the provisions of section 1272 of the Code of Civil Procedure, and making an appropriation therefor.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 1139 passed by the following vote:

AYES—Senators Beban, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.
NOES—Senator Purkitt—1.

Title read and approved.
Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Assembly Bill No. 686—An Act to add a new section to the Penal Code to be numbered 330½, relating to the shaking of dice by women and minors—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

LUCE, Chairman.

Assembly Bill No. 686 ordered on file for second reading.

On motion of Senator Luce, Assembly Bill No. 686 was re-committed to Committee on Public Morals.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Public Morals to which was referred Assembly Bill No. 562—An Act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain State buildings and grounds—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

LUCE, Chairman.

Assembly Bill No. 562 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Irrigation to which was referred Assembly Bill No. 307—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, amending section 78 thereof;

Also: Assembly Bill No. 341—An Act to legalize bonds issued and to be issued and sold by irrigation districts;

Also: Assembly Bill No. 368—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes, approved March 31, 1897," by amending sections 1, 28, 57, 61, 72, 90 and 91, and by adding new sections to be known as sections 41*a* and 61*a*;

Also: Assembly Bill No. 424—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by repealing section 64 thereof;

Also: Assembly Bill No. 1517—An Act to amend section 1 of an Act entitled "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness and the distribution of their property," approved February 10, 1903, as amended, relating to the procedure in cases of dissolution of such districts;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

MADDUX, Chairman.

Assembly Bills Nos. 307, 341, 368, 424 and 1517 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 1060—An Act making an appropriation for the transfer to the University of California of the petroleum experimental station at the Panama-Pacific International Exposition—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

COGSWELL, Chairman.

Senate Bill No. 1060 ordered on file for second reading.

Also:

SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution by amending sections 1 and 9 of article XIII and by repealing sections 8, 10 and 14 of said article, all relating to revenue and taxation—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it be adopted as amended.

COGSWELL, Chairman.

Senate Constitutional Amendment No. 38 ordered on file.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Jones, the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 1406—An Act to add a new section to the Civil Code to be numbered and designated 653*ha*, providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do—and requests that your honorable body recede therefrom.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senator Jones moved that the Senate refuse to recede from Senate amendments to Assembly Bill No. 1406.

The question being, "Shall the Senate recede from Senate amendments to Assembly Bill No. 1406?"

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 1406 by the following vote:

AYES—None.

NOES—Senators Anderson, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

The Secretary was directed to notify the Assembly of the Senate's refusal to recede, and to request the Assembly to appoint a Committee on Conference to meet with a like committee from the Senate.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Scott asked for and was granted unanimous consent to take up Senate Bill No. 1204, out of the regular order, for the purpose of amendment.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Scott moved to refer to Senator Kehoe as a Special Committee of One, to amend Senate Bill No. 1204 as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 1 to 13, of the printed bill, as amended in the Senate April 16, 1915, strike out all of said lines 1 to 13, inclusive, and insert in lieu thereof the following:

"SECTION 1. In every building hereafter constructed, each window, the lower sill of which is nine feet or more above the ground or nine feet or more above a substantial roof or other substantial structure immediately below such window, shall be so constructed that all the sash in such window shall be so hinged, swung, pivoted or otherwise arranged and equipped that each sash may be turned horizontally or vertically so as to allow all surfaces of such window to be washed or cleaned by a person inside the building. Every such casement window, the sash of which is fastened by butts to the frame, shall be so constructed that the sash will swing inward."

AMENDMENT NUMBER TWO.

On page 2, line 10, after the word "corporations" strike out the period and insert the following: "and shall not apply to dwelling houses constructed for occupation by not more than two families".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1204, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Scott, adopted.
Bill ordered to print and re-engrossment.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President pro tem. announced the appointment of Senators Jones, Campbell, and Gerdes as a Committee on Conference to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 1406.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 318—An Act to provide for the regulation of county jails, county hospitals and almhouses, county orphanages, detention homes and city or town jails under the supervision of the State Board of Charities and Corrections—and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 67—An Act to protect any child or person enrolled or in attendance upon any public or private school, or other educational institution, within the State of California, from compulsory vaccination; and to prevent vaccination being made a condition precedent or a prerequisite to admission to or attendance upon any of the public or private schools or other educational institutions within the State of California; making violations thereof a misdemeanor; providing penalties; making exceptions as to private educational institutions; and repealing an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An Act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1889," approved March 7, 1911—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Public Health and Quarantine.

ANDERSON, Chairman.

Assembly Bill No. 67 ordered re-referred to Committee on Public Health and Quarantine.

Also:

SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 1235—An Act to amend the Political Code by adding a new section thereto to be numbered 1618*a*, providing for the establishment of separate schools for the instruction of the mentally deficient—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

ANDERSON, Chairman.

Assembly Bill No. 1235 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 420—An Act to add a new section to the Political Code of the State of California, to be numbered 602*b*, to provide a uniform system of classification of risks, premium rates and schedule ratings for the State Compensation Insurance Fund and all other insurance carriers in this State insuring employers or employees under the Workmen's Compensation, Insurance and Safety Act, chapter 176, laws of 1913; to establish adequate rates for such insurance; to permit the limited issuance of compensation participating policies; requiring the Industrial Accident Commission to furnish certain information for the use of the State Insurance Commissioner; requiring every insurance carrier writing such insurance to file an annual report of its loss experience, and empowering the State Insurance Commissioner to supervise, control and enforce the provisions of this Act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BENEDICT, Chairman.

Senate Bill No. 420 ordered on file for second reading.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 1253—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-second session of the Legislature concerning the adoption of a system of social insurance and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass and be re-referred to the Committee on Finance.

BENEDICT, Chairman.

Senate Bill No. 1253 ordered re-referred to Committee on Finance.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 637—An Act to amend section 2 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under constitutional provision without Governor's approval February 25, 1909, as amended—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

TYRRELL, Chairman.

Assembly Bill No. 637 ordered on file for second reading.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 638—An Act to amend section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

TYRRELL, Chairman.

Assembly Bill No. 638 ordered on file for second reading.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1564—An Act to validate proceedings for the annexation of territory to, incorporation in, and inclusion thereof within municipal corporations—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Assembly Bill No. 1564 ordered on file for second reading.

INTRODUCTION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

By consent of the Senate the following concurrent resolution was introduced, out of the regular order:

By Senator Benson: Senate Concurrent Resolution No. 21—Approving a charter for the city of San Jose, ratified by the qualified voters of said city at a special municipal election held therein on the 19th day of April, 1915.

Resolution referred to Committee on Municipal Corporations.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Jones, the consideration of the motion to reconsider the vote whereby Senate Constitutional Amendment No. 1 was refused passage was continued until the next legislative day.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Breed, the consideration of the motion to reconsider the vote whereby Senate Bill No. 751 was passed was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Benson moved to reconsider the vote whereby Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act—was passed.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Benson, the consideration of the above motion to reconsider was postponed until the next legislative day.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Jones asked for and was granted unanimous consent to take up Senate Bill No. 318, out of the regular order, for the purpose of amendment.

Senate Bill No. 318—An Act to provide for the regulation of county jails, county hospitals and almshouses, county orphanages, detention homes and city or town jails under the supervision of the State Board of Charities and Corrections.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moves to refer to Senator Benson as a Special Committee of One, to amend Senate Bill No. 318 as follows:

AMENDMENT NUMBER ONE.

On page 2, of the printed bill, strike out all of line 25, beginning with the word "No", and all of lines 26, 27, 28, 29 and 30, and strike out the period after the word "approval" on line 25 and insert in lieu thereof a comma and the following: "and said State Board of Charities and Corrections shall have authority by written order to require any such plans or specifications to be submitted to it before their adoption."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 318, with instructions to amend, respectfully reports the same back amended as per instructions.

BENSON, Committee.

Report read and, on motion of Senator Jones, adopted.

Bill ordered to print, and re-engrossment.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

SECOND READING OF SENATE BILLS.

The Senate took up the second reading of Senate bills.

Senate Bill No. 1235—An Act to amend section 4255 of the Political Code, relating to salaries and fees of officers in counties of the twenty-sixth class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1238—An Act to amend section 4262 of the Political Code, relating to salaries of officers of counties of the thirty-third class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 15, after the word "annum" strike out the semicolon, and insert in lieu thereof a comma and the following words: "and one deputy at a salary of nine hundred dollars per annum;".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 27, strike out the word "two" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 31, after the word "hundred" insert the words: "and twenty-five".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 33, insert the words: "and twenty-five", before the word "dollars" at the beginning of the line.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 34, after the word "hundred" insert the words: "and twenty-five".

Amendments adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 770—An Act to amend section 1858 of the Political Code of the State of California, relating to the attendance of children in the public schools of the State.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 27, after the semicolon following the word "year" insert the following: "*provided*, that in estimating the average daily attendance for such apportionment, pupils who are absent on account of illness or in obedience to quarantine regulations shall be counted as present, but not exceeding five days for any one pupil in any one school year, where the teacher is satisfied that such absence is due to such cause and so certifies under oath, but shall be reported to the county superintendent of schools separately from those actually present and shall not be included in the report of the average daily attendance made by the county superintendent of schools or the State Superintendent of Public Instruction".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 27, strike out the words "*provided*, that" and change the small "i" in the word "in" at the end of said line to a capital.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 849—An Act to amend section 1665 of the Political Code of the State of California, relating to the subjects in which instruction shall be provided in the elementary schools of the State.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 722—An Act to amend sections 1, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16½, 17 and 18 of an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, as amended by an Act approved May 26, 1913, and to add thirteen new sections to said Act to be numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32, relating to the organization, powers and duties of said reclamation board, and creating a revolving fund and appropriating money therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 1 of the printed bill, after the word "tributaries" insert the following: "and the adjacent overflow basins"

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, lines 10 and 11 of the printed bill, strike out the following words: "provided said chief engineer shall consent to such appointment".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, lines 5, 6 and 7 of the printed bill, strike out all in line 5 after the period and all of lines 6 and 7 and insert in lieu thereof the following: "The secretary, assistant secretary, general manager, chief engineer and two assistant engineers, all consulting engineers, the attorney for the board, and all special attorneys employed by the board, and such employees as may be otherwise exempted by law, shall be exempt from the provisions of the civil service laws of this State".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 14 of the printed bill, after the word "channels" insert the words "and basins".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 18 of the printed bill, after the word "channels" insert the words "and basins".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 19 of the printed bill, after the word "channels" insert the words "and boundaries".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, line 30 of the printed bill, after the word "tributaries" insert the words "and said basins".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5, line 9 of the printed bill, strike out the words "and shall" and insert in lieu thereof the following: "which shall be the principal place of business and legal residence of said board of the said Sacramento and San Joaquin Drainage District. The Reclamation Board shall".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 7, line 14 of the printed bill, after the word "rivers" insert the words "or Kings River or Tulare Lake".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 9, line 5 of the printed bill, after the word "canals" insert the word "sumps,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 9, line 5 of the printed bill, after the word "channels" insert the following: "and basins, reservoirs and other flood control works,".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 9, line 7 of the printed bill, after the word "canals" strike out the word "and" and insert in lieu thereof the following: ", sumps,".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 9, line 7 of the printed bill, after the word "channels" insert the following: "and basins, reservoirs and other flood control works;".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 9, lines 34 and 35 of the printed bill, strike out the words "not authorized by said board".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 10, line 2 of the printed bill, strike out the following: "unless authorized by said board,".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 10 of the printed bill, after the period in line 4, strike out all of line 4 and all of lines 5 to 22, inclusive, and insert in lieu thereof the following: "In case any land, right of way or easement is or shall be needed for any work of channel excavation, enlargement, rectification or control, or for the construction of any weir, which is a part of the plans to be carried out as contemplated by this Act, and which is to be done or constructed in whole or in part by the United States, and is or shall be necessary or be required by the United States, before doing such work or constructing such weir, that such land, right of way or easement be conveyed to the United States free of cost, the Reclamation Board shall have power to acquire such land, right of way or easement and cause the same to be conveyed to the United States free of cost, or to be condemned for the use of the United States in the manner provided by the laws of this State or of the United States, and to pay the cost and expense of acquiring such land, right of way or easement out of the funds of any assessment by said board applicable thereto; or if such land, right of way or easement is or shall have been already acquired by said Reclamation Board in the name of the Sacramento and San Joaquin Drainage District, the said board shall be and is authorized to cause the same to be conveyed by said district to the United States free of cost".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 13, line 2 of the printed bill, after the period in said line, insert the following: "The assessors appointed for any assessment may also prepare or cause to be prepared a map or maps of the whole or any part or parts of the lands to be assessed with sufficient detail to indicate thereon and identify the several tracts of land to be separately assessed or any of them, each of which such separate tracts shall be designated on such map or maps by a distinctive number. Each of such maps shall be inscribed and designated as 'Reclamation Board Map No. ----', giving each map a distinctive number. Any such map may consist of any number of sheets attached together and designated as one map. Such map or maps, when approved by the Reclamation Board, shall be certified by the secretary of said board as having been so approved, and shall be filed for record in the office of the county recorder of the county wherein the land indicated on such map or maps is situated. Thereupon and thereafter, for the purpose of said assessment, or of any future assessment levied by said Reclamation Board, the assessment list for any county may, for the description of any tract of land so indicated on any such map, refer to such map and to the number by which such tract is designated on such map, and such reference, if used for that purpose, shall be a sufficient description of such tract for the purposes of such assessment list, and for the purposes of the notice of delinquent sale, certificate of sale and deed in pursuance of such sale, and all other proceedings under this Act based upon such assessment. No provision of any other statute of this State relative to the filing or recording of maps in the office of the county recorder shall apply to the maps in this section referred to; *provided, however,* that the maps herein referred to shall have no legal effect for any purpose except for the convenient reference to and description of the tracts of land indicated thereon for the purposes of description of such tracts of land by reference thereto in the matter of assessments levied by the Reclamation Board and acts and proceedings based thereon as herein provided. No fee shall be charged by any such county recorder for the filing for record of such map as in this section provided".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 14, line 13 of the printed bill, after the period in said line, add the following: "Whenever an assessment has been levied by the Reclamation Board upon lands in said district for general administrative expenses and other expenses not pertaining to any particular project, and the boundaries of said district have been or shall be extended so as to include lands other than the lands included within said district at the time such assessment was levied, the Reclamation Board shall make an estimate of the fair and equitable amount which should be contributed by the lands so included in the district by such change of boundaries for the purposes of such assessment previously levied by said board for general administrative expenses and other expenses not pertaining to any particular project, and shall levy and cause to be assessed, equalized and collected in the manner in this Act provided, an assessment to the amount of such estimate upon lands so included in the district by such change of boundaries, according to benefits in the manner in this Act provided."

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 15, line 3 of the printed bill, strike out the word "shall" and insert in lieu thereof the following: "may in the discretion of the Board".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 15, line 9 of the printed bill, after the word "assessed", insert the following: "as described in the assessment list or by other description sufficient to identify the same,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 19, line 28 of the printed bill, after the period in said line, add the following: "In case of any change of county boundary lines, or creation of any new county, all acts and proceedings in this Act provided for in the manner of or relating to or in pursuance of or founded upon any assessment upon lands affected by such change of county boundary lines, or creation of such new county, shall be done and conducted as if such lands were situated in the same county as at the time of appointment of the assessors to make such assessments".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 20, line 22 of the printed bill, after the word "channels", insert the words "and basins".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 21, line 20 of the printed bill, after the period in the said line, insert the following: "Each such application for leave to construct, repair or complete such levee shall designate the name and post office address of at least one and not more than three of the applicants signing the same as the person or persons to whom any notice or communication may be addressed by the Reclamation Board in the matter of such application. In case there shall be two or more such applications filed in the office of the Reclamation Board within said period of thirty days last above mentioned the Reclamation Board may determine which of said applications shall be recognized and may reject the others".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 22, line 10 of the printed bill, after the word "channel", insert the words "or basin".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 23, line 13 of the printed bill, after the word "waterway", insert the following: "storage basin or sump".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 23, line 14 of the printed bill, after the comma, after the word "aforesaid", insert the following: "or for carrying out in whole or in part any of the plans or works adopted by it".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 23, line 16 of the printed bill, after the comma, after the word "waterway", insert the following: "storage basin or sump".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 23, line 16 of the printed bill, after the second word "by-pass", insert the following: "waterway, storage basin or sump".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 23, line 19 of the printed bill, after the word "through", insert the following: "over and upon".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 23, line 19 of the printed bill, after the word "by-pass", insert the following: "waterway, storage basin or sump".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 23, line 25, of the printed bill, after the word "in" insert the following: "over and upon".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 23, line 25, of the printed bill, after the word "by-pass" at the end of said line, insert the following: "storage basin or sump".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 23, line 36, of the printed bill, after the word "waterway" insert the following: "storage basin or sump".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 24, line 2, of the printed bill, after the comma after the word "by-pass" insert the following: "or storage basin".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 24, between lines 10 and 11, of the printed bill, insert a new paragraph to read as follows: "The words 'with the permission of the Reclamation Board' or 'with the consent of the Reclamation Board', as used in this section, shall be construed to mean and are hereby declared to mean the express permission or consent of said board in each particular case, evidenced by resolution or order entered in its minutes, and granted upon application of the particular district, corporation, association or person desiring to obtain benefit of the provisions of this section".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 24, between lines 19 and 20, of the printed bill, insert a new paragraph to read as follows: "In case the Reclamation Board shall determine that the ownership in fee of, instead of the right of way or easement over, any land required for use as a by-pass, or overflow channel or basin, or for any part of the works of flood control to be carried out by said board, is necessary, or that the absolute ownership by said Sacramento and San Joaquin Drainage District of any levees, cuts, canals, gates or other flood control works is necessary, for the purposes of said district, then said board may require that such title in fee and absolute ownership shall be conveyed to said Sacramento and San Joaquin Drainage District before any compensation shall be allowed therefor pursuant to any of the provisions of this section".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 29, strike out all of lines 22 to 27, inclusive, and insert in lieu thereof the following:

"SEC. 27. Besides and in addition to the notices required by this Act, the Reclamation Board may in its discretion give such notice as it may deem proper, by publication, mailing or otherwise, of any of its assessments, orders, proceedings, hearings or other acts done or contemplated".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 30, strike out all of lines 5 to 16, inclusive.

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 30, line 19, of the printed bill, strike out the number "30" and insert in lieu thereof the number "29".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 30, line 24, of the printed bill, strike out the number "31" and insert in lieu thereof the number "30".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 30, line 34, of the printed bill, strike out the number "32" and insert in lieu thereof the number "31".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

In lines 21 and 22, of the title, of the printed bill, strike out the words "and thirty-two,".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

In line 21 of the title of the printed bill, after the word "thirty", strike out the comma and insert the word "and".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 814—An Act to provide for the licensing of motor vehicles engaged in the carrying of passengers for hire upon the public highways in the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title by striking out all after the words "An Act" and insert in lieu thereof the following:

"To provide for the licensing of motor vehicles to operate upon the streets and public highways of the State of California and engage in the business of carrying passengers for hire by indiscriminately accepting and discharging them at successive points thereon; and making an appropriation for the purpose of carrying out the provisions of this Act."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of section 1 and insert in lieu thereof the following:

"SECTION 1. The term 'motor vehicle' as used herein shall mean and include any automobile or motor bus engaged in the business of carrying passengers for hire, which is held out or announced by sign, voice or other device or advertisement to operate or run, or which is operated or run over any of the streets or public highways in this State and indiscriminately accepts and discharges such persons as may offer themselves for transportation at successive and indefinite points along the way or route on which it is used or operated or may be running."

Amendment adopted.

AMENDMENT NUMBER THREE.

Strike out the word "Sec." and insert in lieu thereof the word "Section" where same occurs on page 1, of the printed bill, lines 5, 10 and 13; on page 2, line 3; and on page 3, lines 3, 7, 17 and 30.

Amendment lost.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Strobridge, the hour of recess was extended until one o'clock and thirty minutes p.m.

CONSIDERATION OF AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED FOURTEEN—(RESUMED).

AMENDMENT NUMBER FOUR.

Amend section 5, of the printed bill, by striking out lines 4 to 37, both inclusive, on page 2, and lines 1 and 2, on page 3, and insert in lieu thereof the following:

"For each motor vehicle twelve dollars and fifty cents ($12.50) per annum for each seat of its seating capacity, exclusive of the seat to be occupied by the driver thereof."

Also add to said section 5 the following: "Said annual license tax shall be for the calendar year commencing January first, and ending December thirty first of each year, and shall be due and payable on the first day of January of each year; *provided*, that for the year 1915 the license period shall be four months commencing September first and ending December thirty-first, and the amount of the license tax for said year 1915 shall be one-third of the annual license tax.

"Anything herein to the contrary notwithstanding, if application for a license for a motor vehicle is made during the period beginning on the first day of April and ending on the thirtieth day of June in any year, three-fourths of the annual license fee shall be paid; if application is made during the period beginning on the first day of July and ending on the thirtieth day of September, one-half of the annual license fee shall be paid; if application is made during the period beginning on the first day of October and ending on the thirty-first day of December, one-fourth of the annual license fee shall be paid".

AMENDMENT FROM FLOOR.

The following amendment to Amendment No. 4 was offered and its adoption moved by Senator Finn:

Strike out the word "Twelve", and insert in lieu thereof the following: "Two".

The question being on the adoption of the amendment to the amendment.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Crowley, Maddux and Shearer.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the amendment to the amendment lost by the following vote:

AYES—Senators Beban, Brown, Butler, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Lyon, Scott, Stuckenbruck, and Wolfe—13.

NOES—Senators Anderson, Ballard, Benedict, Breed, Campbell, Cogswell, Flint, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Thompson, and Tyrrell—22.

AMENDMENT FROM FLOOR.

The following amendment to Amendment No. 4, was offered, and its adoption moved by Senator Wolfe.

Strike out the words "Twelve dollars and fifty cents", and insert in lieu thereof the following: "five dollars".

The question being on the adoption of the amendment to the amendment.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Luce, Shearer, and Maddux.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the amendment to the amendment lost by the following vote:

AYES—Senators Beban, Brown, Butler, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Luce, Lyon, Scott, Stuckenbruck, and Wolfe—14.

NOES—Senators Anderson, Ballard, Benedict, Benson, Breed, Campbell, Cogswell, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Thompson, and Tyrrell—22.

AMENDMENT FROM FLOOR.

The following amendment to amendment No. 4 was offered, and its adoption moved by Senator Finn:

Strike out the word "twelve", and insert in lieu thereof the word "seven".

The question being on the adoption of the amendment to the amendment.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Gerdes, Crowley, and Slater.

Thereupon the Secretary was directed to call the roll.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Finn moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—36.

The Secretary announced the absentees.

Time, one o'clock and ten minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At one o'clock and fifteen minutes p.m., Senator Birdsall was brought to the bar of the Senate, and, on motion of Senator Slater, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At one o'clock and twenty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wolfe.

The Secretary was directed to call the roll, on the adoption of the amendment to the amendment, of Senators who had not answered to their names.

The roll was called, and the amendment to the amendment lost by the following vote:

AYES—Senators Beban, Benson, Brown, Butler, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Luce, Lyon, Rush, Scott, Slater, Stuckenbruck, Tyrrell, and Wolfe—18.

NOES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Campbell, Cogswell, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Shearer, Strobridge, and Thompson—19.

CONSIDERATION OF AMENDMENT NUMBER FOUR—(RESUMED).

The question being on the adoption of the amendment.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Finn, Crowley, and Scott.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Campbell, Cogswell, Cohn, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, and Thompson—22.

NOES—Senators Beban, Butler, Carr, Crowley, Finn, Flaherty, Gerdes, Luce, Lyon, Scott, Stuckenbruck, Tyrrell, and Wolfe—13.

AMENDMENT NUMBER FIVE.

Amend section 6, line 3, on page 3, of the printed bill, by striking out the words "State Engineer" and insert in lieu thereof the words "Superintendent of the Motor Vehicle Department of California".

Amendment adopted.

AMENDMENT NUMBER SIX.

Amend section 7, on page 3, of the printed bill, by striking out the words "State Engineer" and insert in lieu thereof the words "Superintendent of the Motor Vehicle Department of California", in lines 7, 10 and 12; and by inserting between the words "size" and "and", in line 9, a comma and the word "color".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

Amend section 8, on page 3 of the printed bill, by striking out the words "State Engineer" in lines 18, 25 and 27, and insert in lieu thereof the words "Superintendent of the Motor Vehicle Department of California"; and by adding to the said section the following: "The said Superintendent shall be and is hereby empowered, authorized and directed to do any and all other acts as to him, in his discretion, may seem necessary or proper to fully and fairly carry out each and all of the intents and purposes of this Act as though the same were fully herein set forth. Subject to the approval of the State Board of Control, the said Superintendent shall have authority to employ such additional clerks as may be necessary to enable him to carry out the provisions of this Act: such additional clerks to be paid such salaries as may be fixed by the State Board of Control".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

Add a new section to be known and designated as section 9 to read as follows:

"SEC. 9. Upon the transfer of ownership of any motor vehicle, its registration shall expire, and the person in whose name such vehicle is registered shall forthwith file with the department, a written notice containing the date of such transfer of ownership and the name, post office address, and business address, if any, of the new owner. Any person who has transferred the ownership of any motor vehicle or who has lost possession thereof, if he applies within ten days after such transfer or loss of possession, may have assigned to another motor vehicle the registered number of the motor vehicle so transferred or lost."

Amendment adopted.

AMENDMENT NUMBER NINE.

Amend section 9 of the printed bill, by striking out the figure "9" in line 30, on page 3, and insert in lieu thereof the figures "10". Also by inserting between the words "owning" and "or" in said line 30, a comma and the word "controlling". Also in line 31, on said page 3, insert between the words "any" and "public" the words "street or". Also in line 34, on said page 3, strike out the period following the word "misdemeanor" and insert in lieu thereof a comma and the following: "punishable by a fine of not less than twenty-five dollars ($25.00) or more than three hundred dollars ($300.00) or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment".

Amendment adopted.

AMENDMENT NUMBER TEN.

Add a new section to be known and designated as section 11 to read as follows:

"SEC. 11. The sum of three thousand dollars ($3,000) or so much thereof as may be necessary, is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the purpose of carrying out the provisions of this Act."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

Add a new section to be known and designated as section 12 to read as follows: "SEC. 12. If any section, subsection, sentence, exception, reservation, limitation, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act, and each section, subsection, sentence, exception, reservation, limitation, clause and phrase thereof, irrespective of the fact that any one or more of said sections, subsections, sentences, exceptions, reservations, limitations, clauses or phrases be declared unconstitutional."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

USE OF SENATE CHAMBER GRANTED.

Senator Mott asked for and was granted unanimous consent for the use of the Senate Chamber for a public hearing on Senate Bill No 1258, by the Committee on Oil Industries, on Thursday evening, April 22, 1915, at eight o'clock.

RECESS.

At one o'clock and thirty minutes p.m., on motion of Senator Wolfe, the President pro tem. declared the Senate at recess until three o'clock p.m.

RECONVENED.

At three o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 705—An Act to amend section 634 of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 768—An Act to amend section 628 of the Penal Code of the State of California, relating to the protection of fish;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

FLINT, Chairman.

Senate Bills Nos. 705 and 768 ordered on file for second reading.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1001—An Act to amend section 628e of the Penal Code, relating to the protection of fish—has had the same under consideration, and respectfully recommends that it do pass.

FLINT, Chairman.

Assembly Bill No. 1001 ordered on file for second reading.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1533—An Act to amend section 637 of the Penal Code, providing for the construction and maintenance of fishways over or around dams and artificial obstructions—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

FLINT, Chairman.

Assembly Bill No. 1533 ordered on file for second reading.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 973—An Act to amend section 636 of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 155—An Act to amend section 629 of the Penal Code, relative to the placing and maintaining of screens over the inlets of pipes, flumes, ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been placed or may exist;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

FLINT, Chairman.

Senate Bills Nos. 973 and 155 ordered on file for second reading.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 1106—An Act providing for the disposition of fines and forfeitures collected in all prosecutions for violations of the laws of the State referring to wild birds, wild mammals and fishes;

Also: Senate Bill No. 1107—An Act to regulate the issuance of licenses for resale to hunters and anglers;

Also: Assembly Bill No. 1501—An Act to amend section 599*f* of the Penal Code, relating to the protection of elk;

Has had the same under consideration, and respectfully recommends that they do pass

FLINT, Chairman.

Senate Bills Nos. 1106 and 1107 ordered on file for second reading

Assembly Bill No. 1501 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, April 21, 1915

MR. PRESIDENT: Your Committee on Labor and Capital to which was referred Senate Bill No. 91—An Act to provide for a day of rest from labor;

Also: Senate Bill No. 512—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 680*a*, relating to compulsion of employees;

Also: Senate Bill No. 985—An Act to amend sections 1999, 2000, 2001, 2002 and 2003 of the Civil Code of the State of California, relating to employees;

Also: Assembly Bill No. 505—An Act to provide for the enforcement of labor laws of the State of California by the Commissioner of the Bureau of Labor Statistics;

Has had the same under consideration, and respectfully reports the same back and recommends that the same do pass.

LYON, Chairman.

Senate Bills Nos. 91, 512 and 985 ordered on file for second reading.

Assembly Bill No. 505 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 19, 1915.

MR. PRESIDENT: Your Committee on Federal Relations to which was referred Senate Concurrent Resolution No. 20—Providing for the appointment of a joint committee of the Senate and Assembly to procure, if possible, the approval and adoption by Congress of certain plans for river and harbor improvements and the co-operation of the Federal Government in the performance of the works therein provided for and specified, and making provision for the payment of the expenses to be incurred by such committee;

Also: Senate Joint Resolution No. 6—Relative to the cadets of the United States Military Academy;

Also: Assembly Joint Resolution No. 5—Relative to the establishment of life saving stations on the Pacific coast;

Also: Assembly Joint Resolution No. 24—Authorizing and requesting the Governor to appoint a commission to co-operate with the Federal authorities for the

drafting of a law and the formation of a legal plan for the improvement of the straits of Carquinez, the San Joaquin and Sacramento rivers; and the reclamation of adjacent overflowed lands; for irrigation; and the conservation of water;
Has had the same under consideration, and respectfully reports the same back and recommends that they be adopted.

RUSH, Chairman.

Senate Concurrent Resolution No. 20 ordered on file.

Senate Joint Resolution No. 6 ordered on file.

Assembly Joint Resolutions Nos. 5 and 24 ordered on file.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

By consent of the Senate, the second reading of Assembly bills was taken up, out of the regular order.

Assembly Bill No. 625—An Act to amend section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 145—An Act to amend section 4145 of the Political Code of the State of California, relating to the duties of coroners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1029—An Act to amend section 4264 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the thirty-fifth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 27 of the printed bill strike out the words "Each superviser" and strike out all of lines 28 and 29 on page 3, also.

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 129—An Act to amend section 3460 of the Political Code of the State of California, relating to assessments and re-assessments in reclamation districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1080—An Act to amend an Act entitled "An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, by amending section 1 of said Act, and making the description more certain, amending section 6 of said Act in reference to the certifying and depositing of a certified copy of assessment, amending section 7 of said Act in reference to the lien of said assessment, and also amending the said section 7 in regard to the collection of the assessments, issuance of warrants and the payment of all moneys that may be collected into the county treasury of Yolo County.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1082—An Act approving, confirming and declaring valid the creation, formation and organization of Reclamation District number one hundred eight, created by that certain Act of the Legislature of the State of California entitled "An Act legalizing the consolidation and re-organization of Reclamation District number seven hundred twenty nine with Reclamation District number one hundred eight, in the counties of Yolo and Colusa, etc."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1149—An Act relating to the assessments levied under and by virtue of an Act entitled "An Act to create a drainage district to be called 'Sacramento Drainage District,' to promote drainage therein; to provide for the election and appointment of officers of said drainage district," etc.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1150—An Act relating to the transfer of money now held in a special fund created under and by virtue of an Act entitled "An Act to create a drainage district to be called 'Sacramento Drainage District,' to promote drainage therein; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers and providing for the creation, division and management of reclamation, swamp land, levee, drainage and protection districts within said Sacramento Drainage District, and providing for levying and collecting assessments upon the lands within said drainage district," approved March 20, 1905, and all Acts amendatory thereof, to the general fund of the counties in which such money is held.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1338—An Act to amend sections 3692, 3696, 3714, 3732, 3746, 3737, 3756 of the Political Code, relating to the assessment, equalization and collection of taxes.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 6, line 35, at the end of said line, strike out the word "ten" and insert in lieu thereof the word "fifteen".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1046—An Act to add a new section to the Political Code, to be numbered section 3804*b*, relating to the cancellation of erroneous assessments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 239—An Act to amend section 1 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, as amended by Act approved March 20, 1905, and as further amended by an Act approved April 21, 1911, and relating to the age of school children.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, strike out the word "seven" and insert in lieu thereof the word "eight".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1002—An Act to amend section 1599 of the Political Code of the State of California, relating to the election of school trustees, and defining the duties of the county clerk in relation to such election.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5 of the title, strike out the comma after the word "trustees" and the words "and defining the duties of the county clerk in relation to such election".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 16, after the word "least" strike out the werd "four" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 19, strike out the comma after the word "stationery" and the following words "and a copy of the great register of all precincts, wholly or partially included in such school district.", and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, beginning with line 26, strike out all of lines 26 to 33 inclusive.

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 668—An Act to amend section 843 of the Political Code, relating to a county officer acting as a deputy of another county officer of the same county.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 263—An Act to amend section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 728—An Act to amend section 4246 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1107—An Act to amend section 4239 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the tenth class, and to the number, appointment and salaries of their assistants and deputies.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 5, line 21, strike out the word "twenty-five" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 23 of the printed bill, strike out the word "seventy-five" and insert in lieu thereof the word "ninety".

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Lyon, the Senate took up for consideration Assembly amendments to Senate Bill No. 1210.

Senate Bill No. 1210—An Act to amend section 103 of the Code of Civil Procedure, relating to justices' courts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWELVE HUNDRED TEN.

AMENDMENT NUMBER ONE.

On page 1, line 13, strike out the period following the word "courts" and insert in lieu a comma and the following words: "and the board may, in similar manner and for like cause, abolish any such additional justice's court heretofore or hereafter established by it; *provided*, that no order abolishing such a court shall affect the term of a justice holding office at the time of the making of the order."

AMENDMENT NUMBER TWO.

On page 2, line 17, following the word "record", insert "of this state".

AMENDMENT NUMBER THREE.

On page 2, line 33, following the word "each", insert the word "city".

AMENDMENT NUMBER FOUR.

On page 2, line 34, following the word "authorities", insert "or by the board of supervisors in counties where the salary of the city justice of the peace is paid by the county".

AMENDMENT NUMBER FIVE.

On page 2, line 35, strike out the words "where the", and insert in lieu thereof "The".

AMENDMENT NUMBER SIX.

On page 2, line 36, strike out the words "is by salary it".

AMENDMENT NUMBER SEVEN.

On page 3, line 2, following the word "city", insert the words "or county as the case may be".

AMENDMENT NUMBER EIGHT.

On page 3, line 3, following the word "city", add the words "or county".

AMENDMENT NUMBER NINE.

On page 3, line 6, following the word "justice", add the words "or his clerk".

AMENDMENT NUMBER TEN.

On page 3, line 7, following the word "treasurer", add the words "or county treasurer as the case may be".

AMENDMENT NUMBER ELEVEN.

On page 3, line 9, following the word "city", add the words "or county".

AMENDMENT NUMBER TWELVE.

On page 3, line 9, following the word "treasury", insert the words "as the case may be".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1210?"

The roll was called, and Assembly amendments to Senate Bill No. 1210 were concurred in by the following vote:

AYES—Senators Anderson, Benedict, Campbell, Cogswell, Cohen, Crowley, Duncan, Flaherty, Flint, King, Luce, Lyon, Mott, Owens, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—21.

NOES—None.

Senate Bill No. 1210 ordered to enrollment.

SENATOR TYRRELL IN THE CHAIR.

At three o'clock and thirty minutes p.m., Senator Tyrrell, of the Sixteenth District, in the chair.

THIRD READING OF ASSEMBLY BILLS.

The Senate took up the third reading of Assembly bills.

Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; creating a liability on the part of the employers to pay damages in certain cases; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Campbell moved to refer to Senator Strobridge as a Special Committee of One, to amend Assembly Bill No. 487 as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 1 and 2, of the printed bill, strike out the words "in private employments" and insert in lieu thereof the following: "of public service corporations".

AMENDMENT NUMBER TWO.

On page 2, line 9, of the printed bill, after the word "every" insert the words "public service corporation".

AMENDMENT NUMBER THREE.

On page 2, line 27, of the printed bill, after the word "Any" at the commencement of the sentence insert the words "public service corporation".

AMENDMENT NUMBER FOUR.

On page 2, of the printed bill, strike out all of section 6.

AMENDMENT NUMBER FIVE.

On page 2, line 36, of the printed bill, after the word "SEC." strike out the figure "7" and insert in lieu thereof the figure "6".

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Duncan, Shearer and Campbell.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One lost by the following vote:

AYES—Senators Anderson, Ballard, Campbell, Maddux, Mott, Owens, Purkitt, Shearer, and Strobridge—9.

NOES—Senators Behrn, Benedict, Benson, Breed, Brown, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Jones, Kehoe, King, Luce, Lyon, Rush, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—24.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED EIGHTY-SEVEN —(RESUMED).

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Irwin moved to refer to Senator Owens as a Special Committee of One, to amend Assembly Bill No. 487 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, beginning with the word "and" after the word "hereof", strike out down to and including the word "thereof" on page 2, line 6, of the printed bill.

Motion lost.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Strobridge moved to refer to Senator Campbell as a Special Committee of One, to amend Assembly Bill No. 487 as follows:

AMENDMENT NUMBER ONE.

By striking out of section 1, line 2, the word "semi-monthly" and inserting in lieu thereof the following: "daily", and strike out all the balance of section 1.

Motion lost.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Purkitt moved to refer to Senator Shearer as a Special Committee of One, to amend Assembly Bill No. 487 as follows:

AMENDMENT NUMBER ONE.

By striking out the period in line 35, page 2, of the printed bill, after the word "employed", and inserting in lieu thereof the following: "or to employers in lumber districts in this State".

Motion lost.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Campbell moved to refer to Senator Mott as a Special Committee of One, to amend Assembly Bill No. 487 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 35, after the word "employed", add the words "or those employees engaged in the actual production of oil in the fields".

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Mott, Campbell and Shearer. Thereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One lost by the following vote:

AYES—Senators Ballard, Breed, Campbell, Carr, Irwin, Maddux, Mott, Owens, Purkitt, Shearer, and Strobridge—11.

NOES—Senators Anderson, Benedict, Benson, Birdsall, Brown, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Jones, Kehoe, King, Luce, Lyon, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—24.

CONSIDERATION OF ASSEMBLY BILL NUMBER FOUR HUNDRED EIGHTY-SEVEN —(RESUMED).

Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; creating a liability on the part of the employers to pay damages in certain cases; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act.

The question being on the final passage of the bill.

MOTION TO RE-REFER.

Senator Campbell moved that Assembly Bill No. 487 be re-referred to Committee on Judiciary, and retain its place on file.

Motion carried.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1034—An Act to amend section 605 of the Political Code of the State of California, relating to the fees of the insurance department;

Also: Senate Bill No. 900—An Act to amend section 596 of the Political Code concerning certificate of authority to insurance companies; prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof;

Also: Senate Bill No. 761—An Act to provide for the establishment and maintenance by fire insurance companies of guaranty surplus funds and special reserve funds and thereby limiting liability;

Also: Senate Bill No. 573—An Act to add a new section to the Political Code to be numbered 633*a*, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the Insurance Commissioner, and providing penalties for a violation thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1034, 900, 761 and 573 ordered to enrollment.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill 571,—An Act to prohibit insurance companies, associations, or societies and their agents from misrepresenting the terms of any policy of insurance;

Also: Senate Bill No. 1035—An Act to amend section 634 of the Political Code of the State of California, relating to the registration of policies of life insurance companies.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 571 and 1035 ordered to enrollment.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 604—An Act to amend sections 2, 6, 8, 11, 12 and 13 of an Act entitled "An Act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the incidental establishment of grades thereof, for the constructions therein or thereon of sidewalks, sewers, manholes, bridges, cesspools, gutters, tunnels, curbing and crosswalks; for the issue of bonds representing the costs and expenses thereof; for a special fund derived in part from the county road fund and in part by special assessment upon a district, and for the establishment of such districts." (Approved March 21, 1907);

Also: Senate Bill No. 865—An Act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 604 and 865 ordered to enrollment.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1181—An Act to amend sections 1, 3 and 9 of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended by an Act approved June 6, 1913;

Also: Assembly Bill No. 406—An Act to amend section 2552 of the Political Code, relating to the salaries of the Board of State Harbor Commissioners and assistants, said amendment relating to the salary of the president of the board and his duties, and the fund out of which the said salaries and the compensation of employees of the board shall be payable.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1181 read first time, and referred to Committee on Elections.

Assembly Bill No. 406 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 22, 1915

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 24—An Act to amend an Act entitled "An Act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony, and repealing an Act entitled 'An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an Auditing Board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a Debris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending sections 5 and 12 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and particularly to the engineer appointed for service in the harbor of San Francisco under the State Board of Harbor Commissioners.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 24 read first time, and referred to Committee on Roads and Highways.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the Assembly on this day has appointed Assemblymen Ryan, Byrnes and Gebhart, as a Committee of Conference to meet a like committee from the Senate, already appointed by your honorable body, to consider Senate amendments to Assembly Bill No. 1406—An Act to add a new section to the Civil Code to be numbered and designated 653*ka*, providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 975—An Act to amend section 628*a* of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 1175—An Act to regulate the sale of butter that has been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof;

Also: Senate Bill No. 152—An Act to amend section 4244 of the Political Code of the State of California relating to salaries and fees of officers in counties of the fifteenth class;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 975, 1175 and 152.

Senate Bill No. 975—An Act to amend section 628*a* of the Penal Code of the State of California relating to the protection of fish.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINE HUNDRED SEVENTY-FIVE.

AMENDMENT NUMBER ONE.

On page 2, line 13, strike out "Saturday", and insert in lieu thereof the following: "Sunday", and on line 14, strike out "Sunday", and insert in lieu thereof "Monday".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 975?"

The roll was called, and the Senate refused to concur in Assembly amendment to Senate Bill No. 975, by the following vote:

AYES—None.
NOES—Senators Anderson, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Kehoe, King, Maddux, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

Senate Bill No. 1175—An Act to regulate the sale of butter that has been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED SEVENTY-FIVE.

AMENDMENT NUMBER ONE.

On page 2, line 16, strike out the words "less than three months or", also on page 2, lines 17 and 18, strike out the words "less than one hundred dollars nor".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1175?"

The roll was called, and Assembly amendment to Senate Bill No. 1175 was concurred in by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Scott, Slater, Thompson, Tyrrell, and Wolfe—24.
NOES—None.

Senate Bill No. 1175 ordered to enrollment.

Senate Bill No. 152—An Act to amend section 4244 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the fifteenth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED FIFTY TWO.

AMENDMENT NUMBER ONE.

On page 2, line 18, strike out the word "seven" and insert in lieu thereof the following: "nine".

AMENDMENT NUMBER TWO.

On page 2, line 18, strike out the words "and fifty".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 152?"

The roll was called, and Assembly amendments to Senate Bill No. 152 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Behan, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Irwin, Jones, Kehoe, Maddux, Mott, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—26.
NOES—None.

Senate Bill No. 152 ordered to enrollment.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered, out of the regular order:

By Senator Breed:

Resolved, That the following named person be and she is hereby appointed to the position hereinafter named, provided by law, the compensation payable weekly, and the Controller is directed to draw his warrant and the Treasurer to pay the same:

Maude E. Creager, Assistant Engrossing and Enrolling Clerk_ $5 00 per day

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Breed, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Jones, Kehoe, Maddux, Owens, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—26.

NOES—None.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Irrigation to which was referred Senate Bill No. 441—An Act in relation to the Act of Congress known as the Carey Act, and all Acts amendatory thereof and supplemental thereto, and governing the State Conservation Commission in the control of the selection, management and disposal of all lands granted the State under the provisions thereof;

Also: Assembly Bill No. 340—An Act to amend an Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes, approved March 31, 1897, by adding thereto two sections to be known respectively as section 61*b* and section 61*c*, relating to the acquiring of irrigation systems and works by the exchange of bonds therefor and the validation of such bonds;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

MADDUX, Chairman.

Senate Bill No. 441 ordered on file for second reading.

Assembly Bill No. 340 ordered on file for second reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Irwin asked for and was granted unanimous consent to take up Assembly Bill No. 589, out of the regular order, for the purpose of amendment.

Assembly Bill No. 589—An Act to amend section 7 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Irwin moved to refer to Senator Lyon as a Special Committee of One, to amend Assembly Bill No. 589 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 30, after the word "viz" strike out the ".".

AMENDMENT NUMBER TWO.

On page 2, line 30 after the ":", insert the following new paragraph:

"Glauber salts, vaseline, turpentine, condition powders, cream of tartar, carbonate of soda, bay rum, essence of Jamaica ginger, essence of peppermint, ammonia, alum, castor oil, bicarbonate of soda, chloride of lime, glycerine, witch-hazel, sheep dip, borax, sulphur, bluestone, flaxseed, insect powder, fly paper, ant poison, squirrel poison, and gopher poison, and poisons used for orchard spraying, when prepared and sold only in original and unbroken packages and labeled with the official poison labels as provided in and by section 16 of an Act entitled 'An Act to regulate the practice of pharmacy in the State of California,' approved March 20, 1905, as said Act was amended March 21, 1907, and as said Act was amended April 21, 1909, known as the 'Pharmacy Act'; it being the intention and purpose of this Act that its provisions shall be in conformity and harmony with the provisions of said Pharmacy Act".

On motion of Senator Wolfe, the foregoing amendments were ordered printed in the Journal, and the further consideration of the motion to refer continued until the next legislative day.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, has examined Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class—and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, has examined Senate Joint Resolution No. 14—Relative to the delegation of an expert on fruit-tree diseases to visit the San Joaquin Valley, State of California, to investigate a disease known as "little leaf" which attacks the peach and other deciduous fruit trees and grapevines, to discover the cause and advise orchardists as to the cure of the disease;

Also: Senate Bill No. 1235—An Act to amend section 4255 of the Political Code relating to salaries and fees of officers in counties of the twenty-sixth class;

Also: Senate Bill No. 849—An Act to amend section 1665 of the Political Code of the State of California relating to the subjects in which instruction shall be provided in the elementary schools of the State.

And reports that the same have been considered correctly engrossed.

FLAHERTY, Chairman.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 21, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 352—An Act to amend section 1687 of the Political Code relating to qualifications of teachers for beginners—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

ANDERSON, Chairman.

Senate Bill No. 352 ordered on file for second reading.

ADJOURNMENT.

At five o'clock and fifty minutes p.m., on motion of Senator Thompson, the Acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Friday, April 23, 1915.

The Senate met at ten o'clock a.m.

Hon. Newton W. Thompson. President pro tem. of the Senate, in the chair.

The roll was called by Assistant Secretary Joseph A. Beek, and the following answered to their names:

Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

By invitation of the President pro tem., prayer was offered by Rev. C. E. Woodman, of Newman Hall, Berkeley.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 22, 1915, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGES OF FLOOR EXTENDED.

On request of Senator Purkitt, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. C. M. Haring, of Berkeley.

On request of Senator Duncan, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. B. F. Geis, of Willows.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1058—An Act to amend section five of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations, incorporated under the laws of this State, for the construction of waterworks, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain waterworks,' also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State,'" approved March 19, 1889, as amended;

Also: Senate Bill No. 825—An Act to amend section 626*c* of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 658—An Act regulating the sale and shipment of citrus fruits damaged by frost, and prescribing penalties for the violation of the provisions thereof;

Also: Senate Bill No. 1057—An Act to amend section 4 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements and regulating the acquisition, construction, or completion thereof," which became a law under constitutional provision without the Governor's approval February 15, 1901;

Also: Senate Bill No. 106—An Act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an Act entitled "An Act to survey and dispose of certain marsh and tide lands belonging to the State of California," approved March 30, 1868, or any of the Acts supplementary thereto and amendatory thereof, and regulating the procedure therein;

Also: Senate Bill No. 335—An Act to amend section 4260 of the Political Code of the State of California, relating to the compensation of officers of counties of the thirty-first class;

Also: Senate Bill No. 960—An Act to amend sections 5 and 29 of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all acts and parts of acts inconsistent with this Act," approved April 21, 1911;

Also: Senate Bill No. 905—An Act to authorize the surveyor general of the State of California to relinquish certain lieu lands to the United States;

Also: Senate Bill No. 683—An Act to amend section 634 of the Civil Code of the State of California relating to building and loan associations, and to their installment or full paid investment certificates and security for investment certificate liabilities of the same;

Also: Senate Bill No. 80—An Act to amend section 647 of the Civil Code, relating to building and loan associations;

Also: Senate Bill No. 1152—An Act authorizing the transfer of certain powers, duties and functions of certain cities and officers thereof to the officers of counties in which any such city is located;

Also: Senate Bill No. 255—An Act to repeal an Act entitled "An Act to authorize the State of California to release and convey to the United States such portions of the sixteenth and thirty-sixth sections of land contained in the Cleveland National Forest, formerly San Jacinto Forest Reserve (and referred to in that certain Act entitled 'An Act to authorize the settlement of an existing controversy between the United States of America and the State of California, and making an appropriation to carry out the provisions of said Act,' approved March 21, 1907) as may remain after the settlement referred to in said Act has been consummated, for the purpose of reimbursing the United States for lands surrendered to it by the State and which said lands so surrendered were thereafter sold and patented by said State," approved March 20, 1909;

Also: Senate Bill No. 277—An Act to amend section 1 of an Act entitled "An Act to provide for direct legislation by cities and towns, including initiative and referendum," approved January 2, 1912;

Also: Senate Bill No. 970—An Act to add a new section to the Political Code to be numbered 4263*a*, relating to and fixing the compensation of grand and trial jurors in the Superior Courts in counties of the thirty-fourth class and providing for the payment thereof;

Also: Senate Bill No. 309—An Act to recognize and declare valid all proceedings in La Mesa, Lemon Grove and Spring Valley Irrigation District;

Also: Senate Bill No. 606—An Act to amend sections 875 and 868 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as subsequently amended, relating to the powers of the President and Presidents pro tem. of board of trustees of cities of the sixth class and the powers of boards of trustees of such cities;

Also: Senate Bill No. 561—An Act to amend section 956 of the Code of Civil Procedure relating to what may be reviewed on appeal from judgment;

Also: Senate Bill No. 488—An Act to amend section 650 of the Code of Civil Procedure, relating to exceptions;

Also: Senate Bill No. 491—An Act to amend section 1054 of the Code of Civil Procedure, relating to the extension of time in which an Act is to be done;

Also: Senate Bill No. 486—An Act to amend sections 953*a* and 953*b* of the Code of Civil Procedure, relating to a new and alternative method for the preparation of records to be used on appeal from judgments, orders or decrees from the Superior Court to the Supreme Court or District Courts of Appeal;

Also: Senate Bill No. 489—An Act to amend sections 658, 659 and 660, and to repeal sections 661 and 662 of the Code of Civil Procedure, all relating to new trials: And reports that the same have been correctly enrolled, and presented the same to the Governor on this 22d day of April 1915, at 5 o'clock p.m.

FLAHERTY, Chairman.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Strobridge, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 21st passed Senate Bill No. 651—An Act to revise and amend chapter VIII of title II of part IV of division first of the Civil Code relative to mortgage insurance.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 651 ordered to enrollment.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 931—An Act to amend section 4249 of the Political Code, relating to county officers, and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class;

Also: Assembly Bill No. 739—An Act to amend sections 17 and 18 of an Act entitled "An Act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, and to amend said Act by adding thereto a new section, to be numbered 15*a*, relating to public school teachers in state institutions;

Also: Assembly Bill No. 872—An Act to amend section 4247 of the Political Code of the State of California relative to salaries and fees of officers in counties of the eighteenth class;

Also: Assembly Bill No. 1563—An Act validating the acts of county auditors and county treasurers when they pay out moneys according to a statutory law, should that law afterward be declared unconstitutional.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 931 and 872 read first time, and referred to Committee on County Government.

Assembly Bill No. 739 read first time, and referred to Committee on Education.

Assembly Bill No. 1563 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 493—An Act to regulate the use of derailing switches or other derailing devices, in the operation of railroads in the State of California; providing for the use of sign boards in connection with such derailing switches or devices for the purpose of designating the location of the same to approaching trains, their engine men and crews; providing penalties for the violation of its provisions; and providing for the enforcement of this Act by the Railroad Commission;

Also: Assembly Bill No. 733—An Act granting the Humboldt and Trinity Toll Road Company, a corporation, or its trustees, the right to bring suit against the State of California for compensation for the use and destruction of portions of road bed belonging to the said Humboldt and Trinity Toll Road Company and used and destroyed by the State of California in the construction and completion of the state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County;

Also: Assembly Bill No. 433—An Act to amend section 157 of the Code of Civil Procedure relating to qualification of superior judges;

Also: Assembly Bill No. 1562—An Act to amend section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 493 read first time, and referred to Committee on Public Utilities.

Assembly Bills Nos. 733 and 433 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1562 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, April 22, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1295—An Act to amend sections 1120 and 1121 of the Political Code, both relating to qualifications of voters and the registers to be used at certain elections;

Also: Assembly Bill No. 1573—An Act to establish a standard for California certified seed potatoes and to prevent the sale of other potatoes as California certified seed potatoes, making the violation of this Act a misdemeanor and fixing a penalty therefor;

Also: Assembly Bill No. 619—An Act prescribing a certain kind of water glass for use on steam locomotives; providing a penalty for neglect to use such glass;

Also: Assembly Bill No. 846—An Act to amend an Act entitled "An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, by amending sections 1 and 2, both relating to cold storage.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1295 read first time, and referred to Committee on Elections.

Assembly Bill No. 1573 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 619 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 846 read first time, and referred to Committee on Public Health and Quarantine.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

On motion of Senator Jones, Senate Bill No. 720 was passed on file.

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

On motion of Senator Thompson, Senate Bill No. 1078 was passed on file.

Senate Bill No. 737—An Act to amend an Act entitled "An Act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, by amending sections 3, 4, 7 and 9 thereof, and by adding a new section thereto to be known and numbered section 11½, all relating to the licensing of stallions and jacks, and providing for the reporting of the collection of fees to the State Controller and the creation of a fund to be known as the Stallion Registration Board Contingent Fund.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cohn moved to refer to Senator Rush as a Special Committee of One to amend Senate Bill No. 737 as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 4 and 5 of the title of printed bill, strike out both of said lines 4 and 5, and insert in lieu thereof the following: "Approved May 1, 1911, by amending sections 1, 2, 3, 4, 6, 7, 8 and 9 thereof and by adding a new section".

AMENDMENT NUMBER TWO.

On page 1, line 1 of the printed bill, strike out the word "three" and insert in lieu thereof the word "one".

AMENDMENT NUMBER THREE.

On page 1, lines 4 and 5 of the printed bill, between said lines 4 and 5, insert the following:

"SECTION 1. Every association, person, firm or corporation standing or offering any stallion or jack for public service in this State shall cause the name, description, and pedigree of such stallion or jack to be enrolled by a Stallion Registration Board hereinafter provided for, and secure a license from said board, as provided in section 3 of this Act. All enrollment and verification of pedigree shall be done in the office of the secretary of the California State Board of Agriculture."

"SEC. 2. Section 2 of said Act is hereby amended to read as follows:

" 'Sec. 2. In order to carry out the provisions of this Act, there shall be constituted a Stallion Registration Board, whose duty it shall be to verify and register pedigrees; to pass upon certificates of veterinary examination; to provide, when necessary, for veterinary inspection; to issue stallion or jack license certificates and tags; to make all necessary rules and regulations; and to perform such other duties as may be necessary to carry out and enforce the provisions of this Act. Said board shall hold meetings at the office of the secretary of the California State Board of Agriculture the first Tuesday and subsequent days of February, May, August and November of each year, and such other meetings as may be necessary. Said Stallion Registration Board shall be composed of three members, consisting of the president and secretary of the California State Board of Agriculture and the State Veterinarian.'

"SEC. 3. Section 3 of said Act is hereby amended to read as follows:".

AMENDMENT NUMBER FOUR.

On page 1, line 5 of the printed bill, after the word "certificate", in said line, insert the following: "and tag".

AMENDMENT NUMBER FIVE.

On page 2, line 27 of the printed bill, strike out the figure "2" in said line and insert in lieu thereof the figure "4".

AMENDMENT NUMBER SIX.

On page 3, lines 3 and 4 of the printed bill, between said lines 3 and 4, insert the following:

"SEC. 5. Section 6 of said Act is hereby amended to read as follows:

" 'Sec. 6. The owner of any stallion or jack used for public service in this State shall post and keep affixed during entire breeding season, a copy of the license certificate of such stallion or jack, issued under the provisions of this Act, in a conspicuous place, both within and upon the outside of the main door leading to every stable or building where the said stallion or jack is used for public service, and at all times during the breeding season shall have attached to the harness or bridle of said stallion or jack a tag which shall be issued with the certificate. Each bill and poster and each newspaper advertisement shall show the enrollment certificate number, and state whether it reads "pure-bred", "grade", "cross-bred", "non-standard bred", or "mongrel", and it shall be illegal to print or advertise any misleading reference to the breeding of said stallion or jack, his dam or sire' "

AMENDMENT NUMBER SEVEN.

On page 3, line 4 of the printed bill, strike out the figure "3" in said line and insert in lieu thereof the figure "6".

AMENDMENT NUMBER EIGHT.

On page 6, lines 18 and 19 of the printed bill, between said lines 18 and 19, insert the following:

"SEC. 7. Section 8 of said Act is hereby amended to read as follows:

" 'Sec. 8. A fee of two dollars and seventy-five cents shall be paid to the secretary of the California Stallion Registration Board for the examination and enrollment of each stallion or jack pedigree, and for issuance of a license certificate and tag, in accordance with the [illegible] of the [illegible] of such [illegible], which shall be in force and effect for a period of one year from its date, and for the purpose of carrying out the provisions of this Act. The fee shall be paid to the secretary of the California Registration Board at the time the application is made for enrollment. Upon a transfer of the ownership of any [illegible] under the provisions of this Act, the certificate of [illegible] may be transferred to the transferee by the secretary of the California [illegible] Board upon submittal of satisfactory proof of such transfer of ownership, and upon payment of a fee of one dollar and twenty-five cents. A fee of one dollar and twenty-five cents shall be paid annually for the renewal of a license certificate and tag. A fee of one dollar and twenty-five cents shall be paid for a duplicate license certificate and tag upon proof of the loss or destruction of the original certificate."

AMENDMENT NUMBER TEN.

On page 6, line 19, strike out the figure "4" and insert in lieu thereof the figure "8".

AMENDMENT NUMBER ELEVEN.

On page 7, line 9, strike out the figure "5" and insert in lieu thereof the figure "9".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 737, with instructions to amend, respectfully reports the same back amended as per instructions.

RUSH, Committee.

Report read and, on motion of Senator Cohn, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 1138—An Act to regulate the building and occupancy of dwelling houses in incorporated and unincorporated towns, cities, cities and counties, and to provide penalties for the violation thereof.

Bill read third time.

On motion of Senator Anderson, Senate Bill No. 1138 was passed on file.

Senate Bill No. 889—An Act to add a new section to the Civil Code of the State of California, to be numbered 1410a, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

Bill read third time.

On motion of Senator Breed, Senate Bill No. 889 was passed on file.

SENATOR STROBRIDGE IN THE CHAIR.

At ten o'clock and thirty minutes a.m., Senator Strobridge, of the Thirteenth District, in the chair.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 231—An Act to add a new section to the Political Code, to be numbered 4153a, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage;

Also, Senate Bill No. 260—An Act to amend section 4236 of the Political Code of the State of California relating to the salaries, fees and expenses of officers and of grand and trial jurors in counties of the seventh class;

And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

Sacramento, April [illegible], 1913.

Mr. President: Your Committee on Engrossment and Enrollment has examined Senate Bill No. [illegible] [illegible]

Also, Senate Bill No. [illegible]—An Act to provide for the [illegible] [illegible]

Also, Senate Bill No. [illegible]—An Act to provide for the [illegible] [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code [illegible]

Also, Senate Bill No. [illegible]—An Act [illegible]

Also, Senate Bill No. [illegible]—An Act [illegible]

Also, Senate Bill No. [illegible]—An Act [illegible]

Also, Senate Bill No. [illegible]—An Act [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Code of Civil Procedure [illegible] and report that the same have been correctly engrossed.

[illegible], Chairman.

THIRD READING OF SENATE BILLS—CONTINUED.

Senate Bill No. [illegible]—An Act to amend an Act entitled "An Act relating to cold storage, the regulation of refrigerating warehouses, the [illegible] of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June [illegible], 1911, by amending sections 1 and 2, both relating to cold storage.

Bill read third time [illegible].

The question being on the passage of the bill.

The roll was called, and Senate Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]

Noes—Senators [illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code of the State of California, relating to the salaries, fees and expenses of officers and of grand and trial jurors in counties of the [illegible] class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 260 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Finn, Gerdes, Hans, Irwin, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof.

On motion of Senator Thompson, Senate Bill No. 1049 was passed on file.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 161—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

On motion of Senator King, Senate Bill No. 161 was passed on file.

Senate Bill No. 962—An Act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Thompson moved to refer to Senator Kehoe as a Special Committee of One to amend Senate Bill No. 962 as follows:

AMENDMENT NUMBER ONE.

Add after the period in line 4 on page 2 the following: "There shall also be made a special investigation and report upon the matter of reimbursements to counties which sustain loss of revenue by the withdrawal of railroad property under the provisions of section 14 of article XIII of the Constitution, said investigation to be pursued with the object of ascertaining and determining what legal and equitable adjustment, if any, should be made in the settlement of such losses, as provided by law, and whether other losses have accrued under the provisions of said section 14 of article XIII of the Constitution."

AMENDMENT NUMBEB TWO.

On page 2 strike out of line 13 the word "than" and insert in lieu thereof the word "that."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 962, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Thompson, adopted.

Bill ordered to print, and re-engrossment.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and fourteen minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 108—An Act to amend section 445 of the Political Code of the State of California, authorizing the Controller of State to maintain an inheritance tax department and in connection therewith to appoint an inheritance tax attorney and assistants thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 108 passed by the following vote:

AYES—Senators Ballard, Benedict, Birdsall, Breed, Brown, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 236—An Act to provide for the establishment and maintenance of vocational courses and schools by local boards of education for the purpose of encouraging agricultural, industrial, trade, commercial and all other practical subjects, and providing State aid therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 236 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 237—An Act to provide for the establishment and maintenance of classes for the training of vocational teachers and providing State aid therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 237 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, and Wolfe—27.

NOES—None.

AMENDMENT TO TITLE.

Senator Strobridge moved to amend the title of Senate Bill No. 237 as follows:

Strike out in lines 2 and 3, of the title, the words "and providing State aid therefor".

Motion carried.

Title, as amended, read and approved.

Bill ordered to print and re-engrossment and transmitted to the Assembly.

SENATOR KEHOE IN THE CHAIR.

At eleven o'clock and thirty-three minutes a.m., Senator Kehoe, of the First District, in the chair.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 855—An Act to amend section 35 of the Political Code, relating to the State Board of Control.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 855 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Boyd, Brown, Butler, Campbell, Cohn, Crowley, Flaherty, Flint, Gates, Hans, Irwin, Kehoe, Luce, Maddux, Mott, Owens, Rush, Slater, Strobridge, Thompson, and Wolfe—24.

NOES—Senators Ballard, Dennett, and [illegible].

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and forty minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 1151—An Act appropriating money to repay subscribers to the fund for constructing the bridge across the Colorado River at Yuma, Arizona.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1151 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Boyd, Brown, Butler, Campbell, Carr, Crowley, Dennett, Flaherty, Flint, Gates, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Slater, [illegible], Strobridge, Stuckenbruck, Thompson, and Wolfe—30.

NOES—None.

AMENDMENT TO TITLE.

Senator Luce moved to amend the title of Senate Bill No. 1151 as follows:

AMENDMENT NUMBER ONE.

Amend the title by striking out all of said title after the words "An Act" and insert in lieu thereof the following: "Appropriating money to pay the claim of Ed Fletcher against the State of California."

Motion carried.

Title, as amended, read and approved.

Bill ordered to print and re-engrossment, and transmitted to the Assembly.

CASE OF URGENCY.

Senate Bill No. 1243—An Act making an appropriation for the construction of a cell building and wall and for other improvements at Folsom State Prison.

Bill read third time.

Section 2, setting forth the urgency clause, read.

The question being, "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—31.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1243 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CASE OF URGENCY.

Senate Bill No. 1244—An Act re-appropriating the money appropriated by an Act entitled "An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison," approved June 7, 1913, and making the same available for the construction of a cell building and wall and for other improvements at Folsom State Prison.

Bill read third time.

Section 2, setting forth the urgency clause, read.

The question being "Shall this section, setting forth the urgency features of this bill, be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1244 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 628—An Act declaring kelp beds to be the property of the State of California and providing for the control and leasing of said beds.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Luce moved to refer to Senator Jones as a Special Committee of One to amend Senate Bill No. 628 as follows:

AMENDMENT NUMBER ONE.

In line 5 of page 1, of the printed bill, after the word "United" insert the word "States".

AMENDMENT NUMBER TWO.

In line 13 of page 1, of the printed bill, after the word "California" insert the words "adjacent to said beds".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 628, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read and, on motion of Senator Luce, adopted.

Bill ordered to print, and re-engrossment.

SENATOR BREED IN THE CHAIR.

At eleven o'clock and fifty five minutes, a.m., Senator Breed, of the Fifteenth District, in the chair.

Senate Bill No. 659—An Act to amend section 200 of the Code of Civil Procedure, relating to exemptions from liability to act as a juror.

On motion of Senator Benson, Senate Bill No. 659 was passed on file.

Senate Bill No. 1098—An Act to amend section 3366 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1098 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

EXPLANATION OF ABSENCE.

Senator King asked for, and was granted, unanimous consent to have the following explanation of his absence from the roll call on Senate Bill No. 855 printed in the Journal:

EXPLANATION OF ABSENCE FROM ROLL CALL ON SENATE BILL NUMBER EIGHT HUNDRED FIFTY-FIVE.

I was unavoidably absent from the Senate Chamber when the vote was taken on Senate Bill No. 855, which increases the salary of a certain State official. I am opposed to all increases in salary of State officers or employees at this time, owing to the stringency in financial affairs in general and to the depleted condition of the state treasury in particular. In my opinion, the salaries of officers and employees of the State should not be raised when the people are suffering financially and when the number of the unemployed and poverty looms large, as it does now. Had I been present when the vote on Senate Bill No. 855 was taken, I would have voted "No."

LYMAN M. KING.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution by amending sections 1 and 9 of article XIII and by repealing sections 8, 10 and 14 of said article, all relating to revenue and taxation.

Constitutional amendment read.

COMMITTEE AMENDMENTS.

During the reading of Constitutional Amendment No. 38, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, strike out the period in line 11, and insert in lieu thereof a comma and the following: "and shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, strike out lines 1 and 2 and all of line 3, down to and including the period, and insert in lieu thereof the following: "revenue; and certain classes as taxable in whole or in part for county, city and county, municipal and district revenue; and may provide that any tax shall be in lieu of any or all other taxes or licenses or both".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, strike out of line 14 the words "or municipality", and insert in lieu thereof the following: "municipality or school district".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, strike out of lines 4 and 5 the words "are hereby subrogated. From", and insert in lieu thereof the following: "shall continue until changed by the Legislature and from".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, strike out of lines 7 and 8 the words "the Legislature", and insert in lieu thereof the word "law".

Amendment adopted.

Constitutional amendment ordered to print, and re-engrossment.

Senate Bill No. 130—An Act to amend section 1365 of the Code of Civil Procedure relating to the order of persons entitled to administer upon estates.

On motion of Senator Thompson, Senate Bill No. 130 was passed on file.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan, Senate Bill No. 74 was passed on file.

Senate Bill No. 1235—An Act to amend section 4255 of the Political Code, relating to salaries and fees of officers in counties of the twenty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1235 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Boynton, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Flaherty, Finn, Gerdes, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 849—An Act to amend section 1665 of the Political Code of the State of California, relating to the subjects in which instruction shall be provided in the elementary schools of the State.

On motion of Senator Strobridge, Senate Bill No. 849 was passed on file.

SENATE CONCURRENT RESOLUTION NUMBER TWENTY.

Providing for the appointment of a Joint Committee of the Senate and Assembly to procure, if possible, the approval and adoption by Congress of certain plans for river and harbor improvements and the cooperation of the Federal Government in the performance of the works therein provided for and specified, and making provision for the payment of the expenses to be incurred by such committee.

WHEREAS, The State of California by appropriate legislative and executive action, has heretofore approved the report of the California Debris Commission transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on the 27th day of June, 1911, together with such modifications and amendments thereof as have heretofore been adopted or may hereafter be adopted by competent authority, as a plan for controlling the flood waters of the Sacramento and San Joaquin rivers and their tributaries for the improvement and preservation of navigation and the reclamation and protection of the lands that are susceptible to overflow from said rivers and their tributaries; and

WHEREAS, The said plan, with the modifications and amendments thereof approved by the Federal Board of Engineers for rivers and harbors and by the Chief Engineers of the United States Army, and transmitted by the latter to the Committee on Rivers and Harbors of the House of Representatives of the United States on July 17, 1913, contemplates the joint and equal expenditure of large sums of money by the State of California and by the United States for the erection of the structures and the performance of the work therein provided for and specified; and

WHEREAS, It is the belief, judgment and determination of this Legislature that the wealth, productiveness, taxable property and revenue of the State of California and of the United States will be greatly augmented and increased by carrying out said plan of flood control, and that the approval and adoption of said plan by Congress and the cooperation of the United States in the erection of such structures and the performance of such work will be of enormous benefit to the State of California and to the nation at large; and

WHEREAS, The approval and cooperation of Congress is necessary to the proper protection and improvement of the navigability of our coastwise harbors, and divers plans for the protection and improvement of the same are being delayed or suspended by reason of the lack of such approval and cooperation; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That for the purpose of procuring the approval and adoption of said plan of flood control, with its modifications and amendments, and of said plans of harbor improvement by the Congress of the United States and the cooperation of the United States in the erection of the structures and the performance of the work in said plans, and each of them, provided for and specified, there be and there is hereby created a joint committee of the Senate and Assembly, to consist of six members, who shall be appointed by the President of the Senate and the Speaker of the Assembly, respectively, and whose duty it shall be to procure, if possible, the approval and adoption by Congress of the said plan of the California Debris Commission and of said plans of harbor improvement and the cooperation of the United States in carrying on the work therein provided for and specified. And, for such purpose the committee is hereby authorized and instructed and empowered to call to its assistance the members of the Rivers and Harbors Committee of the House of Representatives and the Commerce Committee of the Senate of the United States, and, also, such executive officers of the State and Federal governments as such joint committee may deem necessary and proper to advise and assist it in the performance of the foregoing duty. And such joint committee is hereby further authorized and empowered to defray all expenses necessary, proper and incidental to the performance of such duty out of the moneys heretofore or hereafter appropriated for the contingent expenses of the Senate and Assembly at this session of the Legislature, payable one-half from the contingent fund of the Senate and one-half from the contingent fund of the Assembly, but not exceeding the sum of ten thousand dollars in all, which sum, so composed, is hereby set apart, reserved and appropriated out of said respective contingent funds for the purposes aforesaid, to be disbursed, from time to time, upon the written orders of the chairman of such joint committee. Not later than November 15, 1915, the committee shall submit a report of its proceedings to the Governor, together with such recommendations as it may deem appropriate concurring in the steps to be taken in behalf of the State at the next session of Congress.

Concurrent resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 20 adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—33.

NOES—None.

Senate concurrent resolution ordered transmitted to the Assembly.

SENATE JOINT RESOLUTION NUMBER SIX.

Relative to the Cadets of the United States Military Academy.

WHEREAS, The Cadets of the United States Military Academy have honored by their presence the expositions heretofore held at Philadelphia, Jamestown, Buffalo, Chicago and St. Louis; therefore, be it

Resolved by the Senate and the Assembly jointly, That the Legislature of the State of California hereby extend to the Cadets of the United States Military Academy a cordial invitation to hold their summer encampment for 1915 at the Panama-Pacific International Exposition at San Francisco, California; that the State of California would be greatly honored by the acceptance of such invitation and by the presence within its borders of such an honorable and distinguished body of young men; and, be it further

Resolved, That the Secretary of the Senate be instructed to transmit to the President of the United States, the Secretary of War, the Commandant of the United States Military Academy and to each member of Congress from the State of California, a certified copy of this resolution.

Joint Resolution No. 6 read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 6 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—36.

NOES—None.

Senate Joint Resolution No. 6 ordered transmitted to the Assembly.

Senate Bill No. 668—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," by amending sections 1, 3, 11, 15, 20, 25, 28, 32, 36, 37, 46, 47, 48, 49, 56, 61, 61*a*, 65, 67, 68, 80, 83, 96, 98, 99, 101, 127, 144 and 145 thereof and by adding new sections thereto to be numbered sections 13, 57 and 85, all relating to the definition and regulation of the business of banking.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 668 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Curtin, Duncan, Flint, Gerdes, Hans, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 895—An Act to amend an Act entitled "An Act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an Act approved March 20, 1905, entitled 'An Act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse to qualified applicants of the Board of Regents of the University of California and to provide penalties for violation thereof,'" approved June 12, 1913, by adding thereto a new section to be known as section 12, limiting the hours of employment of female pupil or student nurses in hospitals, prescribing penalties for the violation thereof, and providing for the enforcement of the restrictions imposed.

Bill read first time.

On motion of Senator Birdsall, Senate Bill No. 895 was ordered to the file of Unfinished Business.

CONSIDERATION OF MOTION TO RECONSIDER—POSTPONED.

On motion of Senator Jones, the consideration of the motion to reconsider the vote whereby Senate Constitutional Amendment No. 1 was refused passage was continued until the next legislative day.

REPORT OF SELECT COMMITTEE.

The following report was received and read:

ON CONFERENCE.

SENATE CHAMBER, SACRAMENTO, April 22, 1915.

MR. PRESIDENT: The Senate members of your Committee on Conference concerning Assembly Bill No. 1406—An Act to add a new section to the Civil Code, to be numbered and designated 653m, providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do—report that we have met a like committee of the Assembly consisting of Assemblymen Ryan, Byrnes, and Gebhart, and we report that the Conference Committee has been unable to agree, and we recommend that a Committee on Free Conference on said bill be appointed.

JONES,
CAMPBELL,
GERDES,
Committee.

Senator Jones moved that the report be adopted and that the committee be discharged.

Motion carried.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

SECOND READING OF SENATE BILLS.

Senate Bill No. 574—An Act to amend section 928 of the Penal Code, relating to grand juries, permitting the use of the accounting department of the State Board of Control by the grand juries of the several counties of the State instead of employing "experts."

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, strike out the words: "Make a careful and complete examination", and insert in lieu thereof "Ascertain the condition".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, place a period (.) after the word "fit", and strike out from and including the words "and if, in their judgment", in line 8, down to and including the words "county charges" on page 2, line 6, and insert in lieu thereof the following: "If an examination or audit of the books, records and accounts is necessary, the grand jury may communicate such need to the State Board of Control with a request that an expert accountant be assigned by said board to direct the examination or audit, and if the services of assistants are necessary a reasonable number of assistants shall be allowed and shall be chosen under the direction of the State Board of Control. The compensation of the expert accountant assigned shall not exceed fifteen dollars a day and necessary expenses; the compensation of the first two assistants shall not exceed eight dollars a day and necessary expenses; the compensation of additional assistants shall not exceed five dollars a day and necessary expenses; such compensation of expert accountant and assistants to be payable as other county charges. It is expressly provided, however, that the power of the grand jury to request such audit shall not be construed to abridge the right of the State Board of Control on its own initiative and at the expense of the State to make an audit if in the opinion of said board or of the Governor of the State such audit is necessary to protect the rights and interests of the State.

"Nothing herein contained, however, shall be construed to prevent the grand jury from employing directly an expert accountant and such reasonable number of assistants as may be necessary for an examination of the books, records and accounts of county officers. The compensation of an expert accountant so employed by the grand jury shall be first approved by the court but shall not exceed twenty-five dollars per day; and the compensation of each assistant whom it may be necessary to employ to aid such accountant shall be first approved by the court but shall not exceed ten dollars per day; and no expenses of any kind nor any remuneration other than that hereinabove specified shall be allowed such expert accountant or his assistants so employed directly by the grand jury."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1060—An Act making an appropriation for the transfer to the University of California of the petroleum experimental station at the Panama-Pacific International Exposition.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, following the words "An Act" line 1 of the title, strike out all the balance of the title, and insert in lieu thereof the following: "to establish a tax on producers of crude petroleum, to provide for its collection and to direct the disposition of the proceeds therefrom".

Amendment adopted.

AMENDMENT NUMBER TWO.

Commencing on page 1, line 1, after the words "Section 1," strike out all the remainder of the bill and insert the following: "Every individual, partnership, association, or corporation [illegible] of California, shall pay [illegible] every one thousand barrels of crude petroleum [illegible] each year. This tax shall be [illegible] and assessed under the laws of this State.

"SEC. 2. The proceeds of the tax herein provided for shall be paid by the State Treasurer, immediately upon its receipt, to the Regents of the University of California, to be used at their discretion for the establishment, maintenance and development of a petroleum experiment station.

"SEC. 3. Every such individual, partnership, association or corporation shall, within ten days after the first Monday in March of each year, file with the State Board of Equalization a verified report [illegible] petroleum produced by it for the year ending the 31st day of December [illegible] ending, and the tax herein [illegible] Board of Equalization upon the number [illegible]

"SEC. 4. If any individual, partnership, association or corporation mentioned in Section 1 of this Act, shall fail or refuse to furnish to the State Board of Equalization, within the time prescribed in this Act, the verified report provided for in this Act, the State Board of Equalization must make an estimate of the number of barrels of crude petroleum [illegible] or corporation, and [illegible] barrels thus estimated, [illegible] upon the petroleum produced for such year shall be levied and collected as provided for in this Act.

"Any individual, partnership, association or corporation failing or refusing to make and furnish the report prescribed in this Act, or rendering a false or fraudulent report shall be guilty of a [illegible] three hundred d[illegible]

"Any person who makes any false or fraudulent report, with intent to defeat or evade the assessment required by this Act to be made, shall be guilty of a misdemeanor and shall [illegible] and not more than five thousand [illegible] in the county jail of the county where said report was verified, or be subject to both said fine and imprisonment at th[illegible]

"SEC. 5. The State Board of Equalization [illegible] entered upon its minutes [illegible] fixed in this Act for filing the report [illegible]

"SEC. 6. The State Board of Equalization shall include the tax herein provided for in its record of assessments for State taxes and such record of assessment shall constitute the warrant for the Controller to collect the taxes assessed and levied upon the property mentioned in section 1 of this Act.

"SEC. 7. The taxes herein directed to be levied and collected shall be due and payable on the first Monday in July in each year, and unless paid on or before the first Monday of the S[illegible] shall be added to the amount thereof. If the tax shall not be paid by the first Monday in November following, the Board of Equalization shall direct the Controller or his duly authorized representative to collect said tax by a seizure and sale at public auction of a sufficient amount of the property of the delinquent to pay the tax, penalties, and costs. Said public auction shall be held as provided by law for the public sale of property for the payment of other State taxes.

"SEC. 8. The taxes levied under the provisions of this Act shall constitute a lien upon all of the property of every kind and nature belonging to the individual, partnership, association or corporation subject to the tax, which lien shall attach as soon as the tax is assessed.

"SEC. 9. The tax herein provided for shall have the effect of a judgment, and every lien created by this Act has the effect of an execution duly levied against all property of the delinquent; the judgment is not satisfied, nor the lien removed, until such taxes, penalties and costs are paid, or the property sold for the payment thereof.

"SEC. 10. The tax herein directed to be levied and collected shall be paid to the State Treasurer, upon the order of the Controller, who must give a receipt to the person paying the tax, or any part thereof, specifying the amount of the assessment and the tax, or part of the tax, paid, and the amount remaining unpaid, if any."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 420—An Act to add a new section to the Political Code of the State of California, to be numbered 602*b* to provide a uniform system of classification of risks, premium rates and schedule ratings for the State Compensation Insurance Fund and all other insurance carriers in this State insuring employers or employees under the Workmen's Compensation, Insurance and Safety Act, chapter 176, laws 1913; to establish adequate rates for such insurance; to permit the limited issuance of compensation participating policies; requiring the Industrial Accident Commission to furnish certain information for the use of the State Insurance Commissioner; requiring every insurance carrier writing such insurance to file an annual report of its loss experience, and empowering the State Insurance Commissioner to supervise, control and enforce the provisions of this Act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the period after the word "Act" in line 16 of the title and insert in lieu thereof a comma and the following: "and fixing penalties for the violation thereof".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 11, strike out the word "Act" and substitute the word "section".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 28, strike out the word "commission" and substitute the word "commissioner".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 28, strike out the word "Act" and substitute the word "section".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, strike out all of lines 35, 36 and 37, and insert the following: "The State Insurance Commissioner shall have power, after hearing, to suspend or revoke the certificate of authority of any insurance carrier to write liability insurance for violating any of the provisions hereof, and any insurance broker, or agent, or employee of any insurance carrier, who violates any provision of this section shall be guilty of a misdemeanor".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 705—An Act to amend section 634 of the Penal Code of the State of California, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 4 to 6, of the printed bill, strike out all of line 4 after the comma following the word "who"; strike out all of line 5 and so much of line 6 as precedes the word "between".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 10 to 12, of the printed bill, strike out all of line 10 after the comma following the word "who", strike out all of line 11 and so much of line 12 as precedes the word "between".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 3 to 6, of the printed bill, strike out that portion of line 3 following the semicolon, strike out all of lines 4 and 5 and so much of line 6 as precedes the word "that", and insert in lieu thereof the following: "every person who buys, sells, offers or exposes for sale any fresh salmon between the twenty-fifth day of September and the fourteenth day of November, inclusive, of any year, is guilty of a misdemeanor; *provided*, that every person who in fish and game district twelve *a*, between the fifteenth day of May and the thirty-first day of December, inclusive, of any year, takes, catches or kills any salmon except with spear or hook and line, said hook and line to be used in the manner commonly known as 'angling', is guilty of a misdemeanor; *provided, further,*".

Amendment adopted.

AMENDMENT NUMBER FOUR

On page 2, line 7, of the printed bill, strike out the last letter "s" in the word "districts", and also strike out, in the same line, the word and figure "and 7".

Amendment adopted.

AMENDMENT NUMBER FIVE

On page 2, line 12, of the printed bill, strike out the last letter "s" in the word "districts", and strike out also in the same line the word and figure "and 7".

Amendment adopted.

AMENDMENT NUMBER SIX

On page 2, line 14, of the printed bill, strike out the words "of any year" and insert in lieu thereof the following: ", inclusive, of the year following".

Amendment adopted.

AMENDMENT NUMBER SEVEN

On page 2, line 16, of the printed bill, strike out the word "seven" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT NUMBER EIGHT

On page 2, lines 17 to 22, of the printed bill, strike out all of line 17 coming after the comma following the word "further", strike out all of lines 18, 19, 20, 21 and 22, and insert in lieu thereof the following: "that every person who, in fish and game districts seven, eight and nine, at any time between the eighth day of December and the sixth day of October, inclusive, of the year following, except with spear or hook and line, said hook and line to be used in the manner commonly known as 'angling,' takes, catches, or kills, any salmon is guilty of a misdemeanor; and every person who, in fish and game districts, seven, eight and nine, takes any salmon with any net, any of the meshes of which are, when drawn closely together and measured inside the knots, less than six and one-half inches in length, is guilty of a misdemeanor;".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 32, of the printed bill, strike out the word "seven" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 33, of the printed bill, strike out the comma and the remaining portion of the line and insert in lieu thereof the following: "; or who, in fish and game district six, uses any net for the purpose of catching salmon or steelhead, in the day time, between the hours of six a.m. and 7:30 p.m., between the first day of August and the fifth day of September, inclusive, of any year, is guilty of a misdemeanor; *provided, further*, that every person who, in fish and game district fifteen, from the first day of September to the fourteenth day of April, inclusive, of the year following, takes or kills any salmon in any manner, is guilty of a misdemeanor; *provided, further*, that nothing in this section shall prohibit the possession, purchase, sale or shipment of any salmon lawfully taken in the waters of this State or of any Dolly Varden trout taken without the State, or of any salmon, other than quinnat salmon, taken without the State, when the same shall be accompanied by an invoice in duplicate showing the name and address of the consignor and consignee and bearing, after inspection, such evidence of having been so caught or taken as shall be required by the Fish and Game Commission; and the cost of such inspection and marking must be paid by the person or persons submitting such salmon or Dolly Varden trout for inspection and marking,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, of the printed bill, insert between lines 12 and 13, a section as follows: "SEC. 4. For the purpose of this Act and all Acts relating thereto, a salmon is any fish of the salmon family belonging to the genus *Oncorhynchos*, and a steelhead is the trout variously known as steelhead salmon, salmon trout, *Salmo gairdneri* or *Salmo rivularis*."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 13, of the printed bill, strike out the characters "SEC. 4." and insert in lieu thereof "SEC. 5."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 768—An Act to amend section 628 of the Penal Code of the State of California, relating to the protection of fish.

On motion of Senator Scott, Senate Bill No. 768 was passed on file.

Senate Bill No. 973—An Act to amend section 636 of the Penal Code of the State of California, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 15 of the printed bill, insert after the word "nets" the following: ", for the taking of fish only".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 7 of the printed bill insert after the word "submerged" the following: "more than twelve feet".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 9 of the printed bill, strike out the words "do not".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 4 of the printed bill, strike out the period and insert in lieu thereof the following: "*provided, further*, that nothing in this section shall prohibit the use of crawfish traps for taking crawfish in fish and game district nineteen, or of crab nets for taking crabs in fish and game districts five, six, seven, eight, nine, ten, eleven, twelve, thirteen, seventeen, eighteen and nineteen".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 16 of the printed bill, insert before the figure "13" the following: "12*a*,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 16 of the printed bill, insert after the figure "[illegible]" the following: ", 19".

Amendment lost.

AMENDMENT NUMBER SEVEN.

On page 2, line 17, insert after the figure "12" the following: "and 12a".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 32 of the printed bill strike out the words "purse, [illegible] or lampara" and insert in lieu thereof the words "[illegible]".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 35 of the printed bill strike out the words "[illegible]" and insert the word "bait".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 1 of the printed bill insert after the word "[illegible]" the words ", anchovies and sardines,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, strike out all of lines 5, 6 and 7, and insert in lieu thereof the following:

"7. Every person who in fish and game districts one, two, three, four, [illegible] twenty, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight and twenty-nine, shall [illegible] ing or using any net, for the purpose of taking fish, mollusks or crustaceans, is guilty of a misdemeanor.

"8. Every person who in fish and game district [illegible] fish in any manner, is guilty of a misdemeanor.

"9. Nothing in this section shall prevent the use of fyke nets, without wings, in fish and game district twelve, for catfish, carp, pike, hardhead, split-tails and suckers: *provided, however*, that the mesh of said nets shall, when drawn closely together and measured inside the knots, measure not less than two and one-half inches in length, and any catfish taken in these fyke nets which do not comply with the measures required by section 628 of the Penal Code, shall be [illegible] to the water alive, and shall not be retained in live cars or boats.

"10. Nothing in this section shall prevent the Fish and Game Commission, or persons authorized by them, from using any net for the purpose of recovering fish from overflowed areas or [illegible] isolated by receding streams or flood waters.

"11. Be it provided that any net, duly condemned in accordance with the provisions of section 636*a* of the Penal Code, shall be destroyed or sold by order of the Fish and Game Commission, and when sold all proceeds collected for the sale of such net or nets shall be paid into the state treasury to the credit of the fish and game preservation fund.

"12. Nothing in this section shall prohibit the Fish and Game Commission, or any one authorized by them, or the U. S. Bureau of Fisheries from using such nets or traps or weirs, in the waters of the State, as they deem necessary for the carrying on of scientific inquiry, or for the propagation of fish or any marine animal."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 155—An Act to amend section 629 of the Penal Code, relative to the placing and maintaining of screens over the inlets of pipes, flumes, ditches, canals, and mill races, taking water from any river, creek, stream or lake in which fish have been placed or may exist

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

COMMITTEE AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED FIFTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, lines 11 and 12 of the printed bill, strike out all that portion of line 11 following the word "Commissioners" and that portion of line 12 preceding the word "shall".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 3 of the printed bill, strike out the word "Before" and insert the word "after".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 4 of the printed bill, after the word "shall" insert the following: "when requested by the owners or parties in charge".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 32 to 37, inclusive.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, strike out lines 1 to 4, inclusive.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, between lines 4 and 5 of the printed bill, insert the following:

"The evidence in any investigation, inquiry or hearing, provided by this section, may be taken by any of the members of the Board of Fish and Game Commissioners, or such deputy fish and game commissioner, or employee, as the board may designate to take such evidence, and each member of the board and any of its deputies or employees designated to take evidence at the hearing provided hereby shall have the power to administer oaths, take affidavits and issue subpœnas for the attendance of witnesses at such hearings. Each witness, legally subpœnaed, attending at a hearing, shall receive for his attendance the same fees and mileage allowed by law to a witness in civil cases, which amount shall be paid by the party at whose request such witness is subpœnaed."

"The Superior Court in and for the county, or city and county, in which any inquiry, investigation, hearing or proceeding may be held under authority of this section shall have the power to compel the attendance of witnesses, the giving of testimony and the production of papers, as required by any subpœna issued under authority of this section. The commission or representative of the commission before whom the testimony is to be given or produced, in case of the refusal of any witness to attend or testify or produce any papers required by such subpœna, may report to the Superior Court in and for the county, or city and county, in which the proceeding is pending, by petition, setting forth that due notice has been given of the time and place of attendance of said witness, or the production of said papers, and that the witness has been summoned in the manner prescribed in this Act, and that the witness has failed and refused to attend or produce the papers required by the subpœna, before the commission or its representative, in the cause or proceeding named in the notice and subpœna, or has refused to answer questions propounded to him in the course of such proceeding, and ask an order of said court, compelling the witness to attend and testify or produce said papers before the commission or its representative. The court, upon the petition of the commission or its representative, shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in such order, the time to be not more than ten days from the date of the order, and then and there show cause why he has not attended and testified or produced said papers before the commission or its representative. A copy of said order shall be served upon said witness. If it shall appear to the court that said subpœna was regularly issued by the commission or its representative, the court shall thereupon enter an order that said witness appear before the commission or its representative at the time and place fixed in said order, and testify or produce the required papers, and upon failure to obey said order, said witness shall be dealt with as for contempt of court.

"The commission or its representative or any party may, in any investigation or hearing before the commission or its representative, cause the deposition of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil actions in the Superior Courts of this State and to that end may compel the attendance of witnesses and the production of documents and papers."

Amendment adopted

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1106—An Act providing for the disposition of fines and forfeitures collected in all prosecutions for violations of the laws of the State referring to wild birds, wild animals and fishes.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1107—An Act to regulate the issuance of licenses for re-sale to hunters and anglers.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 91—An Act to provide for a day of rest from labor.

Senate Bill No. 91 ordered re-referred to Committee on Finance.

Senate Bill No. 512—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 680*a*, relating to compulsion of employees.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 985—An Act to amend sections 1999, 2000, 2001, 2002 and 2003 of the Civil Code of the State of California, relating to employees.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 441—An Act in relation to the Act of Congress known as the Carey Act, and all Acts amendatory thereof and supplemental thereto, and governing the State Conservation Commission in the control of the selection, management and disposal of all lands granted the State under the provisions thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of lines 4, 5 and 6, in the title, and insert in lieu thereof the following: "and giving authority to a commission in the investigation, selection, reclamation, control and disposal of all lands granted the State under the provisions thereof".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of section 1 and all the rest of said bill after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The State of California hereby accepts the conditions of section 4 of an Act of Congress entitled, 'An Act making appropriation for sundry civil expenses of the Government for the fiscal year ending June 30, 1894, and for other purposes,' approved August 18, 1894, together with all the grants of land to the State under the provisions of the aforesaid Act. The selection, reclamation and disposal of said land shall be vested in a commission which shall consist of the Secretary of the Department of Natural Resources, whenever such officer shall be appointed and until such appointment is made, one of the members of the State Water Commission to be named by said commission, the State Engineer and the Surveyor General and which commission shall hereafter be designated the "Carey Act Commission." The Secretary of Agriculture whenever such officer shall be appointed, and until such appointment, the Dean of the College of Agriculture of the University of California, and the President of the State Water Commission shall act as an advisory board to the said Carey Act Commission.

"SEC. 2. The Commission shall elect from among its members, a president and a secretary. The President of the Commission shall preside at all meetings of the Commission and shall have authority to call special meetings of the Commission and he shall do so when requested by any one of the other members. The Secretary of the Commission shall execute the will of the Commission in all matters relating to this Act. He shall have the custody of the records of the Commission and shall receive and file all proposals for the construction of irrigation works to reclaim lands selected under the provisions of this Act. The Surveyor General shall be register of all lands which may be selected and shall keep for public inspection maps or plats on a scale not less than two inches to the mile of all lands selected, receive entries of settlers on these lands and hear or receive the final proof of their reclamation and do any and all work required by the Commission in carrying out the provisions of this Act, relating to the disposal of such lands. He shall have authority to administer oaths, whenever necessary, in the performance of the duties of register.

"SEC. 3. Whenever it shall appear to the board of supervisors of any county that it would be advisable to reclaim by irrigation, under the provisions of this Act, any desert public land, situated within such county, such board may by appropriate resolution, petition the State Engineer to make such an investigation as would determine the feasibility of such reclamation. Whereupon the State Engineer shall make or cause to be made an investigation of such lands, and if it should be the opinion of the State Engineer that it is feasible to reclaim by irrigation such lands, he shall report the fact to the Commission, and, thereupon the Commission shall direct the State Engineer to make, when necessary, such further investigations as would determine the location and description of the lands, which may be thus reclaimed. The Commission may make application to the United States Department of the Interior upon behalf of the State of California for the temporary withdrawal of such land, pending a more complete investigation and survey preliminary to the filing of the maps and plats and application for segregation.

"SEC. 4. As soon as such temporary withdrawal of land shall have been made by the Secretary of the Interior, it shall be the duty of the State Engineer to make an investigation of the water supply and make such surveys as will determine the feasibility of irrigating such lands and the approximate cost of the same. If it should appear from such investigation and surveys that the irrigation of the lands would not be feasible, the State Engineer shall so report to the Commission and it shall then be the duty of the Commission to so notify the Department of the Interior, in order that such lands may be restored to the public domain; but, if the Commission shall be satisfied that there is an adequate supply of water for the irrigation of such lands and that the construction of works for the irrigation of such lands is entirely feasible and the Commission should decide that the State would be benefited through the irrigation and settlement of such lands, the Commission shall direct the State Engineer to make such additional investigations and surveys and prepare such plans as may be necessary to determine the cost of such works as would be needed to irrigate such lands and the Commission may then enter into a contract on behalf of the State of California, with the United States, for the construction of such works as may be necessary for the proper irrigation of such land in pursuance of the Act of Congress known as the Carey Act, and the rules and regulations of the Department of the Interior relating thereto; *provided, however*, that such project shall have first been approved by the State Engineer, and by both members of the Advisory Board.

"SEC. 5. Before finally deciding as to the feasibility of irrigating lands under this Act, the Commission shall request the State Water Commission to report, in writing, their opinion as to whether or not an adequate supply of unappropriated water is available for the irrigation of such lands. It shall be the duty of the State Water Commission to make such report and recommendations in writing. At the same time and in the same manner the Secretary of Agriculture or the Dean of the College of Agriculture, as may be, shall be requested to report his opinion in relation to the land of such project as to its character and fertility, and as to soil or drainage problems then existing or which may follow the irrigation of the lands, and if it should be his opinion that the value of such land, or any portion of such land, after irrigation would not fully justify the estimated cost of such irrigation, the Commission shall not enter into a contract for the irrigation of any of the lands which may be adversely reported upon. All such written reports and advice shall be furnished to the Commission free of charge.

"SEC. 6. Whenever a contract shall have been entered into by the Commission with the United States Department of the Interior for the irrigation of desert public lands under the provisions of this Act, the lands of such project shall be designated by the Commission and be known as the ________________ (name to be given) ________________________ State Irrigation District, and the Commission shall have the power and it shall be its duty to provide for the construction of the necessary works for the irrigation of such lands, to manage and conduct the business affairs of such district, to make and execute all necessary contracts of employment and appoint such agents, officers and employees as may be required and prescribe their duties. The Commission and its agents and employees shall have the right to enter upon any land, to make surveys and locate the necessary irrigation works and the line for any canal or canals and the necessary branches for the same on any lands which may be deemed best for such location. Such Commission shall also have the right to acquire by purchase, lease, contract, condemnation or other legal means all lands and waters and water rights and other property necessary for the construction, use, supply, maintenance, repair and improvements of said canal or canals and works, including canals and works constructed and being constructed by private owners, lands for reservoirs for the storage of needful waters and all necessary appurtenances and also, where necessary or convenient to said ends, to acquire and hold the stock of other corporations owning waters, canals, waterworks, franchises, concessions or rights. Such Commission may also construct the necessary dams, reservoirs and works for the collection and distribution of water for said district and do any and every lawful act necessary to be done that sufficient water may be furnished to all of the lands of such district for irrigation and domestic purposes. The said Commission is hereby authorized and empowered to take conveyances, leases, contracts or other assurances for all property acquired by it under the provisions of this Act in the name of the State in behalf of such state irrigation district to and for the uses and purposes herein expressed and to institute and maintain any and all actions and proceedings, suits at law or in equity necessary or proper, in order to fully carry out the provisions of this Act or to enforce, maintain, protect or preserve any and all rights, privileges and immunities created by this Act or acquired in pursuance thereof. And in all courts, actions, suits or proceedings the said Commission may sue, appear and defend, in person or by attorneys and in the name of the State in behalf of such state irrigation district. It shall be the duty of said Commission to establish equitable by-laws, rules and regulations for the distribution and use of water for the lands of such district, and for the administration and disposal of the lands of such district, which must be printed in convenient form for distribution. Said Commission shall have power, generally, to perform all such acts as shall be necessary to fully carry out the purposes of this Act.

"SEC. 7. Whenever it shall appear to the Commission that the irrigation of public land of a proposed state irrigation district under the provisions of this Act would be feasible and that an adequate supply of water exists and is available for the purpose, it shall be the duty of the Commission to appropriate in the name of the State of California for such state irrigation district an amount of unappropriated water as may be available and necessary for the irrigation of such land, such appropriation to be made in pursuance of the provisions of the Water Commission Act and acts amendatory thereof, and the rules and regulations of the State Water Commission; but no fees shall be paid to the State Water Commission for any services which may be rendered by such Commission in connection with any permit or license which may be granted under any such appropriation, but such charges as may be provided by law for the diversion of water for irrigation shall be paid to such State Water Commission as soon as any of the water thus appropriated shall be diverted for use upon the land of any district and for the quantity of water thus diverted.

"SEC. 8. For the purpose of constructing necessary irrigation canals and works and acquiring the necessary property and rights therefor and for the purpose of acquiring waters, water rights and other property necessary for the purposes of a state irrigation district and otherwise carrying out the provisions of this Act, the Commission may as soon after a contract has been entered into with the United States for the irrigation of the lands of a district and also whenever thereafter the construction fund has been exhausted by expenditures herein authorized therefor and it is necessary to raise additional money for such purposes, estimate and determine the amount of money necessary to be raised. For the purpose of ascertaining the amount of money necessary for such purposes or any of them said Commission shall cause such surveys, examinations, drawings and plans to be made of a district as shall furnish the proper basis for an estimate of the cost of irrigating the lands of such district. All such surveys, examinations, drawings, plans and the estimate of cost based thereon shall be made by or under the direction of the State Engineer and shall be certified by him and a report of such irrigation plans shall be prepared by him which report shall contain a description of the lands to be irrigated, the works to be constructed and shall also state his conclusions as to the supply of water available for the use of the district. The estimated cost of a project under this Act shall include in addition to the cost of the works proposed and the purchase of land and other rights of way needed for their construction and for the use of such district, the estimated discounts or cost of credit which it would be necessary to establish; interest during the period of construction; overhead and other carrying charges and reasonable contractor's profit commensurate with the risks involved; and the total estimate thus obtained shall be the estimated reasonable expense of irrigation or the 'irrigation charge' against the lands to be irrigated. After receiving such report the Commission, if it shall be convinced and shall declare by resolution that the supply of water available for the use of the district is sufficient for all purposes and that the said project is in all other respects feasible, shall make an order determining the amount of bonds that should be issued in order to raise the amount of money needed for the purpose or purposes for which said bonds are desired; and, said bonds may be issued as provided by this Act and when so issued shall constitute a lien or liens against the lands of a district to be thus reclaimed as contemplated by the Act of Congress, approved June 11, 1896, (29 Stat. 413-434) and shall be valid on and against the separate legal subdivisions of land thus reclaimed and irrigated, for the actual cost and necessary expense of reclamation and reasonable interest thereon from the date of reclamation until disposed of to actual settlers; and, after the reclamation and settlement of any lands thus reclaimed such bonds shall remain a lien against such lands and shall be superior and prior to any other lien which may be created until paid, and the Commission is hereby authorized to issue bonds under such lien to be secured by the same and may, from time to time, as provided in section 9 of this Act, sell said bonds, the proceeds to be used only for the reclamation of such lands, such total issue of bonds to have a par value not to exceed the total estimated irrigation charge against the lands of such district.

"SEC. 9. The Commission may sell such bonds, from time to time, and in such quantities as may be necessary and most advantageous to raise money for the construction of such canals and works, the acquisition of property and rights, or the acquisition of any water or water rights or otherwise to fully carry out the objects and purposes of this Act. Before making any such sale, the Commission shall, at a meeting, by resolution, declare its intention to sell a specified amount of the bonds and the day and hour and place of such sale, and shall cause such resolution to be entered in the minutes and notice of the sale to be given by publication thereof, for at least three weeks, in some newspaper published in the county in which the district is situated and in any other newspaper at its discretion. The notice shall state that sealed proposals will be received by the Commission at their office for the purchase of bonds till the day and hour named in the resolution. At the time appointed the Commission shall open the proposals and award the purchase of the bonds or any portion or portions thereof to the highest bidder or bidders *provided, however,* that they may reject any or all bids.

"SEC. 10. In case the money raised by the sale of bonds issued be insufficient or in case the bonds be not available for the completion of the plan of canal and works adopted and the acquisition of the necessary property, waters and water rights therefor and additional bonds be not voted, it shall be the duty of the Commission to provide for the completion of said plan and the acquisition of such necessary property, waters and water rights by levy of assessments therefor on or before the first Monday in August in each year, and the Commission shall levy an assessment against all the land included in a district which may be subject to assessment to raise the annual interest on the outstanding bonds of such district and, in any year in which any bond shall fall due it must increase such assessment to an amount sufficient to raise a sum sufficient to pay the principal of the outstanding bonds as they mature and pay the cost of operating and maintaining the canal system of the district; also sufficient to pay in full all sums due or that shall become due from the district before the time of levying the next annual assessment on account of rentals or charges for lands, water, or water rights acquired by said district under lease or contract; also sufficient to pay in full the amount of any other contract or obligation of the district which shall have been reduced to judgment; *provided, also,* that the Commission shall have authority to charge a toll or rental for the delivery of water in an amount sufficient to pay the cost of operating and maintaining the canal system; or, such expense may be met by both assessment and tolls in such proportion as the Commission might decide would be most advantageous to the land owners of such district.

"SEC. 11. All bonds issued under the provisions of this Act shall be payable in gold coin of the United States in twenty series, as follows, to wit: At the expiration of twenty-one years from the date of any issue of the said bonds, two per centum of the whole amount of such issue; at the expiration of twenty-two years from said date two per centum of the whole amount of such issue; at the expiration of twenty-three years from said date, three per centum of the whole amount of such issue; at the expiration of twenty-four years from said date three per centum of the whole amount of such issue; at the expiration of twenty-five years from said date four per centum of the whole amount of such issue; at the expiration of twenty-six years from said date four per centum of the whole amount of such issue; at the expiration of twenty-seven years from said date, four per centum of the whole amount of such issue; at the expiration of twenty-eight years from said date four per centum of the whole amount of such issue; at the expiration of twenty-nine years from said date, five per centum of the whole amount of such issue; at the expiration of thirty years from said date, five per centum of the whole amount of such issue; at the expiration of thirty-one years from said date, five per centum of the whole amount of such issue; at the expiration of thirty-two years from said date five per centum of the whole amount of such issue; at the expiration of thirty-three years from said date six per centum of the whole amount of such issue; at the expiration of thirty-four years from said date six per centum of the whole amount of such issue; at the expiration of thirty-five years from said date six per centum of the whole amount of such issue; at the expiration of thirty-six years from said date six per centum of the whole amount of such issue; at the expiration of thirty-seven years from said date, seven per centum of the whole amount of said issue; at the expiration of thirty-eight years from said date seven per centum of the whole amount of such issue; at the expiration of thirty-nine years from said date, eight per centum of the whole amount of such issue; at the expiration of forty years from said date, eight per centum of the whole amount of such issue.

"While the foregoing several enumerated percentages are of the entire amount of the bond issue, each bond must be made payable at a given time for its entire amount and not for a percentage. The date of the issue of any bond authorized under this Act shall be deemed to be the apparent date of issue of the said bonds appearing upon the face thereof, which date shall be subsequent to the date of the resolution of the Commission authorizing the issue of the said bonds and prior to the date of actual delivery of said bonds to the purchaser thereof. Said bonds shall bear interest at a rate to be determined by the Commission, but not exceeding six per cent per annum, payable semi-annually on the first day of January and the first day of July of each year. Principal and interest shall be payable at the place designated therein. Said bonds shall be each of the denomination of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) as the Commission may determine. They shall be negotiable in form, signed by the president and secretary of said Commission and the seal of the Commission shall be affixed thereto. Each issue shall be numbered consecutively as issued and the bonds of each issue shall be numbered consecutively and bear date at the time of their issue. Coupons for the interest shall be attached to each bond signed by the Secretary. Said bonds shall express on their face that they were issued by authority of this Act, stating its title and date of approval and also stating the number of the issue of which such bonds are a part. The secretary shall keep a record of the bonds sold, their number, the date of sale, the price received and the name of the purchaser. The provision of this section defining what shall constitute the date of issue of bonds shall apply to any and all bonds issued in pursuance of this Act.

"SEC. 12. Upon the presentation of the coupons due on bonds issued against the land of any said irrigation district to the State Treasurer he shall pay the same from the bond fund of such district. Whenever such fund shall amount to the sum of ten thousand dollars in excess of an amount sufficient to meet the interest coupons due, the Commission may direct the Treasurer to pay such an amount of such bonds due as the money in said fund will redeem at the lowest value at which they may be offered for liquidation after advertising in the manner hereinbefore provided for the sale of bonds, for sealed proposals for the redemption of such bonds. Said proposals shall be opened by the Commission in open meeting at a time to be named in the notice and the lowest bid for said bonds must be accepted; *provided*, that no bond shall be redeemed at a rate above par. In case the bids are equal, the lowest numbered bond shall have the preference. In case none of the holders of said bonds shall desire to have the same redeemed as herein provided for, said money shall be invested by the State Treasurer under direction of the Commission in United States bonds or the bonds of the State which shall be kept in the bond fund of such district and may be used to redeem such district bonds whenever the holders thereof may desire.

"SEC. 13. The bonds issued and the interest thereon shall be paid by revenue derived from an annual assessment upon the land of the district against which such bonds may have been issued on the basis provided in section 19 of this Act and all the land in such district shall be and remain liable to be assessed for such payments as herein provided.

"SEC. 14. The Commission shall have power to appoint a representative of any state irrigation district who shall reside within the limits of such district, and who may be empowered to act for the Commission in all matters relating to the affairs of such district; the Commission shall fix his compensation and he shall hold office at the pleasure of such Commission. Before assuming the duties of such office, such representative shall execute an official bond in a sum not to exceed fifty thousand dollars and not less than ten thousand dollars. Such official bond shall be in the form prescribed by law for the official bonds of county officers. Such representative may be given authority to represent such Commission during the construction of the works; to receive applications for the entry of land under the provisions of this Act; receive annual and final proofs and issue certificates relating to the same. He may be empowered to prepare the annual assessment rolls and collect and receive such assessments on behalf of such Commission. Such representative of the Commission shall be designated 'district superintendent'. The Commission is hereby authorized to appoint a district advisory board of any state irrigation district, consisting of three members who shall be residents of such district and who shall hold office at the pleasure of the Commission and shall serve without compensation. The Commission is hereby empowered to extend such authority to such district advisory board as may be deemed for the best interests of such district.

"SEC. 15. When the Commission shall have made an estimate of the cost of a project, it shall invite bids or proposals for the construction of the necessary works by publication, for a period of six weeks in not more than six newspapers of weekly issue as in the opinion of such Commission would be most likely to bring the matter to the attention of persons best able to undertake the construction of the works proposed. Such notice shall contain a brief description of the works proposed, the volume and kind of material to be moved, the kind of structures to be built, and the total estimated cost of the project and the place or places where plans, estimates and specifications can be inspected. Such bids or proposals shall be received by the Commission on the day and hour stated in the publication and such Commission shall thereupon examine all such bids or proposals as may be submitted and shall accept the proposal of the lowest and most responsible bidder, provided the price at which it is proposed such works would be constructed is not greater than the total estimated cost of such project as prepared by such Commission or such Commission may reject any or all of such bids. If the price submitted for the construction of such works should be greater than the total estimated cost prepared by the Commission, the Commission shall arrange for a public hearing and may summon witnesses to testify as to the reasonableness of any price or terms which may have been submitted or may receive other proposals and the Commisison may, after a careful consideration of all evidence which may be submitted and representations that may be made at such hearing, accept a proposal for a price greater than the estimated cost of the project prepared by such Commission. Each bid or proposal that may be submitted shall be accompanied by a certified check made payable to the Commission, equal in amount to two per cent. of the estimated cost of such project, which check shall be forfeited to such Commission if the individual, firm, association or corporation submitting such bid or proposal shall, after its acceptance by the Commission, refuse to enter into a contract with the Commission for the construction of the works of such project as provided by the general terms of such proposal and such Commission shall deposit with the State Treasurer the amount thus forfeited and the State Treasurer shall place the same to the credit of the Bond Guarantee Fund created under the provisions of section 38 of this Act; ***provided, further***, that no proposal for the construction of irrigation work shall be accepted until the Commission shall have satisfied itself that the individual, firm, association or corporation submitting the same is financially able to carry the undertaking to completion within the time specified and under the terms provided and for the amount agreed to in such proposal.

"SEC. 16. The individual, firm, association or corporation, whose proposal for the construction of the works of any irrigation project to be constructed under the provisions of this Act has been accepted by the Commission shall, within a period of thirty days from the date of such acceptance, be prepared to enter into a contract with such Commission for the construction of such works in accordance with the plans, specifications and terms upon which the acceptance of such proposal is based, such contract to be accompanied by a satisfactory bond on the part of the proposed contractor for the construction of such works, which bond shall be in a penal sum equal to fifteen per cent. of the estimated cost of the works and shall be conditioned for the faithful performance of the provisions of the contract with the State of California, but the Commission shall have the authority to extend the time of entering into such agreement, but such time shall not be extended more than ninety days from the date of the acceptance of such proposal. The plans, specifications and terms upon which the accepted proposal is based, shall be made a part of the contract; the time for the completion of the works shall also be stated, which shall not be more than five years from the date of the acceptance of the proposal; but, in the case of works of great magnitude the Commission shall have authority to extend the time for completion not exceeding two years. All contracts shall state that work shall begin within three months from the date of the contract and that such work shall be prosecuted diligently and continuously and at a rate commensurate with the magnitude of the undertaking and which would, at all times, insure its completion by the time agreed to in such contract; ***provided, further***, that if there shall be an interruption of work on any of the controlling features of such project, as may be determined by the State Engineer, caused by flood, storms, or other natural causes, the Commission may grant an extension equal to such delay. All work to be done under the provisions of this Act shall be in pursuance of plans and specifications to be prepared by the State Engineer and all such work shall be under his supervision and shall be completed to his satisfaction. A failure to complete the works within the time required by the contract or an extension thereof as herein provided shall forfeit to the State all rights under the same.

"SEC. 17. Upon the failure of any parties having a contract with the State for the construction of irrigation works to begin the same within the time specified by the contract or to complete the same within the time or in accordance with the specifications of the contract to the satisfaction of the Commission, it shall be the duty of the Commission to give such parties written notice of such failure and if after a period of thirty days from the sending of such notice, they shall fail to proceed with the work or to conform to the specifications of their contract with the State, the bond and contract of such parties and all work that may have been performed under such contract and all the material entering therein or which may be delivered or the works constructed or to be constructed thereunder shall be at once and thereby forfeited to the State; and it shall be the duty of the Commission at once to so declare and give notice once each week for a period of four weeks in some newspaper in general circulation in the county or counties in which the work is situated and in one newspaper at the State capital, in like manner and for a like period of the forfeiture of such contract and that upon a fixed day, proposals will be received at the office of the Commission for the completion of such contract and the time for receiving said proposals shall be at least sixty days subsequent to the issuing of the last notice of forfeiture. And the Commission shall have authority to accept a proposal for such completion and may enter into a contract for the same as in the case of an original proposal; and if by reason of a failure or forfeiture under a contract or for any other cause the total cost of a project should exceed the original estimated irrigation charge, the Commission shall have the authority to make such equitable distribution or addition of any such excess or increased cost to any or all of the farm units of such district as, in the judgment of such Commission may be deemed just and such adjusted or increased irrigation charge shall, thereafter, be the basis for all assessments against such farm units as contemplated by the provisions of this Act.

"SEC. 18. The contract for the construction of works of a district shall provide that payments shall be made to the contractor only as lands are open to entry from time to time and there shall be due and payable at such times only such amounts as would equal the total irrigation charge against such land as shall have been provided with means of irrigation.

"SEC. 19. As soon as the estimated irrigation charge shall have been determined, it shall be the duty of the State Engineer to make a classification of the lands of such district, dividing it into farm units and noting the location and area of the irrigable and non-irrigable land of each of such farm units, which may be of varying size, but none of such farm units shall be greater than 160 acres or less than 20 acres and he shall charge the irrigation charge or cost of the project against such farm units in the proportion of the benefits which it is estimated would be derived by each of such farm units from the construction of such works; and the amount thus charged against any farm unit, or the proportion which such charge bears to the total cost of such project, shall be the basis of assessment during the period of construction and when construction is completed and the irrigation charge is finally adjusted shall be and remain the basis of all assessments which may thereafter be made against such farm units under the lien that may be created against any or all of the lands of such project in pursuance of the provisions of this Act, and of the Act of Congress approved June 11, 1896. (29 Stat. 413-434.)

"SEC. 20. Whenever the Commission shall decide to proceed with the construction of works for the irrigation of the lands of a State irrigation district and to issue bonds for the payment of the same, and before any of such lands shall be open for entry, the Commission shall file for record in the office of the county recorder, in the county or counties in which such lands may be situated, a map on tracing linen, on a scale not less than two inches to the mile, on which shall be shown the lands of such State irrigation district that are to be irrigated, subdivided into farm units, together with a list of such farm units; and there shall be noted on such map in each farm unit subdivision and on such list of lands the irrigation charge which has been made against each of such farm untis, which charge shall serve as a basis for assessments as provided in section 19 of this Act. And there shall also be recorded a certified copy of the resolution of the Commission providing that such irrigation charge shall become a lien against the lands of the district and the subdivisions thereof on the basis indicated on such map and list; also a certified copy of the resolution or resolutions providing for the issuing of bonds for the construction of such works shall be filed for record by the Commission with such recorder or recorders. Any owner of private lands, situated within the limits of a project to be constructed under the provisions of this Act may have such lands included in such project, by entering into an agreement with the Commission, which agreement shall provide that an equitable portion of the cost of such works shall be charged against such land on the same basis and in the same manner followed in the case of the public lands of the project and that any area of land in private ownership, which it may be desired to thus include, in excess of any farm unit area which shall be decided by the Commission and not to exceed 160 acres, shall be subdivided by the State Engineer into farm units and sold by the Commission at a price and on terms to be agreed to with the Commission, the price at which such land may be sold to be not greater than two and one-half times its assessed value at the time such agreement is made; and such owner shall also agree that the cost of irrigation shall be a first lien against his land, the terms of such lien to be the same in every respect as the lien which may be created against the public land of the project; and he shall execute a mortgage against such land as would enable the Commission to establish such a lien; also that such land shall be incorporated into and be subject to all assessments which may be made by order of such Commission; and, when the owner of any privately owned lands shall have thus entered into such contract the Commission may, if it shall be deemed to be to the best interests of the project, declare such privately owned lands a part of the project and of the state irrigation district, which is to be created or may have been created and shall indicate each unit of such lands, with the irrigation charge noted, on the map of such district and shall add such lands to the list of lands to be recorded as herein provided.

"SEC. 21. Upon the final completion of the works of a project the Commission shall file for record with the county recorder of the county or counties in which the project is situated, an amended map of the project and a list of all lands on which shall be noted the irrigation charges as they may finally be adjusted by the Commission, together with appropriate resolutions in relation thereto, and such amended map and list and resolution shall then become the final basis of all future assessments to be made against the lands of such project in carrying out the provisions of this Act; and, the recorder of a county in which such project or any portion of a project is situated shall at the request of the Commission receive and record all resolutions of the Commission relating to the creation of a lien against the lands of a state irrigation district and the list of the lands thereof and shall file in a plat book to be provided for such purpose all the maps and plats of the lands of such district that may be offered for record.

"SEC. 22. No entry of land made under the provisions of this Act shall be assignable except to the State of California, and shall not be re-entered until at least sixty days after such assignment and not until the Register has by publication, once each week for a period of four weeks in a newspaper published in the county in which such land is situated and in another newspaper of general circulation to be selected by the Register advertised that such land will be open to re-entry at the office of the Commission or its agent in the county in which such land is situated at an hour and date which shall be not less than fifteen nor more than thirty days subsequent to the last date of such publication and describing such land and the appraised value of any improvements which may have been placed upon the same as determined by the Commission and stating that the right to re-enter any such farm unit or units will be awarded to the highest qualified bidder for the same; and the Commission shall not be obliged to return to the previous entryman all or any portion of any amount which may thus be received from the sale of the improvements which may have been placed upon such entry by him, the value of which shall have been appraised, but the Commission may place any or all of the money thus received in the Bond Guarantee Fund of such district. The Commission shall cancel any entry for non-compliance with the provisions of this Act relating to the payment of tolls, water rentals or assessments or for failure to cultivate or reside upon such entry in the manner provided by this Act and in accordance with the rules and regulations in relation to the same as may be provided by such Commission, and, in the event of such cancellation such entry shall be re-entered in the manner herein provided.

"SEC. 23. Within six months after entering land under the provisions of this Act the entryman shall become an actual and bona fide resident upon such land and shall continue to reside upon such land during at least six months of each year until patent shall have been granted to him for the land embraced in such entry. And within the irrigation season next following the date of entry of land the entryman shall prepare for irrigation and shall irrigate and cultivate to crops twenty-five per cent. of the irrigable area of such entry and during the second irrigation season he shall prepare for irrigation and shall irrigate and cultivate to crops one half of the irrigable area of such entry; and, during the third irrigation season he shall prepare for irrigation and shall irrigate and cultivate to crops seventy-five per cent. of the irrigable land of such entry Such classification as to irrigability to be made by the State Engineer, as provided in section 19 of this Act. Four years from the date of entry the entryman shall offer final proof of residence upon and cultivation of his entry before the Register or a representative of such Register in the county in which such land is situated and if such final proof is accepted the Commission shall issue a patent in the name of the State to such entryman; *provided*, that at the time of such final proof seventy-five per cent. of the irrigable area of such entry shall have been prepared for irrigation and shall be irrigated and cultivated. The Commission shall provide suitable rules for the filing of proposals for constructing irrigation works and for the entry of and the payment for the land by settlers; for offering annual and final proof and for the forfeiting of entry upon failure to comply with the provisions of this Act, and in relation to other duties and obligations of the entryman in carrying out the provisions of the Act. Such rules and regulations shall be designed to carry out the chief purpose of this Act which is that speculation in such lands may be prevented and that they may be entered by actual settlers who will put them to the beneficial use intended so repayment of the cost of reclamation may be assured.

"SEC. 24. The construction of all irrigation works of a state irrigation district shall be prosecuted in regular order beginning at the upper end of such district to be irrigated and continuing towards the lower end, and all diverting works, main canals, laterals and structures shall be completed as such work proceeds, so that all the land tributary thereto may be irrigated and whenever irrigation facilities shall have been completed for the irrigation of one-fifth of the area of an irrigation district the Commission shall accept such works, provided they shall have been completed to the satisfaction of the State Engineer; and thereupon the Commission shall, within thirty days from such acceptance declare open to public entry such portions of the lands of such project as have been provided with irrigation facilities and for which water is available for irrigation; and it shall be the duty of the Commission, by publication once each week in some newspaper of the county in which such lands are situated and one newspaper each in Sacramento, San Francisco, and Los Angeles, for a period of four weeks to give notice that said land is open for settlement, the price for which said land will be sold to settlers by the State and the average irrigation charge against such land and the terms of payment; also, any privately owned lands which may be held under contract for sale by the Commission and the price at which such land will be sold to actual settlers and the terms of the same; and, from time to time thereafter as works are completed for the irrigation of the lands of such district such works shall be accepted and such land shall be thrown open to entry; but each of the first four public openings of lands of a district shall contain an area not less than one-fifth of the total area of the district unless one of such openings shall include all the remaining lands of such district.

"SEC. 25. Any citizen of the United States or any person having declared his intentions to become a citizen of the United States, excepting married women, unless head of a family, over the age of twenty-one years, may make application, under oath to the Register, or his agent, to enter a single farm unit and such application shall set forth that the person desiring to make such entry does so for the purpose of actual reclamation, cultivation and settlement in accordance with the Act of Congress and the laws of this State relating thereto, and that the applicant has never received the benefit of the provisions of this Act and that such application is made subject to such rights of way as may be deemed necessary by the Commission for the construction of irrigation works and their proper operation and maintenance thereafter, and to all the provisions of this Act with respect to the lien against such land which may have been created or may be created by the authority of the Commission, and subject to the authority of the Commission in all matters relating to the levying and collecting of assessments, tolls and water rentals of every kind and subject to the authority of the Commission in relation to the control and operation of the irrigation system. All applications for entry shall be accompanied by a payment of one dollar per acre, which will be returned to the applicant if the application is not allowed. If the application is allowed a certificate shall be issued to the applicant and all certificates when issued shall be recorded in a book to be kept for that purpose. The Commission will dispose of all lands accepted by the State under the provisions of this Act, at a uniform price of one dollar per acre. The application shall also be accompanied by any amounts or charges which may have been assessed against such land and which are due and payable; also by a payment of not less than ten per cent., nor more than twenty per cent. of the irrigation charge made against the farm unit applied for, as the Commission, in its discretion may decide, and such payment shall be a uniform percentage of such irrigation charge against all the lands of such district and such payment shall be deposited by the Commission with the State Treasurer, in a fund to be known as the __________ State Irrigation District Bond Guarantee Fund to be employed by the Commission as provided by section 38 of this Act, and a similar payment shall be made by the owner or holder of any privately owned land which may have been included in such district and by the purchaser or purchasers of any of such land which may be sold by the Commission under contract provided in section 20 of this Act and the payment thus made shall also be placed in such bond guarantee fund; *provided*, in the case of such private lands the payment of such percentage of the irrigation charge shall be made at the time such lands are included in such district or when such lands are sold by the Commission or under its authority.

"SEC. 26. On or before the first Monday in August in each year the Commission shall prepare or cause to be prepared a list of assessments to be levied under the provisions of this Act such assessments to be based upon the irrigation charge made against the lands of such district on the basis provided in section 19 of this Act. Such Commission shall compute and enter in a separate column of the assessment book the respective sums in dollars and cents to be paid as an assessment on the property therein enumerated. When collected the assessment shall be paid by the Commission into the office of the State Treasurer, there to be apportioned to the several funds as herein provided. The assessment upon the lands of the district is a lien against the property assessed from and after the date of such assessment and the lien for the bonds and other charges of such district shall be a preferred lien and superior to any other lien which may be created and such lien shall not be removed until the assessments are paid or the property sold for the payment thereof.

"SEC. 27. On or before the first day of September the Commission shall publish a notice in a newspaper of general circulation published in each county in which any portion of the district may lie that such assessments are due and payable and will become delinquent at six o'clock p.m. on the last Monday of October next thereafter and that unless paid prior thereto ten per cent. will be added to the amount thereof and also the time and place at which payment of assessments may be made, which notice shall be published for the period of two weeks. The Commission or its representative must attend at the time and place specified in the notice to receive assessments which must be paid in gold or silver coin. He must mark the date of payment of any assessment in the assessment book opposite the name of the person paying and give a receipt to such person specifying the amount of the assessment and the amount paid with the description of the property assessed; and on the last Monday in October at 5:00 p.m. of each year if unpaid assessments are delinquent and thereafter the Commission must collect thereon for the use of the district an addition of ten per cent.

"SEC. 28. On or before the first day of December the Commission shall publish the delinquent list which must contain the names of the persons and the description of the property delinquent and the amount of the assessments and costs due, opposite each name and description. There shall be appended to and published with the delinquent list a notice that unless the assessments delinquent, together with costs and percentage, are paid the property upon which such assessments are a lien will be sold at public auction. If the land, on which such assessment is delinquent, is held under a possessory right under the provisions of this Act, such publication shall state that such possessory right is subject to cancellation by the Commission, and if the assessments against such land are not paid within sixty days from the date of such delinquency such right shall be canceled and the land offered for re-entry in the manner provided by section 22 of this Act. The publication must be made once a week for three successive weeks in a newspaper of general circulation published in the county in which the property delinquent is situated, but if any property assessed to the same person shall lie in more than one county then such publication may be made in each county in which any portion of such property may lie. The publication must designate the time and place of sale; the time of sale must be not less than twenty-eight days from the first publication and the place must be at some point designated by the Commission within the district; *provided, however*, that if there should occur any error in the publication of the sale of the delinquent property which might invalidate a sale made thereunder and such error if discovered prior to the sale thereunder, the Commission shall, at once republish the sale of the property affected by such error, making such publication conform to the provisions of this Act and the time of sale designated in such republication must not be less than twenty-one nor more than twenty-eight days from the first republication and the place of sale must be at some point designated by the Commission within the district and stated in such republication.

"SEC. 29. The Commission must collect in addition to the assessments due on the delinquent list and ten per cent. added, fifty cents on each lot, piece or tract of land separately assessed. On the day fixed for the sale or some subsequent day to which the Commission may have postponed it, notice of which must be given, the Commission or their representative, between the hours of 10:00 o'clock a.m. and 3:00 o'clock p.m. must commence the sale of the property advertised, commencing at the head of the list and continuing alphabetically or in numerical order of the lots or blocks until completed. The Commission may postpone the day of commencing the sale from day to day, but the sale must be completed within three weeks from the day first fixed.

"SEC. 30. After receiving the amount of assessments and costs the Commission must make out, in duplicate, a certificate dated on the day of sale, stating, when known, the name of the person assessed, a description of the land sold, the amount paid therefor, that it was sold for assessments, giving the amount and year of the assessment and specifying the time when the purchaser will be entitled to a deed. The certificate must be signed by the Commission or its representative and one copy delivered to the purchaser and the other filed in the office of the County Recorder of the county in which the land is situated.

"SEC. 31. The Commission or its representative before delivering any certificate must, in a book enter a description of the land sold, corresponding with the description in the certificate, the date of the sale, purchasers' names and amount paid, regularly number the description on the margin of the book and put a corresponding number on each certificate. Such book must be open to public inspection without fee during office hours when not in actual use. On filing the certificate with such County Recorder the lien of the assessments vests in the purchaser and is only divested by the payment to him or to the Commission for its use of the purchase money at two per cent. per month from the day of sale until redemption.

"SEC. 32. The assessment book or delinquent list or a copy thereof certified by the Commission or its representative showing unpaid assessments against any person or property is prima facie evidence of the assessment, the property assessed, the delinquency, the amount of assessments due and unpaid and that all the forms of the law in relation to the assessment and levy of such assessments have been complied with.

"SEC. 33. The owner or person in possession of any property offered for sale for assessments due thereon may designate in writing to the Commission prior to the sale what portion of the property he wishes sold, if less than the whole. But if the owner or possessor does not, then the Commission may designate it, and the person who will take the least quantity of the land, or in case an undivided interest is assessed, then the smallest portion of the interest and pay the assessments and costs due, including two dollars for the duplicate certificate of sale, is the purchaser. If the purchaser does not pay the assessments and costs, before 10:00 o'clock a.m. the following day, the property on the next sale day must be resold for the assessments and costs. But in case there is no purchaser in good faith for the same on the first day that the property is offered for sale then when the property is offered thereafter for sale and there is no purchaser in good faith for the same, the whole amount of the property assessed shall be struck off to the Commission as the purchaser and a certificate of sale shall be issued therefor. The Commission as a purchaser at such sale shall be entitled to the same rights as a private owner and the title so acquired by the Commission, subject to the right of redemption herein provided, may be conveyed by deed, executed and acknowledged by the president and secretary of such Commission; *provided*, that authority to so convey must be offered by resolution of the Commission, entered on its minutes, fixing the price at which such sale may be made and such conveyances shall not be made for a less sum than the reasonable market value of such property.

"SEC. 34. A redemption of the property sold may be made by the owner or any party in interest within one year from the date of purchase or at any time thereafter before a deed has been made and delivered. Redemption must be made in gold or silver coin, as provided for the collection of state and county taxes and when made to the Commission it shall credit the amount paid to the person or his assignee. On receiving the certificate of sale the county recorder must file it and make an entry in the book similar to that required of the Commission. On the presentation of the receipt of the person named in the certificate or of the Commission for its use, of the total amount of the redemption money the recorder must mark the word 'redeemed,' the date and by whom redeemed on the certificate and on the margin of the book where the entry of the certificate is made. If the property is not redeemed within the time herein specified the Commission upon demand must make to the purchaser or his assignee a deed of the property reciting in the deed substantially the matters contained in the certificate and that no person redeemed the property during the time allowed by law for its redemption; *provided*, that where the property has been sold to the Commission it may be redeemed as herein provided, at any time before the Commission has disposed of the same. The Commission shall receive from the purchaser for the use of the district two dollars for making such deed.

"SEC. 35. The matter recited in the certificate of sale must be recited in the deed and such deed duly acknowledged or proved is prima facie evidence that, (*a*) the property was assessed as required by law; (*b*) that the assessments were levied in accordance with law; (*c*) the assessments were not paid; (*d*) at the proper time and place the property was sold as prescribed by law and by the proper officer; (*e*) the property was not redeemed; (*f*) the person who executed the deed was the proper officer.

"Such deed, duly acknowledged, or proved, is (except for actual fraud) conclusive evidence of the regularity of all the proceedings from the assessment by the Commission to the execution of the deed. The deed conveys to the grantee the absolute title to the lands described therein, free of all incumbrances, except when the land is owned by this State in which case it is prima facie evidence of the right of possession.

"SEC. 36. When land is sold for assessments properly imposed, as the property of a particular person, no misnomer of the owner or supposed owner or other mistake relating to the ownership thereof affects the sale or renders it void or voidable.

"SEC. 37. The legal title to all property acquired under the provisions of this Act shall immediately, and by operation of law vest in the State of California, and shall be held in trust for and is hereby dedicated and set apart to the uses and purposes of the state irrigation district for whose benefit such property or rights may have been acquired and said Commission is hereby authorized and empowered to hold, use, acquire, manage, occupy and possess said property as herein provided. Said Commission may determine by resolution duly entered upon their minutes, that any property, real or personal, held for any state irrigation district is no longer necessary to be maintained for the uses and purposes thereof, and may thereafter sell such property and a conveyance of any property thus held for any irrigation district, executed by the president and secretary thereof, in accordance with the resolution of such Commission, when sold for a valuable consideration, shall convey good title to the property so conveyed.

"SEC. 38. All payments received from entrymen at the time of entry on account of the irrigation charge against the lands of a district shall be placed by the Commission with the State Treasurer, in a fund to be known as the Bond Guarantee Fund of the ____________ State Irrigation District and shall be avaliable for the payment of assessments which may have become delinquent from time to time or for the payment of assessments against unentered land. Any one applying to enter land on which any assessment has been paid from such guarantee fund shall pay to the Commission such assessment or assessments before the Commission shall receive such application and the amount thus paid shall be deposited by the Commision to the credit of such guarantee fund.

"SEC. 39. The bond guarantee fund of any said irrigation district which is provided for in section 38 of this Act shall be available for the payment of delinquent assessments until the completion of the works of such district. After such completion if such delinquency does not exceed in any one year five per cent. of the total of the assessments, tolls and water rentals for such year, such fund may be employed by the Commission in the payment of assessments which may be levied for the payment of the interest or principal of the bonds or of both interest and principal and no further assessments for such purpose need be collected until such fund shall have thus been exhausted.

"SEC. 48. The Attorney General shall be the legal advisor of the Commission in matters relating to this Act and shall represent or shall cause the State to be properly represented in all suits, actions, contests, or controversies relating to or involving the rights or interests of the State under the provisions of this Act, before the several land officers in this State, before the General Land Office at Washington, D. C., and before the courts of this State and of the United States, and may employ a competent attorney or attorneys for that purpose, who shall be paid out of any fund which may be available for such purpose to the credit of any state irrigation district or from any general appropriation which may be available for such purpose. And the district attorney of any county or counties in which any state irrigation district may lie shall represent the Commission in any action which may be brought or which may be defended by the Commission in the courts of such county or counties when so directed by the Attorney General and he shall not receive any additional compensation for such services, but shall be allowed such reasonable and necessary expenses which may be incurred by him while performing such service.

"SEC. 49. Nothing in this Act shall be construed as authorizing the Commission to obligate the State to pay for any work constructed under any contract or to hold the State in any way responsible to settlers for the failure of the contractors to complete the work, according to the terms of their contracts with the State.

"SEC. 50. Said Commission is hereby authorized and empowered to adopt such by-laws and to establish and require the observance of such rules and regulations as it may deem necessary, proper or expedient, not in conflict with law, or the regulations of the Department of the Interior with respect to the administration of the provisions of this Act, and which shall be published from time to time in pamphlet form for free distribution.

"SEC. 51. The by-laws to be prepared by the Commission shall provide for regular meetings to be held once every three months, but special meetings may be held at the call of the secretary of the Commission or of a majority of the Commission. A majority of the Commission shall constitute a quorum for the transaction of all business coming before the business in pursuance of the provisions of this Act."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the hour of recess was extended until twelve o'clock and forty minutes p.m.

SECOND READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 352—An Act to amend section 1687 of the Political Code, relating to qualifications of teachers for beginners.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title by striking out the word "beginners" and inserting in lieu thereof the following: "pupils of the first grade, and to the payment of teachers' salaries in the elementary school".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 3 and 4, strike out the word "beginners" and insert in lieu thereof the following: "pupils of the first grade".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 5, insert after the semicolon the following: "and such teachers shall rank in point of salary with those of the assistant teacher in the highest grade of the grammar schools: *provided*, that in determining the salary of a teacher or pupils of the first grade, a special teacher shall not be considered an assistant teacher. The term 'special teacher' is hereby defined to include: (1) teachers holding special certificates to teach any of the special branch or branches of learning mentioned in subdivision 3 (*f*) of section 1771 of the Political Code, and teaching such special branch or branches; and (2) teachers of special classes for mentally or physically defective children.

"Subject to the provisions of this section, boards of education and boards of school trustees may adopt a schedule of salaries based on years of experience in teaching and pay teachers in accordance with such schedule: *provided*, that a special teacher in the elementary schools, who has not had at least one full year of preparation for teaching the special branch for which she is certificated, in addition to the qualifications required for an elementary school certificate, or at least five years of experience in teaching such special branch, shall not be paid a salary greater than the minimum salary paid to an elementary school teacher of the same number of years of experience; *and, provided, further*, that the limitation on salaries herein provided, shall not apply to teachers holding special certificates to teach vocational work granted as provided in section 1772 of the Political Code".

Amendment adopted.

AMENDMENT NUMBER FOUR

On page 1, line 5, strike out the words "and in" and insert in lieu thereof the word "In".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR

At twelve o'clock and thirty-five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Breed, the consideration of the motion to reconsider the vote whereby Senate Bill No. 751 was passed was continued until the next legislative day.

PETITION—(OUT OF ORDER).

By consent of the Senate, the following petition was read, out of the regular order, and ordered printed in the Journal:

WILLOWS, CALIFORNIA, April 22, 1915.

To the Senate, by courtesy of Senator H. H. Lyon, Sacramento, California:

HONORABLE SIRS: The District Conference of the Sacramento District Pacific Annual Conference M. E. Church, South, now in session at Willows adopted unanimously a resolution in favor of the passage of the bill now before your honorable body providing for one day's rest in seven for the toilers of the State.

J. L. RUSSELL, Secretary Council.

LEAVES OF ABSENCE.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for the balance of this legislative day.

Senator Flaherty was, on motion of Senator Crowley, granted leave of absence for the balance of this legislative day.

RECESS.

At twelve o'clock and forty minutes p.m., the President pro tem. declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

By consent of the Senate, the second reading of Assembly bills was taken up, out of the regular order.

Assembly Bill No. 653—An Act to amend section 1861 of the Civil Code, relating to lien of hotel keepers on property of guests for charges.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, strike out all of line 8.

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 169—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1460—An Act to amend section 1539 of the Code of Civil Procedure, relating to the service of orders to show cause.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1461—An Act to amend section 1547 of the Code of Civil Procedure, relating to notices of sale at public auction.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1462—An Act to amend section 1549 of the Code of Civil Procedure, relating to notices of sale at public sale.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1463—An Act to amend section 1531 of the Code of Civil Procedure, relating to orders to show cause on sale of real estate.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 758—An Act to validate the organization of sanitary districts and their proceedings whereby the boundaries thereof were altered, and outlying contiguous territory in the same county as such sanitary district annexed thereto.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 562—An Act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain state buildings and grounds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 307—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," by amending section 78 thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 341—An Act to legalize bonds issued and to be issued and sold by irrigation districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 368—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also to provide for the distribution of water for irrigation purposes" by amending sections 1, 28, 57 and 61, and by adding new sections to be known as sections 41*a* and 61*a*.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 424—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by repealing section 64 thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1517—An Act to amend section 1 of an Act entitled, "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness and the distribution of their property," approved February 10, 1903, as amended, relating to the procedure in cases of dissolution of such districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1235—An Act to amend the Political Code by adding a new section thereto to be numbered 1618*a*, providing for the establishment of separate school for the instruction of the feebleminded.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, beginning with the word "by" before the word "teachers" strike out the remainder of the bill.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, after the word "taught" place a period.

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 637—An Act to amend section 2 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under constitutional provision without Governor's approval February 25th, 1909, as amended.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In the last line of the title, strike out the figures "1909" and insert in lieu thereof the figures "1901".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Assembly Bill No. 638—An Act to amend section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 5 of the title, strike out the words "as amended" and insert in lieu thereof the words "and all amendments thereto".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, line 1, after the word "of" insert the words "an Act entitled".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, in line 3, after the figures "1883" insert the words "and all amendments thereto".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, in line 13, after the word "or" insert the word "on"

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out lines 32 and 33 and insert in lieu thereof the following: "not, without the assent of two thirds of the qualified electors of such city or town voting at an election to be held for that purpose exceed one dollar on each one hundred dollars: *provided, however*, that in cities which have constructed or may hereafter construct embankments, seawalls, or other works to protect such cities from overflow, said board of trustees may levy and collect annually, a property tax which shall not exceed twenty cents on each one hundred dollars, which, when collected, shall be kept in a separate fund and used for the construction and maintenance of embankments, seawalls, or other works to protect such city from overflow and for no other purpose."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3 of the printed bill strike out line 21 and the syllable "tion" in line 22, and in lieu thereof insert the following: "nasiums, parks, and baths, and to grant franchises for the construction of public utilities,".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, after line 37, insert the following paragraphs:

"16*a*. To regulate the construction of and the materials used in all buildings, chimneys, stacks and other structures; to prevent the erection and maintenance of insecure or unsafe building walls, chimneys, stacks, or other structures, and to provide for their summary abatement, destruction or removal; to provide for the abatement, destruction or removal of unsightly or partially destroyed buildings; to regulate the materials used in and the method of construction of foundations and foundation walls, the manner of construction and location of drains and sewers, the materials used in wiring buildings or other structures for the use of electricity for lighting, power, heat or other purposes and materials used for piping buildings or other structures for the purpose of supplying the same with water, gas, or electricity, and the manner of so doing; to prohibit the construction of buildings and structures which do not conform to such regulations.

"16*b*. To regulate the exhibition, posting or carrying of banners, placards, posters, cards, pictures, signs or advertisements in or on the street, or on or upon buildings, fences, billboards or other structures; or on or upon any pole in any sidewalk, alley, street, lane, court, park or other public place; to regulate the suspension of banners, flags, signs, advertisements, posters, pictures, or cards across or over any sidewalk, alley, street, lane, court, park, or other public place, or such suspension from fences, poles, houses, or other structures; to prohibit and prevent encroachments upon or obstruction in or to any sidewalk, street, alley, lane, court, park or other public place, and to provide for the removal of such encroachment or obstruction.

"16c. To compel the owner, lessee or occupant of buildings, grounds, or lots to remove dirt, rubbish, weeds and rank growths from the sidewalk opposite thereto, and from the building or grounds, and on his default, after such notice as the board of trustees may prescribe, to authorize the removal or destruction thereof by some officer of the city at the expense of such owner, lessee or occupant, and by such procedure as the board of trustees may prescribe, to make such expense a lien upon such building or grounds."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Assembly Bill No. 1564—An Act to validate proceedings for the annexation of territory to, incorporation in, and inclusion thereof within municipal corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1001—An Act to amend section 628*c* of the Penal Code, relating to the protection of surf fish.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1533—An Act to amend section 637 of the Penal Code of the State of California, providing for the construction and maintenance of fishways over or around dams and artificial obstructions.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, following line 31, insert the following:

"After making any order to place and maintain such ladder, the State Board of Fish and Game Commissioners shall, when requested by the owners or parties in charge, fix a time and place, in the county in which the dam or artificial obstruction is situated, for the taking of evidence upon the question of the necessity of placing and maintaining such ladder, and cause notices in writing of such time and place to be served upon the owners or persons in charge of such dam or artificial obstruction. At least ten days before the day set for the hearing, and at such time and place, testimony under oath shall be taken, both on the part of the State Board of Fish Commissioners and the owner or person in charge of such dam or artificial obstruction, if such owner or person in charge appears and offers evidence, and thereupon the State Board of Fish Commissioners from the evidence offered shall determine whether or not the necessity for the placing and maintaining a ladder on such dam or artificial obstruction is shown, and if shown to be required and necessary, said State Board of Fish Commissioners may direct and order the placing and maintaining such ladder. Such order to also fix the point where the ladder is to be placed and maintained, and a certified copy of such order to be served upon the owners or parties in charge of such dam or artificial obstruction.

"The evidence in any investigation, inquiry or hearing, provided by this section, may be taken by any of the members of the Board of Fish and Game Commissioners, or such deputy fish and game commissioner, or employee, as the board may designate to take such evidence, and each member of the board and any of its deputies and employees designated to take evidence at the hearing provided hereby shall have the power to administer oaths, take affidavits and issue subpœnas for the attendance of witnesses at such hearings. Each witness, legally subpœnaed, attending at a hearing, shall receive for his attendance the same fees and mileage allowed by law to a witness in civil cases, which amount shall be paid by the party at whose request such witness is subpœnaed.

"The Superior Court in and for the county, or city and county, in which any inquiry, investigation, hearing or proceeding may be held under authority of this section shall have the power to compel the attendance of witnesses, the giving of testimony and the production of papers, as required by any subpœna issued under authority of this section. The Commission or representative of the Commission before whom the testimony is to be given or produced, in case of the refusal of any witness to attend or testify or produce any papers required by such subpœna, may report to the Superior Court in and for the county, or city and county, in which the proceeding is pending, by petition, setting forth that due notice has been given of the time and place of attendance of said witness, or the production of said papers, and that the witness has been summoned in the manner prescribed in this Act, and that the witness has failed and refused to attend or produce the papers required by the subpena, before the Commission or its representative, in the cause or proceeding named in the notice and subpena, or has refused to answer questions propounded to him in the course of such proceeding, and ask an order of said court, compelling the witness to attend and testify or produce said papers before the Commission or its representative. The court, upon the petition of the Commission or its representative, shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in such order, the time to be not more than ten days from the date of the order, and then and there show cause why he has not attended and testified or produced said papers before the Commission or its representative. A copy of said order shall be served upon said witness. If it shall appear to the court that said subpena was regularly issued by the Commission or its representative, the court shall thereupon enter an order that said witness appear before the Commission or its representative at the time and place fixed in said order, and testify or produce the required papers, and upon failure to obey said order, said witness shall be dealt with as for contempt of court.

"The Commission or its representative or any party may, in any investigation or hearing before the Commission or its representative, cause the deposition of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil action in the Superior Courts of this State and to that end may compel the attendance of witnesses and the production of documents and papers."

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1501—An Act to amend section 599*f* of the Penal Code, relating to the protection of elk.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 505—An Act to provide for the enforcement of labor laws of the State of California by the Commissioner of the Bureau of Labor Statistics.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 340—An Act to amend an Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes (approved March 31, 1897) by adding thereto two sections to be known respectively as "section 61*a*" and "section 61*b*," relating to the acquiring of irrigation systems and works by the exchange of bonds therefor and the validation of such bonds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, after the word "of" insert the words "section 61*b* of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the title, strike out the word "therefore" and insert in lieu thereof the word "therefor".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 131—An Act to amend section 4277 of the Political Code of the State of California, relating to salaries, fees and compensation of officers of counties of the forty-eighth class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BREED, Chairman.

Assembly Bill No. 131 ordered on file for second reading.

Also:

SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 366—An Act to amend section 4132 of the Political Code, prescribing what indexes shall be kept by county recorders, and

Assembly Bill No. 1485—An Act to amend section 4131 of the Political Code of the State of California relating to what is to be recorded by county recorders;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BREED, Chairman.

Assembly Bills Nos. 366 and 1485 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 218—An Act to revise and amend sections 3, 5, 6 and 12 of an Act known as "The Net Container Act," approved May 24, 1913;

Also: Assembly Bill No. 660—An Act to amend subdivision four of section 690 of the Code of Civil Procedure, relating to property exempt from execution;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Senate Bill No. 218 ordered on file for second reading.

Assembly Bill No. 660 ordered on file for second reading.

Also:

SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 84—Relative to an Act to amend section 873 of the Code of Civil Procedure of California, relating to the time when trial must be commenced;

Also: Assembly Bill No. 1381—An Act to amend section 1658 of the Code of Civil Procedure;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 84 and 1381 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 59—An Act to amend section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Luce moved to refer to Senator Wolfe as a Special Committee of One to amend Assembly Bill No. 59 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, after the word "state", strike out the words "one year".

AMENDMENT NUMBER TWO.

On page 1, line 6, after the words "and county", strike out the words and figures "90 days", and insert in lieu thereof the following: "for two years immediately".

AMENDMENT NUMBER THREE.

On page 1, strike out all of lines 12 and 13.

Motion lost.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Luce moved to refer to Senator Wolfe as a Special Committee of One to amend Assembly Bill No. 59 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, after the word "state", strike out the words "one year".

AMENDMENT NUMBER TWO.

On page 1, line 6, after the words "and county", strike out the words and figures "90 days", and insert in lieu thereof the following: "for one year immediately".

AMENDMENT NUMBER THREE.

On page 1, strike out all of lines 12 and 13.

The question being on the adoption of the motion to refer.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Crowley, Luce, and Wolfe.

Thereupon the Secretary was directed to call the roll.

The roll was called, and the motion to refer carried by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Butler, Carr, Cohn, Duncan, Finn, Hans, Irwin, Kehoe, Luce, Lyon, Slater, Thompson, and Wolfe—16.

NOES—Senators Ballard, Chandler, Flint, Gerdes, Maddux, Mott, Purkitt, Strobridge, and Stuckenbruck—9.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 59, with instructions to amend, respectfully reports the same back, amended as per instructions.

WOLFE, Committee.

Report read and, on motion of Senator Luce, adopted.

Bill ordered to print.

Assembly Bill No. 58—An Act to amend section 205 of the Code of Civil Procedure of the State of California, relating to the selection and listing of jurors.

Bill read third time.

On motion of Senator Wolfe, Senate Bill No. 58 was passed on file.

Assembly Bill No. 589—An Act to amend section 7 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved

March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

By order of the President pro tem., Assembly Bill No. 589 was passed on file.

Assembly Bill No. 1535—An Act to amend sections 3, 5, 6, 7, 9, 11, 12, 18, 21, 23, 25, 27, 42, 43, 60, 63, 66, 67, 74 and 75, of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and repealing section 36, and sections 84, 85, 86, 87, 88 and 89 thereof, relating to work in unincorporated territory.

By order of the President pro tem., Assembly Bill No. 1535 was passed on file.

Assembly Bill No. 55—An Act to amend section 792 of the Political Code of the State of California, relating to qualifications and application to become notaries.

By order of the President pro tem., Assembly Bill No. 55 was passed on file.

Assembly Bill No. 455—An Act to provide for the issuance of street improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property secured thereby and for the payment of the bonds so issued.

By order of the President pro tem., Assembly Bill No. 455 was passed on file.

ASSEMBLY CONSTITUTIONAL AMENDMENT NUMBER FIFTEEN.

A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 1½ of article XIII thereof, relating to the exemption of churches from taxation.

The Legislature of the State of California, at its regular session commencing on the fourth day of January, 1915, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes that **section 1½, article XIII of the Constitution of the State of California, be amended to read as follows:**

Section 1½. All buildings, and so much of the real property on which they are situated as may be required for the convenient use and occupation of said buildings, when the same are used solely and exclusively for religious worship, and for social purposes for the benefit of the organized religious body using said property for such purposes, shall be free from taxation; *provided*, that no building so used which may be rented for religious purposes and rent received by the owner therefor, shall be **exempt from taxation.**

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 15 adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Kehoe,

King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—29.
NOES—None.

Constitutional Amendment No. 15 ordered transmitted to the Assembly.

Assembly Bill No. 850—An Act to amend the Penal Code of the State of California by adding thereto two new sections to be known and numbered as section 349*b* and section 349*c*, relating to labor unions.

On motion of Senator Strobridge, Assembly Bill No. 850 was passed on file.

Assembly Bill No. 1515—An Act to repeal section 2189 of the Civil Code, relating to passenger who has not paid fare upon a railroad train.

On motion of Senator Strobridge, Assembly Bill No. 1515 was passed on file.

Assembly Bill No. 500—An Act to amend section 4250 of the Political Code of the State of California, relating to the salaries and fees of the officers of the counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 500 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 32—An Act to amend an Act entitled "An Act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire the property of the State of California located on the water front of San Francisco, California," approved March 25, 1901, and all Acts or parts of Acts amendatory thereof, by amending section 2 thereof, said amendment relating to the aggregate amount of such insurance and the cost thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 32 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Slater, Strobridge, Stuckenbruck, and Wolfe—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR HANS IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Senator Hans, of the Fourteenth District, in the chair.

THIRD READING OF ASSEMBLY BILLS (RESUMED).

Assembly Bill No. 1497—An Act to recognize and declare valid all proceedings in and relative to the Waterford Irrigation District and the organization thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1497 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 184—An Act to regulate the sale of eggs that have been shipped or imported into the State of California from any point or place outside of the State of California, requiring the marking thereof by all persons selling or offering the same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 184 passed by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 185—An Act to regulate the sale of food and drink, the ingredients of which are in part composed of eggs shipped or imported into the State of California, from any point or place outside of the State of California, requiring the marking of all bills of fare or menu cards placed on tables or counters in establishments preparing, serving or offering for sale any such food or drink, and fixing penalties for the violation of the same or of any of the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 185 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 186—An Act to regulate the placing of cards in all packages or wrappers enclosing manufacturers' food products, before being sold or offered for sale, which are composed in part of eggs shipped or imported into the State of California, from any point or place outside of the State of California, and fixing penalties for the violation of the same or of any of the provisions thereof.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 186 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Butler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1306—An Act to amend section 1426*n* of the Civil Code of the State of California, relating to fees for recording affidavits of labor or improvements of mining claims.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1306 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 851—An Act to establish a standard for the State of California for packing of fresh fruits for sale or for transportation for sale, for interstate and foreign shipment, and to prevent deception in the packing of fresh fruits for such purposes.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator King moved to refer to Senator Birdsall as a Special Committee of One, to amend Assembly Bill No. 851 as follows:

AMENDMENT NUMBER ONE.

By striking out of section 11, line 33, the period, and inserting in lieu thereof the following: "upon declaration to such effect by the State Horticultural Commissioner."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 851, with instructions to amend, respectfully reports the same back, amended as per instructions.

BIRDSALL, Committee.

Report read and, on motion of Senator King, adopted.

Bill ordered to print.

Assembly Bill No. 817—An Act to add a new section to the Penal Code of the State of California, to be known as section 654*b*, relating to the protection of the purchasers of real estate against fraud and deception.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 817 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Butler, Cogswell, Cohn, Crowley, Finn, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVES OF ABSENCE.

Senators Breed and Benedict were, on motion of Senator Strobridge, granted leave of absence for the balance of this legislative day.

REORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, has examined Senate Concurrent Resolution No. 20—Providing for the appointment of a joint committee of the Senate and Assembly to procure, if possible, the approval and adoption by Congress of certain plans for river and harbor improvements and the co-operation of the federal government in the performance of the works therein provided for and specified, and making provision for the payment of the expenses to be incurred by such committee;

Also: Senate Joint Resolution No. 6—Relative to the Cadets of the United States Military Academy;

Also: Senate Bill No. 1106—An Act providing for the disposition of fines and forfeitures collected in all prosecutions for violations of the laws of the State referring to wild birds, wild mammals and fishes;

Also: Senate Bill No. 1107—An Act to regulate the issuance of licenses for re-sale to hunters and anglers;

Also: Senate Bill No. 512—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 680*a*, relating to compulsion of employees;

Also: Senate Bill No. 985—An Act to amend sections 1999, 2000, 2001, 2002 and 2003 of the Civil Code of the State of California, relating to employees;

And reports that the same have been correctly engrossed.

LUCE, Vice Chairmna.

LEAVE OF ABSENCE.

Senator Birdsall was, on motion of Senator Strobridge, granted leave of absence for the balance of this legislative day.

SECRETARY EDWIN F. SMITH AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 444—An Act to add a new section to the Political Code of the State of California to be numbered section 1752, relating to conventions of high school principals.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Purkitt moved to refer to Senator Stuckenbruck as a Special Committee of One to amend Assembly Bill No. 444 as follows:

AMENDMENT NUMBER ONE.

By striking out all after the period in line 5, page 2, of the amended bill.

Motion lost.

The question being on the passage of Assembly Bill No. 444.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wolfe moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benson, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Wolfe—31.

The Secretary announced the absentees.

Time, four o'clock and fifteen minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and eighteen minutes p.m., Senator Cogswell was brought to the bar of the Senate, and, on motion of Senator Slater, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and twenty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wolfe.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 444 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Brown, Carr, Cogswell, Cohn, Crowley, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Purkitt, Rush, Scott, Slater, Strobridge, and Wolfe—23.

NOES—Senators Ballard, Butler, Chandler, Duncan, Hans, Maddux, Mott, Shearer, and Stuckenbruck—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Purkitt gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 444 was passed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 625—An Act to amend section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

On motion of Senator Kehoe, Senate Bill No. 625 was passed on file.

CONSIDERATION OF MOTION TO RECONSIDER—(OUT OF ORDER).

Senator Benson asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, his motion to reconsider the vote whereby Senate Bill No. 310 was passed.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Benson moved to reconsider the vote whereby Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act—was passed.

The question being on the motion to reconsider the vote whereby Senate Bill No. 310 was passed.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—33.

NOES—None.

Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March

14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Kehoe moved to refer to Senator Anderson as a Special Committee of One to amend Senate Bill No. 310 as follows:

AMENDMENT NUMBER ONE.

By striking out of page 11, lines 21 and 22, the words "word 'doctor,' the letters or prefix 'Dr.' on the".

AMENDMENT NUMBER TWO.

On page 10, line 22, immediately before the word "or" insert the following: "or the letters 'Dr.' or the word 'doctor'".

AMENDMENT NUMBER THREE.

On page 2, line 23, after the word "any" insert the following: "interest in a school or college teaching any".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 310, with instructions to amend, respectfully reports the same back, amended as per instructions.

ANDERSON, Committee.

Report read and, on motion of Senator Kehoe, adopted.

Bill ordered to print and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Scott, the Secretary was directed to issue a rush order for printing Senate Bill No. 310.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1029—An Act to amend section 4264 of the Political Code of the State of California, relating to the salaries and fees of officers in counties of the thirty-fifth class.

Bill read third time.

The question being on the pasage of the bill.

The roll was called, and Assembly Bill No. 1029 passed by the following vote:

AYES—Senators Ballard, Behan, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Lee, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 145—An Act to amend section 4145 of the Political Code of the State of California, relating to the duties of coroners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 145 passed by the following vote:

AYES—Senators Anderson, Ballard, Behan, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 129—An Act to amend section 3460 of the Political Code of the State of California, relating to assessments and reassessments in reclamation districts.

Bill read third time.

On motion of Senator Duncan, Assembly Bill No. 129 was passed on file.

Senate Bill No. 1080—An Act to amend an Act entitled "An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, by amending section 1 of said Act, and making the description more certain, amending section 6 of said Act in reference to the certifying and depositing of a certified copy of assessment, amending section 7 of said Act in reference to the lien of said assessment, and also amending the said section 7 in regard to the collection of the assessments, issuance of warrants and the payment of all moneys that may be collected into the county treasury of Yolo County.

On motion of Senator Purkitt, Assembly Bill No. 1080 was passed on file.

Assembly Bill No. 1082—An Act approving, confirming and declaring valid the creation, formation and organization of Reclamation District No. 108, created by that certain Act of the Legislature of the State of California, entitled "An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa, etc."

On motion of Senator Purkitt, Assembly Bill No. 1082 was passed on file.

Assembly Bill No. 1149—An Act relating to the assessments levied under and by virtue of an Act entitled "An Act to create a drainage district to be called 'Sacramento Drainage District,' to promote drainage therein; to provide for the election and appointment of officers of said drainage district," etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1149 passed by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benson, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1150—An Act relating to the transfer of money now held in a special fund created under and by virture of an Act entitled "An Act to create a drainage district to be called 'Sacramento Drainage District,' to promote drainage therein; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers and providing for the creation, division and management of reclamation, swamp land, levee, drainage and protection districts within said Sacramento Drainage District, and providing for levying and collecting assessments upon the lands within said drainage district," approved March 20, 1905, and all Acts amendatory thereof, to the general fund of the counties in which such money is held.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1150 passed by the following vote:

AYES—Senators Anderson, Ballard, Behan, Breed, Butler, Carr, Chamberlin, Cole, Crowley, Duncan, Finn, Flint, Gates, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1338—An Act to amend sections 3692, 3696, 3714, 3732, 3746, 3737 and 3756 of the Political Code, relating to the assessment, equalization and collection of taxes.

On motion of Senator Strobridge, Assembly Bill No. 1338 was passed on file.

Assembly Bill No. 1046—An Act to add a new section to the Political Code, to be numbered section 3804*b*, relating to the cancellation of erroneous assessments.

On motion of Senator Kehoe, Assembly Bill No. 1046 was passed on file.

Assembly Bill No. 239—An Act to amend section 1 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, as amended by Act approved March 20, 1905, and as further amended by an Act approved April 21, 1911, and relating to the age of school children.

Bill read third time.

On motion of Senator Strobridge, Assembly Bill No. 239 was passed on file.

Assembly Bill No. 1002—An Act to amend section 1599 of the Political Code of the State of California, relating to the election of school trustees and defining the duties of the county clerk in relation to such election.

On motion of Senator Lyon, Assembly Bill No. 1002 was passed on file.

Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, relating to a county officer acting as a deputy of another county officer of the same county.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] was passed by the following vote:

Ayes—Senators [illegible] Finn, Flint, Gerdes, Hans, Irwin, Jones, [illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 728—An Act to amend section 4246 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the [illegible] class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Flint moved to refer to Senator Flint as a Special Committee of One to amend Assembly Bill No. 728 as follows:

AMENDMENT NUMBER ONE.

On page [illegible], line [illegible], [illegible]

AMENDMENT NUMBER TWO.

On page 2, line 29, after the word "business", insert a period, and strike out [illegible]

AMENDMENT NUMBER THREE.

On page [illegible], line [illegible], after the word [illegible]

AMENDMENT NUMBER FOUR.

[illegible]

AMENDMENT NUMBER FIVE.

On page [illegible], line [illegible], after the word [illegible]

AMENDMENT NUMBER SIX.

On page [illegible], line [illegible], after the [illegible]

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

Mr. President: Your Special Committee of One, to which was referred Assembly Bill No. 728, [illegible]

FLINT, Committee.

Report read and, on motion of Senator Mott, adopted.

Bill ordered to print.

Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Political Code of the State of California, relating to the [illegible] of county and township officers of counties of the tenth class, and to the number, appointment and salaries of their assistants and deputies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1107 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION NUMBER FIVE

Relative to the establishment of life saving stations on the Pacific Coast.

WHEREAS, The "Treasury Annual Report 1913 Life Saving Stations" shows on page 16 the marine losses on the coast of the United States to have been for the year on The Great Lakes, $208,340, the Atlantic and Gulf, $[illegible], the Pacific Coast, $853,545; and

WHEREAS, The life saving stations of the United States are divided into thirteen districts with stations as follows: Great Lakes, 3 districts, 61 stations; Atlantic and Gulf, 9 districts, 218 stations; Pacific Coast, 1 district, 19 stations; and

WHEREAS, The Atlanitc coast is some eighteen hundred miles in length and the Pacific Coast is some six thousand miles in length; and

WHEREAS, A great increase in the shipping doing business on the Pacific coast is certain to occur through the completion of the Panama canal; and

WHEREAS, There is no life saving station on the Pacific coast south of San Francisco, except the volunteer life saving station at Venice, to protect life and property at sea; and

WHEREAS, The rocky coast and numerous rocky islands with frequent fogs and shifting ocean currents from Point Concepcion to San [illegible] [illegible] needing a life saving station equipped with a power launch; therefore, be it

Resolved by the Senate and Assembly of the State of California, That the attention of the Congress of the United States is earnestly called to the need of an increase in the Pacific Coast Life Saving Service; be it further

Resolved, That we respectfully urge on the Congress of the United States the immediate enactment of such laws, and an appropriation from the treasury of the United States for such sums as may seem advisable to Congress, for the establishment and maintenance of adequate life saving stations on the Pacific coast; and we ferther urge upon the Congress of the United States an [illegible] sum to establish a life saving station at Venice on Santa Monica bay; be it further

Resolved, That each Senator and each Representative in Congress from the State of California be, and he is hereby requested to use all honorable means to secure the enactment of such legislation; and be it further

Resolved, That a copy of this resolution be forthwith transmitted by the Chief Clerk of the Senate to the President of the Senate of the United States and to the Speaker of the House of Representatives of the United States, and a copy hereof to each member of Congress from the State of California.

Joint resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 5 adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lyon, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Assembly joint resolution ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Strobridge, the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day receded from Assembly's amendments to Senate Bill No. 975—An Act to amend section 628*a* of the Penal Code of the State of California, relating to the protection of fish.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 975 ordered to enrollment.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Benson, Scott, and Carr as a Committee on Free Conference to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 1406.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 801—An Act to amend section 1132 of the Political Code of the State of California, relating to the place for holding an election, approved February 12, 1903;

Also: Assembly Bill No. 802—An Act to amend section 1151 of the Political Code of the State of California, relating to board of elections for special election precincts—poll lists, approved January 9, 1912:

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BENSON, Chairman.

Assembly Bills Nos. 801 and 802 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 9—Relative to the maintenance of a siren by the United States Lighthouse Service at Alcatraz Island and asking for its discontinuance and the substitution of some noiseless but equally effective arrangement—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

RUSH, Chairman.

Assembly Joint Resolution No. 9 ordered on file.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from the committees on this legislative day.

Assembly Bill No. 131—An Act to amend section 4277 of the Political Code of the State of California, relating to salaries, fees and compensation of officers of counties of the forty-eighth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 9, after the word "peace" insert the words "and constables".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 19, strike out all after the colon down to and including the period after the word "annum" in line 32 and insert in lieu thereof the following: "In townships of the first class forty dollars per month; in townships of the second class twenty dollars per month, and in townships of the third class fifteen dollars per month".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 3, strike out all after the semicolon down to and including the semicolon after the word "month" in line 8, and insert in lieu thereof the following: "In townships of the first class thirty dollars per month; in townships of the second class fifteen dollars per month, in townships of the third class fifteen dollars per month".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 22, after the word "two" insert the words "and one-half".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 366—An Act to amend section 4132 of the Political Code, prescribing what indexes shall be kept by County Recorders.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1485—An Act to amend section 4131 of the Political Code of the State of California, relating to what is to be recorded by county recorders.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 660—An Act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, lines 12 and 13, after the word "with" strike out the words "a reasonable amount of" and insert in lieu thereof the words "not to exceed two hundred dollars' worth of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 12, after the semicolon following the word "month" add the following: "and one automobile, the selling price of which when new shall not have exceeded the sum of twelve hundred and fifty dollars together with accessories for same, the selling price of which accessories when new shall not have exceeded the sum of two hundred and fifty dollars, used by a physician or surgeon in the legitimate practice of his profession or business;"

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 18, after the comma following the word "sealers" insert the following: "and persons sent from this State to work in the fish canneries located outside of this State,".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 84—An Act to amend section 873 of the Code of Civil Procedure, relating to the time when trial must be commenced.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1381—An Act to amend section 1658 of the Code of Civil Procedure.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 801—An Act to amend section 1132 of the Political Code of the State of California, relating to the place for holding an election, approved February 12, 1903.

Bill read second time, and ordered on file for third reading.

Assembly bill No. 802—An Act to amend section 1151 of the Political Code of the State of California, relating to board of elections for special election precincts—poll lists, approved January 9, 1912.

Bill read second time, and ordered on file for third reading.

ADJOURNMENT.

At four o'clock and forty minutes p.m., on motion of Senator Gerdes, the President pro tem. declared the Senate adjourned until Monday, April 26, 1915, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Monday, April 26, 1915.

Pursuant to adjournment the Senate met at eleven o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by Secretary Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—40.

Quorum present.

PRAYER.

By invitation of the President pro tem., prayer was offered by Rev. C. E. Woodman, of Newman Hall, Berkeley.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 23, 1915, the further reading was dispensed with, on motion of Senator Rush.

PETITION.

Senator Cohn presented the following petition, which was read and ordered printed in the Journal:

To the Honorable Senators of the State of California:

GENTLEMEN: We, your petitioners, are employees of Central California Traction Company, a corporation organized under the laws of the State of California, which now is, and for many years past has been, engaged in operating a street railway in the city of Stockton, and its environs. We are now engaged in the respective capacities set opposite our names, and we respectfully and earnestly ask you to support and vote for the jitney bus taxation and [illegible] measures, for the following reasons:

Our employer has expended large sums of money in the city of Stockton, and gives steady employment to a great number of men. We are in a position to know that the jitney business has greatly reduced the revenues of our employer, and that such reduction will continue, and we know that the decrease in carrying passengers will cause cars to be withdrawn from use, and the natural result thereof will be the discharge of employees. Of course, we can not tell which of us may be discharged, but we feel that you well know the result of men being out of employment, especially when they are paying installments upon homes for their families.

While we do not know the amount of money invested by our employer, we feel that it must be a large amount, and we know that one can run a jitney bus with a very small investment, and a very small expense. As we understand the law now to be, those engaged in a jitney bus business are not compelled to pay anything for the franchise or right to conduct said business, neither do they have to pay for keeping the streets in repair, nor do they have to pay any percentage of their receipts, neither do they have to pay toward the revenues of the State, nor any of the other large expenses that our employer is called upon to pay in the franchise of the laws of this State.

We believe that the provisions contained in the hereinbefore named measures are fair, just, and proper, and we respectfully request that you support and vote for the same.

Thanking you in advance for your support, your petitioners will ever pray, etc.

W. B. EVANS, and 44 others.

Dated: Stockton, California, April 24th, 1915.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1107—An Act to amend section 4239 of the Political Code, relating to county officers, and their salaries and deputies; to township officers and their compensation, and to the compensation of jurors and grand jurors in counties of the tenth class;

Also: To Assembly Bill No. 1029—An Act to amend section 4264 of the Political Code, relating to the salaries and fees of officers in counties of the thirty-fifth class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 24, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 22d passed Senate Bill No. 570—An Act to add a new section to the Political Code to be numbered [illegible], concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance or surety bonds shall show the correct premium consideration and the risks insured [illegible], prohibiting the giving or the acceptance of rebates on premiums of surety bonds, and providing penalty therefor and for the revoking of the licenses of any agent or broker violating the same, and prescribing the powers and duties of the Insurance Commissioner in relation thereto.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 570 ordered to enrollment.

Also:

SACRAMENTO, April 24, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 695—An Act to amend section 3819 of the Political Code, relating to payment of taxes under protest;

Also: Assembly Bill No. 697—An Act to amend section 3804 of the Political Code, relative to taxes erroneously collected;

Also: Assembly Bill No. 586—An Act to amend section 3617 of the Political Code, defining terms;

Also: Assembly Bill No. 53—An Act to amend sections 2, 3 and 6 of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an Act approved December 18, 1911, relating to the powers and duties of the Building and Loan Commissioner;

Also: Assembly Bill No. 1110—An Act for the relief of M. B. Bell.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 695 and 697 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 586 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 53 read first time, and referred to Committee on Banking.

Assembly Bill No. 1110 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 24, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1227—An Act to amend section 1593 of the Political Code, relating to the election of school trustees;

Also: Assembly Bill No. 1024—An Act to repeal section 7 of an Act entitled "An Act providing for the organization and management of mutual workmen's compensation insurance companies and defining the same and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California," approved May 26, 1913;

Also: Assembly Bill No. 1094—An Act to add a new section to the Civil Code of the State of California, to be numbered 1410b, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public;

Also: Assembly Bill No. 1018—An Act to amend section 2684 of the Political Code.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1227 read first time, and referred to Committee on Education.

Assembly Bill No. 1024 read first time, and referred to Committee on Insurance.

Assembly Bill No. 1094 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1018 read first time, and referred to Committee on Roads and Highways.

Also:

SACRAMENTO, April 24, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 726—An Act to amend section 4 of an Act entitled "An Act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom, for fish preservation and restoration," approved June 16, 1913;

Also: Assembly Bill No. 727—An Act to amend section 4 of an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom for game and fish preservation and restoration," approved March 22, 1909;

Also: Assembly Bill No. 1146—An Act to amend section 1206 of the Code of Civil Procedure, relating to the payment of wage claims from property held under execution or attachment.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 726 and 727 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1146 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, April 24, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1307—An Act to amend section 4278 of the Political Code of the State of California relating to the compensation of officers of counties of the forty-ninth class;

Also: Assembly Bill No. 1308—An Act to amend section 4281 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-second class;

Also: Assembly Bill No. 1302—An Act to amend sections 1 and 2 of Act 4351 entitled "An Act to preserve and maintain the lakes, ponds, brooks, creeks, rivers and streams of the State, and to prevent the waters thereof from being carried by pipe, conduits, ditches, tunnels or canals, into other states, for use therein:"

Also: Assembly Bill No. 1579—An Act providing for the acquisition by purchase or gift, of State forest lands for reforestation purposes, and for the management and control of same.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1307 and 1308 read first time, and referred to Committee on County Government.

Assembly Bill No. 1302 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1579 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 24, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 554—An Act to amend the Political Code of the State of California by adding a new section thereto to be known as section 635 relating to a standard form of life insurance policy;

Also: Assembly Bill No. 601—An Act to create a revolving fund for the manufacturing departments at the state prison at San Quentin and to appropriate money therefor;

Also: Assembly Bill No. 531—An Act to amend section 2691 of the Political Code of the State of California, relating to roads and highways;

Also: Assembly Bill No. 321—An Act to amend section 647 of the Penal Code relating to vagrancy.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 554 read first time, and referred to Committee on Insurance.

Assembly Bill No. 601 read first time, and referred to Committee on Finance.

Assembly Bill No. 531 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 321 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, April 24, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1333—An Act to amend section 4142*a* of the Political Code relating to the time when contracts, plans and specifications may be returned or destroyed by recorders;

Also: Assembly Bill No. 1125—An Act to authorize municipal corporations with the consent of original dedicators to abandon parks and sell and convey the land embraced therein, and reinvest the proceeds from the sale thereof in the purchase of other public grounds;

Also: Assembly Bill No. 700—An Act to amend section 4300*a* of the Political Code, relating to witness fees;

Also: Assembly Bill No. 574—An Act to amend section 10 of an Act entitled, "An Act relating to immigrants and immigration, creating a commission of immigration and housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, Statutes of California of 1913, page 598.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1333, 760 and 574 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1125 read first time, and referred to Committee on Municipal Corporations.

Also:

SACRAMENTO, April 24, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1576—An Act to amend section 1577 of the Code of Civil Procedure of the State of California;

Also: Assembly Bill No. 1589—An Act to amend section 4240 of the Political Code, relating to the compensation of county and township officers of counties of the eleventh class;

Also: Assembly Bill No. 738—An Act to amend section 3866 of the Political Code, relating to settlements of county treasurers with the State;

Also: Assembly Bill No. 1511—An Act to amend an Act entitled "An Act to establish police courts in cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an Act entitled 'An Act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof,' which became a law under the provisions of the Constitution of the State of California without the Governor's approval, on the 5th day of March, 1901, and all Acts amendatory of said Act or supplementary thereto," approved June 6, 1913, by adding a new section thereto to be numbered 9½, relating to probation officers of said courts.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1576 and 1511 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 1589 and 738 read first time, and referred to Committee on County Government.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1283—An Act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Assembly Bill No. 1283 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 1127—An Act to amend the Civil Code of California by adding thereto a new section to be numbered and known as section 1771*a*, relating to the sale of live stock—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass as amended.

KING, Chairman.

Senate Bill No. 1127 ordered on file for second reading.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Bill No. 1573—An Act to establish a standard for California certified seed potatoes and to prevent the sale of other potatoes as California certified seed potatoes, making the violation of this Act a misdemeanor and fixing a penalty therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KING, Chairman.

Assembly Bill No. 1573 ordered on file for second reading.

REPORT OF SELECT COMMITTEE.

The following report of Select Committee was received:

ON FUNERAL ARRANGEMENTS.

MR. PRESIDENT: Your committee appointed pursuant to Assembly Concurrent Resolution No. 25, relative to the funeral of the late Honorable Frank M. Rutherford, begs leave to report that all necessary arrangements were carried out, and the following bills contracted, as per statement attached, and recommend the adoption of the following resolution:

Floral pieces (M. H. Ebel)	$50 00
Funeral train to Oroville (Northern Electric Railway Company) 87 tickets at $2.10 each	182 70
Clark & Booth, funeral directors, as per itemized statement attached	796 50
Total	$1,029 20

Resolved, That the Controller be, and he is hereby authorized and directed to draw his warrant in favor of L. B. Mallory, Chief Clerk of the Assembly for the above amount;

$945.05 from the contingent fund of the Assembly, and
$84.15 from the contingent fund of the Senate;
and the State Treasurer is hereby directed to pay the same.

BIRDSALL,
BROWN,
BREED,
SMITH,
Senate Committee.
JUDSON,
CHENOWETH,
HARRIS,
SHARTEL,
SISSON,
MALLORY,
Assembly Committee.

Report read and referred to Committee on Contingent Expenses.

SPECIAL ORDER—(CONTINUED).

The hour having arrived for the consideration of Senate Bill No. 29 heretofore set as a special order for eleven o'clock and fifteen minutes a.m., on motion of Senator Kehoe the consideration was continued until eleven o'clock and thirty minutes a.m.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the Assembly on this day appointed as a Committee on Free Conference to consider Assembly Bill No. 1406—An Act to add a new section to the Civil Code to be numbered and designated 653*ba*, providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do—Assemblymen Encell, Beck, and Manning, to meet a like committee appointed by the Senate: Senators Benson, Scott, and Carr, to consider Senate amendments to Assembly Bill No. 1406.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Breed, the consideration of the motion to reconsider the vote whereby Senate Bill No. 751 was passed was continued until the next legislative day.

LEAVE OF ABSENCE.

Senator Rush asked for and was granted leave of absence for the balance of this day.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

On motion of Senator Thompson, Senate Bill No. 1078 was passed on file.

Senate Bill No. 1138—An Act to regulate the building and occupancy of dwelling houses in incorporated and unincorporated towns, cities, cities and counties, and to provide penalties for the violation thereof.

On motion of Senator Anderson, Senate Bill No. 1138 was passed on file.

Senate Bill No. 229—An Act to add a new section to the Code of Civil Procedure to be numbered 1020, relating to the service of summons in actions for divorce or annulment of marriage.

On motion of Senator Anderson, Senate Bill No. 229 was passed on file.

Senate Bill No. 230—An Act to add a new section to the Civil Code, to be numbered 128*a*, providing for the service of summons and complaint on the district attorney in actions for divorce or annulment of marriage, and conditioning the courts' jurisdiction thereon.

On motion of Senator Anderson, Senate Bill No. 230 was passed on file.

Senate Bill No. 231—An Act to add a new section to the Political Code, to be numbered 4153*a*, providing for the powers and duties of district attorneys in actions for divorce or annulment of marriage.

On motion of Senator Anderson, Senate Bill No. 231 was passed on file.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 29, heretofore set as a special order for eleven o'clock and thirty minutes a.m., the same was taken up for consideration.

Senate Bill No. 29—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviation from such rating schedules and providing a penalty therefor.

Bill read third time previously.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Duncan, the hour of recess was extended until twelve o'clock and thirty-three minutes p.m.

RECALL OF BILL FROM COMMITTEE.

Senator Benson moved that Senate Bill No. 722 be recalled from engrossment and that the same be restored to its place on the second-reading file.

Motion carried.

APPOINTMENT OF COMMITTEE.

In accordance with Assembly Concurrent Resolution No. 16—Relative to the appointment of a committee to devise an improved method of handling bills after introduction—adopted by both houses of the legislature and approved by the Governor, the President appointed Senators Thompson, Tyrrell, and Campbell as such committee.

RECESS.

At twelve o'clock and thirty-three minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 424—An Act to amend section 1543 of the Political Code, relating to the duties of superintendent of schools;

Also: Senate Bill No. 1204—An Act providing for the manner of construction and equipment of window sashes in certain classes of windows;

Also: Senate Bill No. 318—An Act to provide for the regulation of county jails, county hospitals and almshouses, county orphanages, detention homes and city or town jails under the supervision of the State Board of Charities and Corrections;

And reports the same have been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1238—An Act to amend section 4262 of the Political Code, relating to salaries of officers of counties of the thirty-third class;

Also: Senate Bill No. 770—An Act to amend section 1858 of the Political Code of the State of California, relating to the attendance of children in the public schools of the State;

Also: Senate Bill No. 814—An Act to provide for the licensing of motor vehicles to operate upon the streets and public highways of the State of California and engage in the business of carrying passengers for hire by indiscriminately accepting and discharging them at successive points thereon; and making an appropriation for the purpose of carrying out the provisions of this Act;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act, entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system, or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act;

Also: Senate Bill No. 737—An Act to amend an Act entitled "An Act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, by amending sections 1, 2, 3, 4, 6, 7, 8, and 9 thereof and by adding a new section thereto to be known and numbered as section 11½, all relating to the licensing of stallions and jacks, and providing for the reporting of the collection of fees to the State Controller and the creation of a fund to be known as the Stallion Registration Board Contingent Fund;

Also: Senate Bill No. 962—An Act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor;

Also: Senate Bill No. 237—An Act to provide for the establishment and maintenance of classes for the training of vocational teachers;

Also: Senate Bill No. 1151—An Act appropriating money to pay the claim of Ed Fletcher against the State of California;

Also: Senate Bill No. 628—An Act declaring kelp beds to be the property of the State of California and providing for the control and leasing of said beds;

And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution by amending sections 1 and 9 of article XIII and by repealing sections 8, 10 and 14 of said article, all relating to revenue and taxation;

Also: Senate Bill No. 574—An Act to amend section 928 of the Penal Code, relating to grand juries, permitting the use of the accounting department of the State Board of Control by the grand juries of the several counties of the State instead of employing "experts";

Also: Senate Bill No. 1060—An Act to establish a tax on producers of crude petroleum, to provide for its collection and to direct the disposition of the proceeds therefrom;

Also: Senate Bill No. 420—An Act to add a new section to the Political Code of the State of California to be numbered 602*b*, to provide a uniform system of classification of risks, premium rates and schedule ratings for the State Compensation Insurance Fund and all other insurance carriers in this State insuring employers or employees under the Workmen's Compensation, Insurance and Safety Act, chapter 176, laws of 1913; to establish adequate rates for such insurance; to permit the limited issuance of compensation participating policies; requiring the Industrial Accident Commission to furnish certain information for the use of the State Insurance Commissioner; requiring every insurance carrier writing such insurance to file an annual report of its loss experience, and empowering the State Insurance Commissioner to supervise, control and enforce the provisions of this Act, and fixing penalties for the violation thereof;

Also: Senate Bill No. 705—An Act to amend section 634 of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 973—An Act to amend section 636 of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 155—An Act to amend section 629 of the Penal Code, relative to the placing and maintaining of screens over the inlets of pipes, flumes, ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been placed or may exist;

Also: Senate Bill No. 441—An Act in relation to the Act of Congress known as the Carey Act, and all Acts amendatory thereof and supplemental thereto, and giving authority to a commission in the investigation, selection, reclamation, control and disposal of all lands granted the State under the provisions thereof;

Also: Senate Bill No. 352—An Act to amend section 1687 of the Political Code relating to qualifications of teachers for pupils of the first grade, and to the payment of teachers' salaries in the elementary school;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

CONSIDERATION OF SENATE BILL (OUT OF ORDER).

Senator Benson asked for and was granted unanimous consent to take up at this time, out of the regular order, Senate Bill No. 722 for the purpose of amendment.

Senate Bill No. 722—An Act to amend sections 1, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16½, 17 and 18 of an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, as amended by an Act approved May 26, 1913, and to add thirteen new sections to said Act to be numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31, relating to the organization, powers and duties of said reclamation board, and creating a revolving fund and appropriating money therefor.

Bill read second time previously.

COMMITTEE AMENDMENTS.

The following additional committee amendments were offered:

AMENDMENT NUMBER FORTY-FOUR.

On page 30, lines 17 and 18 of the printed bill, strike out all of lines 17 and 18.

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 30, line 22 of the printed bill, strike out the figures "27" and insert in lieu thereof the figures "26".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 30, line 23 of the printed bill, strike out the word "thirty-one" and insert in lieu thereof the word "thirty".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 30, line 32 of the printed bill, strike out the figures "28" and insert in lieu thereof the figures "27".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 30, line 33 of the printed bill, strike out the word "thirty-two" and insert in lieu thereof the word "thirty-one".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 30, line 36 of the printed bill, strike out the figures "29" and insert in lieu thereof the figures "28".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 31, line 9 of the printed bill, strike out the figures "30" and insert in lieu thereof the figures "29".

Amendment adopted.

Bill ordered to print, engrossment, and third reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent to take up Senate Bill No. 849, out of the regular order, for the purpose of amendment.

Senate Bill No. 849—An Act to amend section 1665 of the Political Code of the State of California, relating to the subjects in which instruction shall be provided in the elementary schools of the State.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Strobridge moved to refer to Senator Birdsall as a Special Committee of One to amend Senate Bill No. 849 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, strike out the word "orthography", and insert in lieu thereof the word "spelling".

AMENDMENT NUMBER TWO.

On page 1, line 6, strike out the word "nature" and all of line 7.

AMENDMENT NUMBER THREE.

On page 1, line 9, strike out the word "physical".

AMENDMENT NUMBER FOUR.

On page 1, line 10, strike out the following: "culture, including".

AMENDMENT NUMBER FIVE.

On page 1, line 13, strike out the semicolon following the word "manners" and insert in lieu thereof a period and the following: "In the first six grades of the elementary schools at least three-fourths of the pupil's time during each week shall be devoted to study and recitation of the subjects hereinbefore enumerated, and in the seventh and eighth grades at least twelve and one-half hours of the pupil's time each week shall be devoted to the study and recitation of such subjects.

From the time remaining after the study and recitation of such subjects have been provided for, instruction must be given in nature study with special reference to agriculture and bird life; physical culture.".

AMENDMENT NUMBER SIX.

On page 2, line 8, strike out the word "orthography" and insert in lieu thereof the word "spelling".

AMENDMENT NUMBER SEVEN.

On page 2, line 10, strike out the comma following the word "hygiene" and insert in lieu thereof the word "and".

AMENDMENT NUMBER EIGHT.

On page 2, line 15, strike out the semicolon and insert in lieu thereof a period.

AMENDMENT NUMBER NINE.

On page 2, strike out all of lines 16, 17 and 18.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 849, with instructions to amend, respectfully reports the same back, amended as per instructions.

BIRDSALL, Committee.

Report read and, on motion of Senator Strobridge, adopted.
Bill ordered to print and re-engrossment.

CONSIDERATION OF BILLS—(OUT OF ORDER).

Senator Scott asked for and was granted unanimous consent to take up Senate Bills Nos. 1204 and 221 out of the regular order for the purpose of amendment.

Senate Bill No. 1204—An Act providing for the manner of construction and equipment of window sashes in certain classes of windows.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Scott moved to refer to Senator Wolfe as a Special Committee of One to amend Senate Bill No. 1204 as follows:

AMENDMENT NUMBER ONE.

By striking out of section 6, lines 16 and 17, the words "Commission of Immigration and Housing" and inserting in lieu thereof the following: "Industrial Accident Commission".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1204, with instructions to amend, respectfully reports the same back, amended as per instructions.

WOLFE, Committee.

Report read and, on motion of Senator Scott, adopted.
Bill ordered to print and re-engrossment.

Senate Bill No. 221—An Act to amend section 171 of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Scott moved to refer to Senator Luce, as a Special Committee of One, to amend Senate Bill No. 221, as follows:

AMENDMENT NUMBER ONE.

On line 9, page 1, of the printed bill, strike out the period and insert a semicolon and the following: "*provided*, that the provisions of the foregoing proviso shall not apply to the separate property of the wife held by her at the time of her marriage or acquired by her by devise or succession after marriage".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 221, with instructions to amend, respectfully reports the same back, amended as per instructions.

LUCE, Committee.

Report read and, on motion of Senator Scott, adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Anderson asked for and was granted unanimous consent to take up Senate Bill No. 424, out of the regular order, for the purpose of amendment.

Senate Bill No. 424—An Act to amend section 1543 of the Political Code, relating to the duties of superintendent of schools.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Anderson moved to refer to Senator Kehoe as a Special Committee of One to amend Senate Bill No. 424 as follows:

AMENDMENT NUMBER ONE.

On page 7, lines 5 and 6, strike out the words "or new" at the end of line 5, and the word "high" the first word in line 6, of the printed bill.

AMENDMENT NUMBER TWO.

On page 7, line 27, strike out the word "special" and insert in lieu thereof the word "county".

AMENDMENT NUMBER THREE.

On page 8, line 7, strike out the word "county" and insert in lieu thereof the word "special".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT:—Your Special Committee of One, to which was referred Senate Bill No. 424, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Anderson, adopted.

Bill ordered to print, and re-engrossment.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Anderson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. E. Phelps, State Commissioner of Insurance.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 59—An Act to amend section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wolfe moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benson, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—35.

The Secretary announced the absentees.

Time, two o'clock and thirty minutes p.m.

The President directed the Sergeant at Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and thirty two minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wolfe.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 59 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Butler, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Scott, Slater, and Wolfe—22.

NOES—Senators Ballard, Breed, Campbell, Chandler, Cogswell, Flint, Maddux, Mott, Owens, Purkitt, Shearer, Strobridge, Stuckenbruck, and Thompson—14.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Irwin gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 59 was passed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 58—An Act to amend section 205 of the Code of Civil Procedure of the State of California, relating to the selection and listing of jurors.

Bill read third time.

On motion of Senator Wolfe, Assembly Bill No. 58 was passed on file.

Assembly Bill No. 589—An Act to amend section 7 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

On motion of Senator Irwin, Assembly Bill No. 589 was passed on file.

Assembly Bill No. 1535, substitute for Assembly Bills Nos. 456 and 1126—An Act to amend sections 3, 5, 6, 7, 9, 11, 12, 18, 21, 23, 25, 27, 42, 43, 60, 63, 66, 67, 74 and 75, of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts places, and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and repealing section 36 and sections 84, 85, 86, 87, 88, and 89 thereof, relating to work in unincorporated territory.

On motion of Senator Tyrrell, Assembly Bill No. 1535 was passed on file.

Assembly Bill No. 55—An Act to amend section 792 of the Political Code of the State of California, relating to qualifications and application to become notaries.

On motion of Senator Tyrrell, Assembly Bill No. 55 was passed on file.

Assembly Bill No. 850—An Act to amend the Penal Code of the State of California by adding thereto two new sections to be known and numbered as section 349*b* and section 349*c*, relating to labor unions.

Bill read third time.

On motion of Senator Lyon, Assembly Bill No. 850 was passed on file.

SENATOR SLATER IN THE CHAIR.

At two o'clock and forty-five minutes p.m., Senator Slater of the Eighth District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1515—An Act to repeal section 2189 of the Civil Code, relating to passenger who has not paid fare upon a railroad train.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1515 refused passage by the following vote:

AYES—Senators Breed, Butler, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Mott, Scott, and Strobridge—12.

NOES—Senators Anderson, Ballard, Benson, Birdsall, Campbell, Chandler, Cogswell, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—24.

Assembly Bill No. 851—An Act to establish a standard for the State of California for packing of fresh fruits for sale or for transportation for sale, for interstate and foreign shipment, and to prevent deception in the packing of fresh fruits for such purposes.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 851 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Boyd, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Lewis, Luce, Mullally, Mott, Scott, Sharkey, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—Senator Purkitt—1.

PRESIDENT OF THE SENATE IN THE CHAIR.

At three o'clock and fifty five minutes p.m., Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assembly Bill No. 625—An Act to amend section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

Bill read third time.

Senator Kehoe moved to refer to Senator Anderson as a Special Committee of One to amend Assembly Bill No. 625 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 9, after the word "hundred", insert the word "dollars".

AMENDMENT NUMBER TWO.

On page 2, line 25, strike out the word "thirty-three" and insert in lieu thereof the word "thirty six".

AMENDMENT NUMBER THREE.

On page 2, line 26, after the word "*provided*", insert the following: "that the Assessor shall be entitled to receive and retain for his own use four per cent, only on personal property tax collected by him as authorized by section 3820 of the Political Code; *and provided further,*".

AMENDMENT NUMBER FOUR.

On page 5, line 10, after the period following the numeral 2, strike out all of the remainder of line 10 and all of lines 11, 12 and 13 and insert in lieu thereof the following: "As to subdivisions 1, 3, 6 and 7, this Act shall take effect ninety days after the adjournment of the Legislature; as to all other subdivisions thereof it shall not take effect until the expiration of the present terms of the officers hereinbefore enumerated".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 625, with instructions to amend, respectfully reports the same back, amended as per instructions.

ANDERSON, Committee.

Report read and, on motion of Senator Kehoe, adopted.

Bill ordered to print, and re-engrossment.

MOTION.

Senator Thompson moved that when the Senate shall have concluded its business this afternoon that in lieu of adjournment it take a recess until eight o'clock p.m.

Motion carried.

CONSIDERATION OF SENATE BILL NUMBER TWENTY-NINE—(RESUMED).

Senate Bill No. 29—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviations from such rating schedules and providing a penalty therefor.

The question being on the final passage of the bill.

The roll was called, and Senate Bill No. 29 refused passage by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Brown, Butler, Carr, Chandler, Duncan, Jones, Lyon, Mott, and Thompson—13.

NOES—Senators Beban, Benson, Breed, Campbell, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Kehoe, Luce, Maddux, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—25.

NOTICE OF MOTION TO RECONSIDER.

Senator Kehoe gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 29 was refused passage.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways to which was referred Assembly Bill No. 1516—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof, to provide for carrying out the objects of this Act, and to make appropriation therefor; and to repeal all Acts or parts of Acts in conflict with this Act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BIRDSALL, Chairman.

Assembly Bill No. 1516 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Banking to which was referred Assembly Bill No. 53—An Act to amend sections 2, 3 and 6 of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an Act approved December 18, 1911, relating to the powers and duties of the Building and Loan Commissioner—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

HANS, Chairman.

Assembly Bill No. 53 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 667—An Act to amend section 4268 of the Political Code, relating to counties of the thirty-ninth class, has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BREED, Chairman.

Assembly Bill No. 667 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 660—An Act to amend section [illegible] of the Code of Civil Procedure, requiring counties and municipal corporations to give security on the granting of an injunction or restraining order to prevent the development [illegible] the State of California, or any reclamation district, [illegible] has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Judiciary.

TYRRELL, Chairman.

Senate Bill No. 660 ordered re-referred to Committee on Judiciary.

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 1258—An Act to prevent waste in the production and in the storage of crude oil or petroleum, and to confer upon the Railroad Commission certain powers and duties in connection therewith, has had the same under consideration, and respectfully recommend that it do pass.

MOTT, Chairman.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 1258—An Act to prevent waste in the production and in the storage of crude oil or petroleum, and to confer upon the Railroad Commission certain powers and duties in connection therewith, a minority of said committee respectfully recommend that it do not pass.

BALLARD.

Senate Bill No. 1258 ordered on file for second reading.

RECESS.

At six o'clock p.m., on motion of Senator Thompson, the President declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. A. Beek at the desk.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Strobridge, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 146—An Act to amend section 4131 of the Political Code of the State of California, relating to the duties of county recorders;

Also: Assembly Bill No. 741—An Act to amend section 10 of an Act entitled "An

Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1899, as amended February 27, 1893;

Also, Assembly Bill No. 937—An Act to amend section 1791 of the Political Code of the State of California, relating to the powers and duties of city, or city and county, boards of examination;

Also: Assembly Bill No. 989—An Act to create a State purchasing department, to define the authority, powers, and duties thereof; to provide for the appointment of and to define the authority, powers, and duties and to fix the compensation of the officers and employees thereof, and to appropriate money for the support of said department; and to repeal all Acts or parts of Acts in conflict with the provisions of this Act;

Also: Assembly Bill No. 1577—An Act to amend section 1239 of the Political Code, relating to elections.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

Assembly Bill No. 146 read first time, and referred to Committee on County Government.

Assembly Bill No. 741 read first time, and referred to Committee on Prisons on Reformatories.

Assembly Bill No. 937 read first time, and referred to Committee on Education.

Assembly Bill No. 989 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1577 read first time, and referred to Committee on Elections.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1337—An Act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds;

Also: Assembly Bill No. 1524—An Act to be known as "The California Irrigation Act" providing for cooperation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes; creating an irrigation board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts; providing for the management, control and supervision of such water districts and of the works constructed pursuant to this Act, directing the State Department of Engineering relative to such works; authorizing irrigation districts to reorganize under this Act and generally providing a policy relating to storage diversion and use of water, and adopting a plan for providing revenues therefor;

Also: Assembly Bill No. 1559—An Act to add a new section to the Political Code to be numbered and designated 1617*d*, providing that the American flag shall be raised over public schools with ceremonies.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1337 read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1524 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1559 read first time, and referred to Committee on Education.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 566—An Act to amend section 2 and section 7 of an Act entitled "An Act to provide for and regulate the deposit of county and municipal moneys in banks and banking corporations, limiting the amount of public moneys that may be deposited therein, and providing a penalty for the illegal deposit and use thereof," approved March 23, 1907.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 56—An Act to amend section 3051 of the Civil Code of the State of California, relating to liens upon personal property;

Also: Senate Bill No. 85—An Act to amend section 10 of the Code of Civil Procedure of the State of California, relating to holidays;

Also: Senate Bill No. 86—An Act to amend section 10 of the Political Code of the State of California, relating to holidays;

Also: Senate Bill No. 87—An Act to amend section 7 of the Civil Code of the State of California, relating to holidays.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 56, 85, 86 and 87 ordered to enrollment.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 31—An Act to add a new section to the Political Code of the State of California, to be numbered section 3076½, relating to reclamation and swamp land districts;

Also: Senate Bill No. 143—An Act to amend section 4112 of the Political Code of the State of California, relating to county treasurers' reports;

Also: Senate Bill No. 261—An Act to amend section 4283 of the Political Code, relating to compensation of officers in counties of the fifty-fourth class;

Also: Senate Bill No. 436—An Act empowering county boards of supervisors to appropriate and use county funds for the support and maintenance of extension work in agriculture in co-operation with the United States Department of Agriculture and the University of California;

Also: Senate Bill No. 524—An Act to amend section 4258 of the Political Code, relating to salaries and fees of officers and to the fees to be allowed trial and grand jurors of counties of the twenty-ninth class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 31, 143, 261, 436 and 524 ordered to enrollment.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this passed Senate Bill No. 535—An Act to amend an Act entitled "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending sections 2, 3, 4, 5, 6, 7½ and 8 thereof, by adding a new section thereto to be known and numbered as section 6½, and repealing section 7 thereof, all relating to the powers and duties of the State Veterinarian, Assistant State Veterinarian and deputy state veterinarians, and fixing salaries, and prescribing penalties for violation of this Act;

Also: Senate Bill No. 580—An Act to amend section 1 of an Act approved May 1st, 1911, entitled "An Act for the regulation and control of fraternal benefit societies";

Also: Senate Bill No. 669—An Act to amend section 3 of an Act entitled "An Act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of Commissioner of Corporations, and making an appropriation therefor," approved May 28, 1913;

Also: Senate Bill No. 1172—An Act authorizing any county and cities within such county to join in the acquisition, construction or maintenance of bridges or viaducts.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 535, 580, 669 and 1172 ordered to enrollment.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 531—An Act to amend section 1750 of the Political Code, relating to adoption of course of study and textbooks by high school boards;

Also: Senate Bill No. 820—An Act to add a new section to the Political Code to be numbered section 1743*a*, relating to reports of high school principals;

Also: Senate Bill No. 953—An Act to amend section 3462 of the Political Code, relating to assessments of reclamation districts.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 531, 820 and 953 ordered to enrollment.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California, an amendment to the Constitution of said State by amending section 1½ of article XIII thereof, relating to the exemption of churches from taxation.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from the committees on this legislative day.

Assembly Bill No. 1283—An Act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 11, page 2, of the printed bill, strike out the word "nor" and substitute in lieu thereof, the word "not".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 33, page 3, strike out the word "or" and insert in lieu thereof the word "on".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 33, page 3, strike out the word "on" and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 4, page 4, strike out the word "on" and insert in lieu thereof the word "in".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1573—An Act to establish a standard for California certified seed potatoes and to prevent the sale of other potatoes as California certified seed potatoes, making the violation of this act a misdemeanor and fixing a penalty therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1516—An Act to create a motor vehicle department, to define the authority, powers and duties thereof, to provide for officers and employees thereof, to fix their salaries and compensations; to make appropriations and provide funds for the support and expenditures thereof; to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act.

Bill read second time.

By order of the President pro tem., Assembly Bill No. 1516 was passed on file with action on proposed amendments pending.

Assembly Bill No. 53—An Act to amend sections 2, 3 and 6 of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an Act approved December 18, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 667—An Act to amend section 4268 of the Political Code, relating to counties of the thirty-ninth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 9 of the printed bill, strike out the period after the word "month" and insert in lieu thereof a semicolon, and add the following: "and that supervisors in counties of this class be allowed their traveling expenses in viewing and laying out roads and bridges and in attending to such other duties within their county as required by law".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Senate Bill No. 1258—An Act to prevent waste in the production and in the storage of crude oil or petroleum, and to confer upon the Railroad Commission certain powers and duties in connection therewith.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1127—An Act to amend the Civil Code of California by adding thereto a new section to be numbered and known as section 1771*a*, relating to the sale of live stock.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4 of the printed bill, strike out the word "Any" and insert in lieu thereof the following: "Except when otherwise provided in writing, any".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6 of the printed bill, strike out the word "or" and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 6 of the printed bill, insert after the word "infectious" the words "or chronic".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 737—An Act to amend an Act entitled "An Act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, by amending sections 1, 2, 3, 4, 6, 7, 8 and 9 thereof and by adding a new section thereto to be known and numbered section 11½, all relating to the licensing of stallions and jacks, and providing for the reporting of the collection of fees to the State Controller and the creation of a fund to be known as the stallion registration board contingent fund.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 737 passed by the following vote:

AYES—Senators Anderson, Benson, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1180—An Act to amend an Act to amend sections 1, 2, 3, 4 and 5 of an Act entitled "An Act to provide for the division of municipalities into sewer districts and for the construction of, or acquisition and maintenance of sewers therein providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Purkitt moved to refer to Senator Stuckenbruck as a Special Committee of One, to amend Senate Bill No. 1180 as follows:

AMENDMENT NUMBER ONE.

In the second line of the title, strike out the words "An Act to amend" and the words "one" and "four", and in the third line of the title, strike out the words "five", "seven", "eight and nine".

AMENDMENT NUMBER TWO.

On page 1, line 1, strike out the word "one" and insert in lieu thereof the word "two".

AMENDMENT NUMBER THREE.

On page 1, line 8, strike out all commencing with the word "section" down to and including the colon after the word "follows" in line 11, page 2.

AMENDMENT NUMBER FOUR.

On page 2, in line 31, after the word "successively", insert the words "next before the day fixed for said hearing".

AMENDMENT NUMBER FIVE.

On page 2, in line 32, strike out the comma after the word "municipality" and insert a period therefor, and strike out the words "next before the day fixed for said hearing" in lines 32 and 33 on page 2.

AMENDMENT NUMBER SIX.

On page 4, in line 8, strike out the figure "3" and insert the figure "2" in lieu thereof.

AMENDMENT NUMBER SEVEN.

On page 4, line 22, strike out the word "succeeding" and insert in lieu thereof the word "successive".

AMENDMENT NUMBER EIGHT.

On page 5, line 9, strike out all of the matter commencing with the word "Sec." down to and including the word "ordinance" in line 17, page 6.

AMENDMENT NUMBER NINE.

On page 6, line 18, strike out the figure "6" and insert in lieu thereof the figure "3".

AMENDMENT NUMBER TEN.

On page 6, in line 24, strike out the parenthesis and insert in lieu thereof a comma.

AMENDMENT NUMBER ELEVEN.

On page 6, line 33, strike out the letter "s" in the word "corporations"

AMENDMENT NUMBER TWELVE.

On page 8, line 35, strike out all the matter commencing with the word "SEC." down to and including the word "therefor" on page 10 in line 37.

AMENDMENT NUMBER THIRTEEN.

In line 2, of the title, insert the word "and" after the word "three".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1189, with instructions to amend, respectfully reports the same back, amended as per instructions.

STUCKENBRUCK, Committee.

Report read and, on motion of Senator Purkitt, adopted.

Bill ordered to print and re-engrossment.

SENATOR STROBRIDGE IN THE CHAIR.

At eight o'clock and thirty minutes p.m., Senator Strobridge of the Thirteenth District, in the chair.

THIRD READING OF SENATE BILLS (RESUMED).

Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof.

On motion of Senator Thompson, Senate Bill No. 1049 was passed on file.

Senate Bill No. 318—An Act to provide for the regulation of county jails, county hospitals and almshouses, county orphanages, detention homes and city or town jails under the supervision of the State Board of Charities and Corrections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 318 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Luce, Lyon, Maddux, Mott, Owens, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—28.

NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 962—An Act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 962 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Slater, Strobridge, Thompson, and Wolfe—26.

NOES—Senators Duncan and Purkitt—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 628—An Act declaring kelp beds to be the property of the State of California and providing for the control and leasing of said beds.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 628 passed by the following vote:

AYES—Senators Anderson, Behan, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Kehoe gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 628 was passed.

NOTICE OF MOTION TO RECONSIDER.

Senator Irwin gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 318 was passed.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 659—An Act to amend section 200 of the Code of Civil Procedure, relating to exemptions from liability to act as a juror.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 659 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 130—An Act to amend section 1365 of the Code of Civil Procedure relating to the order of persons entitled to administer upon estates.

On motion of Senator Thompson, Senate Bill No 130 was passed on file.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan, Senate Bill No. 74 was passed on file.

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution by amending sections 1 and 9 of article XIII and by repealing sections 8, 10 and 14 of said article, all relating to revenue and taxation.

Constitutional amendment read previously.

On motion of Senator Thompson, Senate Constitutional Amendment No. 38 was passed on file.

Senate Bill No. 814—An Act to provide for the licensing of motor vehicles engaged in the carrying of passengers for hire upon the public highways in the State of California.

On motion of Senator Cogswell, Senate Bill No. 814 was passed on file.

Senate Bill No. 1238—An Act to amend section 4262 of the Political Code, relating to salaries of officers of counties of the thirty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1238 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 770—An Act to amend section 1858 of the Political Code of the State of California, relating to the attendance of children in the public schools of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 770 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

NOES—None.

Title read approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler Senate Bill No. 36 was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At nine o'clock p.m., Hon. Newton W. Thompsen, President pro tem. of the Senate in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 574—An Act to amend section 928 of the Penal Code, relating to grand juries, permitting the use of the accounting department of the State Board of Control by the grand juries of the several counties of the State instead of employing "experts."

Bill read third time.

On motion of Senator Benedict, Senate Bill No. 574 was passed on file.

SENATOR BEBAN IN THE CHAIR.

At nine o'clock and ten minutes p.m., Senator Beban of the Eighteenth District, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1060—An Act to establish a tax on producers of crude petroleum, to provide for its collection and to direct the disposition of the proceeds therefrom.

On motion of Senator Chandler, Senate Bill No. 1060 was passed on file.

Senate Bill No. 420—An Act to add a new section to the Political Code of the State of California, to be numbered 602*b* to provide a uniform system of classification of risks, premium rates and schedule ratings for the State Compensation Insurance Fund and all other insurance carriers in this State insuring employers or employees under the Workmen's Compensation, Insurance and Safety Act, chapter 176, Laws of 1913; to establish adequate rates for such insurance; to permit the limited issuance of compensation participating policies; requiring the Industrial Accident Commission to furnish certain information for the use of the State Insurance Commissioner; requiring every insurance carrier writing such insurance to file an annual report of its loss experience, and empowering the State Insurance Commissioner to supervise, control and enforce the provisions of this Act, and fixing penalties for the violation thereof.

On motion of Senator Benedict, Senate Bill No. 420 was passed on file.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

Bill read third time.

On motion of Senator Finn, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Finn, Senate Bill No. 60 was passed on file.

Senate Bill No. 705—An Act to amend section 634 of the Penal Code of the State of California, relating to the protection of fish.

By order of the Acting President, Senate Bill No. 705 was passed on file.

Senate Bill No. 973—An Act to amend section 636 of the Penal Code of the State of California, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 973 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 155—An Act to amend section 629 of the Penal Code, relative to the placing and maintaining of screens over the inlets of pipes, flumes, ditches, canals, and mill races, taking water from any river, creek, stream or lake in which fish have been placed or may exist.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 155 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Breed, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—Senator Irwin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 162—An Act to amend section 4300*a* of the Political Code, relating to the fees of county clerks.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gerdes moved to refer to Senator Wolfe as a Special Committee of One to amend Senate Bill No. 162 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, after the word "petitioner", strike out the period, and insert in lieu thereof a semicolon and add the following: "*provided*, that when the public administrator, in his official capacity is the petitioner, he shall be required to pay said fees only out of the assets of the estate coming into his possession."

AMENDMENT NUMBER TWO.

On page 2, line 23, of the printed bill, after the word "adoption", strike out the word "case", and insert in lieu thereof the word "cases".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of lines 28 to 35, inclusive, and insert in lieu thereof the following:

"For issuing marriage license, one-half to be paid to the county recorder, two dollars.

"For filing and indexing articles of incorporation, or amended articles of incorporation or any certified copy of articles of incorporation, one dollar.

"For filing certificate of increase or decrease of capital stock, one dollar.

"For filing certificate of increase or decrease of number of directors, one dollar.

"For filing notice of removal of principal place of business, one dollar.

"For filing certificate of creation of bonded indebtedness or increase or decrease thereof, one dollar.

"For filing and indexing certificates of co-partnership or fictitious names or auctioneers bonds, one dollar.

"For filing and indexing all papers to be kept by him, other than papers filed in actions or proceedings in court, and official bonds and certificates of appointment, each twenty-five cents.

"For issuing and recording any license required by law, not otherwise provided for, other than marriage license, one dollar.

"For examining and certifying to any copy of any paper, record or proceeding prepared by another and presented for his certificate, fifty cents, and one cent per folio for comparing the said copy with the original.

"For making satisfaction of, or credit on judgment, twenty-five cents.

"For administering each oath, without certificate, except in pending actions or proceedings, ten cents.

"For taking any affidavit, except in criminal cases, twenty-five cents.

"For searching records or files, for each year, fifty cents.

"For taking and approving each undertaking, and the justification thereof, except in criminal cases, fifty cents.

"For taking acknowledgment of any deed or other instrument, including the certificate, fifty cents.

"For filing notice of appeal and appeal bonds, each twenty-five cents."

Motion lost.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Gerdes moved to refer to Senator Wolfe as a Special Committee of One to amend Senate Bill No. 162 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 14, of the printed bill, after the word "petitioner", strike out the period, and insert in lieu thereof a semicolon and add the following: "*provided*, that when the public administrator, in his official capacity is the petitioner, he shall be required to pay said fees only out of the assets of the estate coming into his possession."

AMENDMENT NUMBER TWO.

On page 2, line 23, of the printed bill, after the word "adoption", strike out the word "case", and insert in lieu thereof the word "cases".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of lines 28 to 35, inclusive, and insert in lieu thereof the following:

"For issuing marriage license, one-half to be paid to the county recorder, two dollars.

"For filing and indexing articles of incorporation, or amended articles of incorporation or any certified copy of articles of incorporation, one dollar.

"For filing certificate of increase or decrease of capital stock, one dollar.

"For filing certificate of increase or decrease of number of directors, one dollar.

"For filing notice of removal of principal place of business, one dollar.

"For filing certificate of creation of bonded indebtedness or increase or decrease thereof, one dollar.

"For filing and indexing certificates of co-partnership or fictitious names or auctioneers bonds, one dollar.

"For filing and indexing all papers to be kept by him, other than papers filed in actions or proceedings in court, and official bonds and certificates of appointment, each twenty-five cents.

"For issuing and recording any license required by law, not otherwise provided for, other than marriage license, one dollar.

"For examining and certifying to any copy of any paper, record or proceeding prepared by another and presented for his certificate, fifty cents, and one cent per folio for comparing the said copy with the original.

"For making satisfaction of, or credit on judgment, twenty-five cents.

"For taking any affidavit, except in criminal cases, twenty five cents.

"For searching records or files, for each year, fifty cents.

"For taking and approving each undertaking, and the justification thereof, except in criminal cases, fifty cents.

"For taking acknowledgment of any deed or other instrument, including the certificate, fifty cents.

"For filing notice of appeal and appeal bonds, each twenty-five cents."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 162, with instructions to amend, respectfully reports the same back, amended as per instructions.

WOLFE, Committee.

Report read and, on motion of Senator Gerdes, adopted.

Bill ordered to print and re-engrossment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Benson as a Special Committee of One to amend Senate Bill No. 720 as follows:

AMENDMENT NUMBER ONE.

On page 9, line 13 of the printed bill, strike out the figures "15" and insert in lieu thereof the figures "16".

AMENDMENT NUMBER TWO.

On page 11, line 23, strike out the figures "16" and insert in lieu thereof the figures "17".

AMENDMENT NUMBER THREE.

On page 11, line 35, strike out the figures "17" and insert in lieu thereof the figures "18".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 720, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Committee.

Report read and, on motion of Senator Jones, adopted.

Bill ordered to print and re-engrossment

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At nine o'clock and forty-five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1106—An Act providing for the disposition of fines and forfeitures collected in all prosecutions for violations of the laws of the State referring to wild birds, wild animals and fishes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1106 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Jones, Luce, Lyon, Maddux, Mott, Owens, Rush, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—Senators Duncan, Irwin, and Purkitt—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1107—An Act to regulate the issuance of licenses for re-sale to hunters and anglers.

Bill read third time.

On motion of Senator Flint, Senate Bill No. 1107 was passed on file.

Senate Bill No. 512—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered 680*a*, relating to compulsion of employees.

On motion of Senator Beban, Senate Bill No. 512 was passed on file.

Senate Bill No. 985—An Act to amend sections 1999, 2000, 2001, 2002 and 2003 of the Civil Code of the State of California, relating to employees.

Bill read third time.

On motion of Senator Lyon, Senate Bill No. 985 was passed on file

Senate Bill No. 441—An Act in relation to the Act of Congress known as the Carey Act, and all Acts amendatory thereof, and supplemental thereto, and giving authority to a Commission in the investigation, selection, reclamation, control and disposal of all lands granted the State under the provisions thereof.

On motion of Senator Luce, Senate Bill No. 441 was passed on file

Senate Bill No. 352—An Act to amend section 1687 of the Political Code relating to qualifications of teachers for pupils of the first grade, and to the payment of teachers' salaries in the elementary school.

Bill read third time.

MOTION TO REFER TO A SPECIAL COMMITTEE OF ONE.

Senator Anderson moved to refer to Senator Kehoe as a Special Committee of One to amend Senate Bill No. 352 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 13, insert after word "in" the following: "paragraph (f) of".

AMENDMENT NUMBER TWO.

On page 1, line 13, strike out the letter "(f)" following the figure "3".

AMENDMENT NUMBER THREE.

On page 2, line 2, insert after the word "mentally" a comma and the following: "morally".

AMENDMENT NUMBER FOUR.

On page 2, line 2, insert after the word "deficient" a comma and the following: "or backward".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 352, with instructions to amend, respectfully reports the same back amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Anderson, adopted.
Bill ordered to print and re-engrossment.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Jones, the consideration of the motion to reconsider the vote whereby Senate Constitutional Amendment No. 1 was refused passage was continued until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Purkitt moved to reconsider the vote whereby Assembly Bill No. ~~444~~—An Act to add a new section to the Political Code of the State of California to be numbered section 1752, relating to conventions of high school principals—was passed.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Purkitt, the consideration of the above motion to reconsider was postponed until the next legislative day.

REQUEST FOR INTRODUCTION OF BILLS.

Senator Benson requested permission to introduce two Senate bills entitled: "An Act defining and regulating the sale of cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas; requiring the same to be properly marked as to weight, size and use of fillers or other preparations; and prescribing penalties for violation hereof."

Also: "An Act to amend section 170 of the Code of Civil Procedure of the State of California, relating to disqualification of judicial officers to sit or act."

Requests referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON COUNTY GOVERNMENT.

Senate Chamber, Sacramento, April 26, 1915.

Mr. President: Your Committee on County Government, to which was referred Assembly Bill No. 872—An Act to amend section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class;

Also: Assembly Bill No. 1307—An Act to amend section 4278 of the Political Code of the State of California, relating to the compensation of officers of counties of the forty-ninth class;

Also: Assembly Bill No. 1308—An Act to amend section 4281 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-second class;

Also: Assembly Bill No. 1562—An Act to amend section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BREED, Chairman.

Assembly Bills Nos. 872, 1307, 1308 and 1562 ordered on file for second reading.

Also:

Sacramento, April 26, 1915.

Mr. President: Your Committee on County Government, to which was referred Assembly Bill No. 931—An Act to amend section 4249 of the Political Code, relating to county officers, and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BREED, Chairman.

Assembly Bill No. 931 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

Senate Chamber, Sacramento, April 26, 1915.

Mr. President: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 21—Approving a charter for the City of San Jose, ratified by the qualified voters of said city at a special municipal election held therein on the 19th day of April, 1915—has had the same under consideration and respectfully reports the same back and recommends that it be adopted.

TYRRELL, Chairman.

Senate Concurrent Resolution No. 21 ordered on file.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Birdsall asked for and was granted unanimous consent to take up at this time, out of the regular order, Assembly Bill No. 1516 for the purpose of amendment.

Assembly Bill No. 1516—An Act to create a Motor Vehicle Department, to define the authority, powers and duties thereof, to provide for officers and employees thereof, to fix their salaries and compensations; to make appropriations and provide funds for the support and expenditures thereof; to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act; and to repeal all Acts or parts of Acts either in conformity with or in conflict with this Act.

Bill read second time previously.

COMMITTEE AMENDMENTS.

The following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all the title after the words "An Act", and insert in lieu thereof the following:

"To regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to creat a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this Act, and to make appropriation therefor; and to repeal all Acts or parts or Acts in conflict with this Act."

AMENDMENT NUMBER TWO.

Strike out all of the bill after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. The words and phrases used in this Act shall for the purposes of this Act, unless the same be contrary to or inconsistent with the context, be construed as follows: (1) "motor vehicle" shall include all vehicles propelled otherwise than by muscular power, except such vehicles as run upon rails or tracks; (2) "automobile" shall include all motor vehicles excepting motorcycles; (3) "motorcycle" shall include all motor vehicles designed to travel on not more than three wheels in contact with the ground, and of not exceeding ten horsepower, and of not exceeding the weight of five hundred pounds unladen; *provided, however*, that any motor vehicle which shall be operated on the highway drawing a trailer or other vehicle shall be deemed to be an automobile for all the purposes of this Act; (4) "public highway" shall include any highway, county road, state highway or state road, public street, avenue, alley, park, parkway, driveway, or public place in any county or incorporated city and county, city or town within the State of California; (5) "business district" shall mean the territory of any county or incorporated city and county, city or town, contiguous to a public highway, which is on the line of said highway, mainly built up with structures devoted to business; *provided*, that the local authorities having charge of such highway shall have placed conspicuously thereon at the boundary lines of such business district, signs of sufficient size to be easily readable by a person using the highway, bearing the words "business district—slow down to fifteen miles on hour," and also an arrow pointing in the direction of said business district; (6) "closely built up" shall mean the territory of any county or incorporated city and county, city or town, contiguous to a public highway, which is on the line of said highway not mainly devoted to business, where for not less than a quarter of a mile the dwelling houses and business structures on such highway average less than one hundred feet apart; *provided*, that the local authorities having charge of such highway shall have placed conspicuously thereon at the boundary lines of such district, signs of sufficient size to be easily readable by a person using the highway, bearing the words "speed limit 20 miles an hour" and also an arrow pointing in the direction of said closely built up district; (7) "local authorities" shall include all boards of supervisors, trustees or councils, commissions, committees, and other public officials of counties, incorporated cities and counties, cities or towns; (8) "chauffeur" shall mean any person who operates an automobile in the transportation of persons and who receives any compensation for such service in wages, commission or otherwise, paid directly or indirectly, or who as owner or employee operates an automobile carrying passengers for hire; *provided, however*, that this definition shall not include manufacturers' agents, proprietors of garages and dealers, salesmen, mechanics, or demonstrators of automobiles in the ordinary course of their business; (9) the term "state" as used in this Act, except where otherwise expressly provided, shall also include the territories, federal districts and insular possessions of the United States; (10) "non-residents" shall mean residents of states or countries other than the State of California who either have no regular place of abode or business in California or whose occupation or their regular place of abode or business in this State, if any, covers a total period of less than three months in the calendar year; (11) "owner" shall include any person, firm, association, or corporation, having the use or control, or the right to the use or control, of a vehicle under a lease or otherwise, for a period of ten or more successive days; (12) "manufacturer" or "dealer" shall signify a person, firm, association, or corporation, having in his, its or their possession vehicles for sale or trade and for use and operation pursuant thereto, and shall be considered owners of vehicles manufactured or dealt in by them for the purposes of this Act, prior to sale and delivery thereof, and of all vehicles in their possession and operated or driven by them or by their employees; (13) "garage" shall mean every place of business where motor vehicles are received for housing or storage for compensation; (14) "intersecting highway" shall mean any highway which joins another at an angle, whether or not it crosses the other; (15) "operator" shall mean any person other than a chauffeur who operates a motor vehicle and any person who operates, rides, drives or propels any vehicle other than a motor vehicle; (16) "person" shall include any corporation, association, co-partnership, company, firm, or other aggregation of individuals; and where the term "person" is used in connection with the registration of a vehicle, it shall include any corporation, association, co-partnership, company, firm, or other aggregation of individuals which owns or controls such vehicle as actual owner, or for the purpose of sale, or for renting, whether as agent, salesman, or otherwise; (17) "department" as used in this Act shall mean the Motor Vehicle Department of California, acting directly or through its duly authorized agent; (18) "vehicle" shall include every wagon, hack, coach, carriage, omnibus, push cart, bicycle, tricycle, automobile, cycle-car, motorcycle, sleigh, traction engine, tractor, or other conveyance, in whatever manner and by whatever force or power the same may be ridden, driven, or propelled, which is or may be operated, ridden, driven or propelled upon the highway, and implements of husbandry, temporarily drawn or driven or otherwise propelled on the highway, excepting only conveyances designed to be propelled by pedestrians, and railroad, street and interurban railway cars; (19) the city and county of San Francisco shall be considered a county; (20) "net receipts" shall signify the balance remaining of the money paid to the department in conformity with the provisions of this Act after the payment of all salaries, expenses and refunds incident to the administration and enforcement of this Act.

"SEC. 2. All motor vehicles owned and used in the transaction of official business by the representatives of foreign powers or by officers, boards or departments of the government of the United States, and all motor vehicles owned by and used in the operative work of such corporations as are taxed solely for State purposes under the provisions of the Constitution of this State and such self-propelling vehicles as are used neither for the conveyance of persons for hire, pleasure, or business, nor for the transportation of freight, are hereby exempted from the payment of the fees in this Act prescribed. The department shall furnish, free of charge, distinguishing plates for motor vehicles thus exempt.

"SEC. 3. Every owner of a motor vehicle which shall be operated or driven upon the public highways shall, for each motor vehicle owned, except as herein otherwise expressly provided, cause to be filed, by mail, or otherwise, with the department an application for registration on a blank to be furnished by said department for that purpose, containing, in addition to such other particulars as may be required by said department, a statement of the name and post office address of the applicant, a description of such motor vehicle, including the name of the maker, the number, if any, affixed by the maker, the character of the motive power, and the amount of such motive power stated in figures of horsepower, together with the diameter of the cylinder bore and the number of cylinders; and with such application the applicant shall deposit the proper registration fee as provided in section 7 of this Act; *provided*, that for all the purposes of this Act the horsepower of any motor vehicle, except electric or steam driven vehicles, shall be determined by the formula commonly known as that of the Association of Licensed Automobile Manufacturers (A. L. A. M.), being as follows: Square the diameter of the cylinder in inches, multiply by the number of cylinders, and divide by 2.5; *provided, further*, that for the purposes of this Act the horsepower of any steam driven motor vehicle shall be the horsepower rating fixed and advertised by the manufacturer thereof.

"SEC. 4. Upon the receipt by the department of an application for registration of a motor vehicle accompanied by the fee required by section 7 of this Act, the department shall file such application and shall alphabetically, and also numerically, register such motor vehicle or vehicles with the name, residence and business address of the owner, together with the facts stated in such application, in a book or on index cards to be kept for the purpose under a distinctive number assigned to such motor vehicle by the said department, which book or index cards shall be open to inspection by the public during reasonable business hours. A full record of all motor vehicle registration shall be posted daily by the department upon a bulletin board so located as to be easily accessible by the public, and no information relative to any such registration shall be made public by any employee of the department in advance of such posting.

"SEC. 5. Upon the filing of such application and the payment of the fees provided in this Act, the said department shall assign to such motor vehicle a distinctive number. Such distinctive number so assigned shall be the number assigned to such motor vehicle at each succeeding registration thereof, so long as such motor vehicle shall be owned by the owner to whom the original assignment was made, and upon sale or transfer of such motor vehicle, said number may be cancelled or may be re-assigned as an original assignment to the same or to another motor vehicle, at the option of said department, subject to provisions hereinafter contained.

"SEC. 6. Such registration shall be renewed annually in the same manner and upon payment of the same fee as provided for original registration, such renewal to take effect on the first day of January of each year. The seals or discs furnished by the said department as provided hereinafter shall be valid for the calendar year only for which they are issued.

"SEC. 7. The following fees shall be paid to the department upon the registration of a vehicle in accordance with the provisions of this act and shall accompany the application hereinabove provided for:

"For the registration of every motorcycle, two dollars; for the registration of every automobile, except electric motor vehicles, the sum of forty five cents for each horsepower, or major fraction thereof, according to the formula specified in section 3 of this Act; for the registration of every motor vehicle equipped with other than pneumatic tires, and used for commercial purposes, weighing under four thousand pounds unladen, five dollars in addition to the fees provided herein for horsepower rating or for electric motor vehicles; for every such vehicle weighing four thousand pounds and over and less than six thousand pounds unladen, ten dollars in addition to the fees provided herein for horsepower rating or for electric motor vehicles; for every such vehicle, weighing six thousand pounds and over and less than ten thousand pounds unladen, fifteen dollars in addition to the fees provided herein for horsepower rating or for electric motor vehicles; for every such vehicle weighing ten thousand pounds and over unladen, twenty dollars in addition to the fees provided herein for horsepower rating or for electric motor vehicles; for the registration of every electric motor vehicle, five dollars; for the registration of motor vehicles owned by or under the control of a manufacturer of or dealer in motor vehicles, if such persons operate upon the public highways not more than five automobiles, twenty five dollars, and two dollars for every automobile in excess of five so operated, including the necessary number plates; for the registration of all the motorcycles owned by or under the control of a manufacturer of, or dealer in motorcycles who does not manufacture or deal in automobiles, five dollars; for every chauffeur's license, two dollars; for every additional number plate furnished to replace such plates as have been lost or mutilated, or which are illegible, or which may be required for use on motorcycles owned by or under the control of a manufacturer of or dealer in automobiles, one dollar; for every additional seal or disc furnished to replace such as have been lost or mutilated, or which are illegible, fifty cents.

"Anything herein to the contrary notwithstanding, if application for the registration of a motor vehicle is made during the period beginning on the first day of April and ending on the thirtieth day of June in any year, three fourths of the appropriate annual fee shall be paid; if application is made during the period beginning on the first day of July and ending on the thirtieth day of September, one-half of the annual fee; if application is made during the period beginning on the first day of October and ending on the thirty-first day of December, one-fourth of the annual fee.

"SEC. 8. Upon the transfer of ownership of any motor vehicle, its registration shall expire, and the person in whose name such vehicle is registered shall forthwith file with the department a written notice containing the date of such transfer of ownership and the name, post office address, and business address, if any, of the new owner and, upon demand, shall return the registration number plate or plates to the department.

"Any person who has transferred the ownership of any motor vehicle or who has lost possession thereof, if he applies within ten days after such transfer or loss of possession, may have assigned to another motor vehicle the registered number of the motor vehicle so transferred or lost.

"Upon the transfer of any motor vehicle by a manufacturer or dealer, whether by sale, lease or otherwise, such motor vehicle not being registered under the provisions of section 3 hereof, such manufacturer or dealer shall, within three days after such transfer, file with the department, upon a blank to be furnished by the department, a notice containing the date of such transfer and the name, post office address, and business address, if any, of the purchaser, lessee, or other transferee. A person who transfers the ownership or loses possession of, a motor vehicle registered in his name, or removes such motor vehicle from the State, shall be entitled to a rebate bearing the same proportion to the fee theretofore paid by him as the remaining undivided quarters of the calendar year bear to that portion of the year for which said fee was paid; *provided*, that any such rebate shall be paid upon a certificate filed by the department with the State Board of Control, setting forth the facts, and that the rebate shall be paid out of the motor vehicle fund. The department shall furnish without further charge, with transportation prepaid, to every person whose motor vehicle is registered as aforesaid, on original registration, one number plate for motorcycles and two number plates for other motor vehicles, the same to have displayed upon them the register number assigned to such vehicle together with the abbreviation 'Cal.' and to have space provided thereon to which may be attached each year the registration seal or disc to be furnished by the department, as hereafter provided. Said department shall furnish, with each pair of number plates or with each number plate for motorcycles, and on each renewal of registration, transportation prepaid, a registration seal or disc together with screws, or other means of attachment to the number plate, the form and character of which seal or disc shall be uniform for any one calendar year, such seal or disc to be changed as to design or color or both from year to year. Said seal or disc shall indicate the identical number shown on the number plate to which it is to be attached, and also the calendar year for which it is issued, and it shall be valid only for such year. The said number plates, as well as said seal or disc, shall be of substantial character and suitable design, to be determined by the department. If the said department shall determine at any time that for any reason a motor vehicle is unsafe or improperly equipped, or otherwise unfit to be operated, it may refuse to register such vehicle, and said department may for a like reason revoke any registration already recorded.

"SEC. 9. Every manufacturer of, or dealer in, motor vehicles may make application to the department, by mail or otherwise, upon a blank provided by the department for a general distinguishing number or symbol, instead of registering each motor vehicle owned or controlled by him, and with such application he shall deposit the proper registration fee as provided in section seven of this Act; and the said department shall grant the application if satisfied of the facts stated in the application, and shall issue to the applicant a certificate of registration containing the name and business address of the applicant and the general distinguishing number or symbol assigned to him, and made in such form and containing such further information as the said department may determine; and every motor vehicle owned or controlled by such manufacturer or dealer shall be regarded as registered under such general distinguishing number or symbol until sold or until let for hire or loaned for a period of more than ten successive days; *provided*, that whenever a manufacturer or dealer shall maintain a branch or sub-agency he shall apply for a separate registration for such branch or sub-agency and shall pay therefor the fee provided in section seven of this Act for the registration of motor vehicles owned by or under the control of a manufacturer or dealer. The said department shall furnish, transportation charges prepaid, to every manufacturer of, or dealer in, automobiles applying therefor whose vehicles are registered in accordance with the provisions of this section, five pairs of number plates of suitable design, together with the accompanying seals or discs, the plates to have displayed upon them the register number which is assigned to the motor vehicles of such manufacturer or dealer, with a different symbol on each pairs of number plates.

"SEC. 10. The provisions of this Act relative to registration and the display of registration numbers, shall not apply to a motor vehicle owned by a resident of another country or state who is only temporarily within the State of California, other than a foreign corporation doing business in California; *provided*, that the registration number plate of such other country or state shall be displayed on such motor vehicle substantially as provided in this Act for motor vehicles registered pursuant to the provisions hereof.

"SEC. 11. Except as otherwise herein provided, no person shall operate or drive a motor vehicle on the public highways unless such vehicle shall at all times have displayed, one on the front and the other on the back thereof, the number plates furnished for it as heretofore provided, together with the registration seal or disc, furnished by the department, securely attached to the number plate on the front of said vehicle in the space provided thereon for that purpose, said number plates to be securely fastened to such vehicle so as to prevent the same from swinging, at a minimum distance of sixteen inches from the ground; and no person shall attach to, or display on, such vehicle, any number plate, or registration disc or seal, assigned to it under any motor vehicle law other than this Act, or any registration seal or disc other than that assigned for the current year, or a fictitious number plate, or registration seal or disc; *provided, however*, that but one number plate with the regulation registration seal or disc shall be required upon motorcycles and that such number plate upon motorcycles shall be attached to the rear thereof. All letters, numbers, seals or discs, and other identification marks shall be kept clean and [illegible], and free from grease, dust or other blurring matter, so that they shall be plainly visible at all times during daylight and under artificial light in the night time.

"The registration fee required [illegible] paid upon a motor vehicle shall become delinquent in the case of any such motor vehicle [illegible] upon the operation of the vehicle on the public highways without the registration fee required by this Act first having been paid to the [illegible] accompanied by the application for registration provided herein. It is hereby provided, in addition to any and all other penalties provided by this Act, that if at the expiration of [illegible] days after any registration fee becomes delinquent, such fee has not been paid and registration applied for, a penalty shall be added to the amount of such fee [illegible] equal to twenty-five per cent. of the fee required by section 7 of this Act, and that such fee, together with the amount of said penalty, shall be a lien upon the motor vehicle in regard to which said registration fee is delinquent, and the department shall have power and it is hereby made its duty to collect said registration fee together with the penalty, by seizure of such motor vehicle from the owner or possessor thereof, if any, and by sale of such motor vehicle. The seizure and sale herein authorized shall be conducted and carried out by the department in the same manner as is provided by law for the seizure and sale of personal property by the county tax collector for the collection of taxes due on said personal property.

"SEC. 12. Every motor vehicle shall be equipped with a bell, gong, horn, whistle or other device in good working order, capable of emitting an abrupt sound adequate in quality and volume to give warning of the approach of such vehicle to pedestrians and to the riders or drivers of animals or of other vehicles and to persons entering or leaving street, interurban and railroad cars. Every person operating a motor vehicle shall sound said bell, gong, horn, whistle or other device whenever necessary as a warning of danger, but not at other times or for any other purpose.

"SEC. 13. (a) Every motor vehicle when in use or operation on the public highway, whether in operation or stationary, during the period from a half hour after sunset to a half hour before sunrise, and at all times when fog or other atmospheric conditions render the operation of vehicles dangerous to the traffic or such use of the highway, shall carry at the front at least two lighted lamps showing white lights visible under normal atmospheric conditions at least five hundred feet in the direction toward which said motor vehicle is faced, and shall also carry at the rear a lighted lamp exhibiting one red light plainly visible for a distance of five hundred feet toward the rear and so constructed and placed that the number plate carried on the rear of such motor vehicle shall be illuminated by a white light in such manner that the number thereon can be plainly distinguished under normal atmospheric conditions at a distance of not less than fifty feet toward the rear. At the times and under the conditions in this section hereinbefore specified, all other vehicles, except motorcycles and bicycles and such vehicles as may be propelled by a pedestrian, shall carry at the left side thereof a lighted lamp visible front and rear, and from the left, for a distance of not less than two hundred feet.

"(b) At the times and under the conditions hereinbefore specified in this section, every motorcycle or bicycle while on the public highway, whether in operation or otherwise, shall carry one lighted lamp showing a white light visible under normal atmospheric conditions at least two hundred feet in the direction toward which such motorcycle or bicycle is faced, and shall also carry at the rear of such motorcycle or bicycle, one red light, or one red reflex mirror plainly visible from the rear.

"(c) Anything hereinbefore to the contrary notwithstanding, it is hereby provided that the front light or lights of every motor vehicle shall be permanently dimmed so as to prevent any glare therefrom which would interfere with the convenience or safety of the use of the highway, or shall be so directed that the center rays thereof shall strike the ground at a distance not to exceed seventy-five feet from the front of such vehicle; provided, that nothing in this subdivision shall be construed to render inoperative the provisions of subdivision (a) of this section relative to the plain visibility of such light or lights in the direction in which such vehicle may be faced.

"SEC. 14. All motor vehicles must be provided at all times with adequate brakes kept in good working order.

"SEC. 15. Other than on vehicles actually engaged at the time in construction or repair work on roads, no tire on any motor vehicle or on any other vehicle shall have on its periphery any block, stud, cleat, wedge, bead or any other protuberance of metal which projects more than one-fourth of an inch beyond the tread or traction surface of the tire; but this section shall not be so construed as to prohibit the use of tire chains of reasonable proportions on motor vehicles when required for safety because of snow, ice, or other conditions tending to cause such vehicles to slide or skid, nor so as to prevent the use of traction engines with cleats on the driving wheels thereof on dirt or unimproved roads.

"SEC. 16. Every motor vehicle must have devices in good working order which shall be at all times in constant operation to prevent excessive or unusual noise, annoying smoke and the escape of gas, steam or oil, as well as the falling out of residue from fuel, and all exhaust pipes carrying exhaust gases from the engine shall be directed parallel to the ground or slightly upward. Devices known as "muffler cut-outs" shall not be used within the limits of any incorporated city and county or city or town or on any public highway where the territory contiguous thereto is closely built up.

"SEC. 17. No intoxicated person shall operate or drive a motor or other vehicle upon any public highway within this State.

"SEC. 18. No person shall operate a motor vehicle without the consent of the owner thereof.

"SEC. 19. No person shall employ for hire as a chauffeur of a motor vehicle any person not licensed as in this Act provided. No person shall allow a motor vehicle owned by him or under his control to be operated by any person who has no legal right to do so, or in violation of the provisions of this Act. No person having control or charge of a motor vehicle shall allow such vehicle to stand in any public street or public highway unattended without first effectively setting the brakes thereon and stopping the motor of said vehicle.

"SEC. 20. (*a*) The driver or operator of any vehicle in or upon any public highway shall drive or operate such vehicle in a careful manner with due regard for the safety and convenience of pedestrians and of all other vehicles or traffic upon such highway, and wherever practicable shall travel on the right hand side of such highway. Two vehicles which are passing each other in opposite directions shall have the right of way, and no other vehicle to the rear of either of such two vehicles shall pass or attempt to pass such two vehicles. On all occasions the driver or operator of any vehicle in or upon any public highway shall travel upon the right half of such highway unless the road ahead on the left hand side is clear and unobstructed for at least one hundred yards ahead and in all cases while crossing an intersecting highway. For the purposes of this section and its subdivisions, the term 'vehicle' shall also include every draft or riding animal, whether ridden or led, excepting that an animal or animals attached to any conveyances shall, with such conveyance, constitute one vehicle.

"(*b*) Vehicles proceeding in opposite directions shall pass each other to the right, each giving to the other one-half the road as nearly as possible.

"(*c*) Vehicles overtaking other vehicles proceeding in the same direction shall pass to the left thereof and shall not again drive to the right until reasonably clear of such overtaken vehicle.

"(*d*) It shall be the duty of the driver, rider or operator of a vehicle about to be overtaken and passed to give way to the right in favor of the overtaking vehicle, on suitable and audible signal being given by or on behalf of the operator, driver or other person in charge and control of such overtaking vehicle if such overtaking vehicle be a motor vehicle.

"(*e*) Excepting where controlled by such traffic ordinances or regulations enacted by local authorities as are permitted under this Act the operator of a vehicle approaching an intersection of the public highway shall yield the right of way to a vehicle approaching such intersection from the right of such first-named vehicle.

"(*f*) It shall be the duty of the person operating or in charge of an overtaking vehicle to sound audible and suitable signal before passing a vehicle proceeding in the same direction.

"(*g*) All vehicles approaching an intersection of a public highway, with the intention of turning thereat shall in turning to the right keep to the right of the center of such intersection, and in turning to the left shall run beyond the center of such intersection, passing to the right thereof, before turning such vehicle toward the left.

"(*h*) In all passing and overtaking such assistance shall be given by the occupants of each vehicle respectively to the other as the circumstances shall reasonably demand in order to obtain clearance and avoid accidents; every person having control or charge of any motor vehicle or other vehicle upon any public highway and approaching any vehicle drawn by a horse or horses, or any horse upon which any person is riding, shall operate, manage and control such motor vehicle or other vehicle in such manner as to exercise every reasonable precaution to prevent the frightening of any such horse or horses and to insure the safety and protection of any person riding or driving the same; and if such horse or horses appear frightened the person in control of such motor vehicle or other vehicle shall reduce its speed, and if requested by signal or otherwise by the driver or rider of such horse or horses shall not proceed further toward such animal or animals unless such movement be necessary to avoid accident or injury until such animal or animals be under the control of the driver or rider thereof.

"(*i*) The person in control of any vehicle moving slowly along and upon any public highway shall keep such vehicle as closely as practicable to the right-hand boundary of the highway, allowing more swiftly-moving vehicles reasonably free passage to the left.

"(*j*) The person in charge of any vehicle in or upon any public highway, before turning, stopping, or changing the course of such vehicle, and before turning such vehicle when starting the same, shall see first that there is sufficient space for such movement to be made in safety, and if the movement or operation of other vehicles may reasonably be affected by such turning, stopping or changing of course, shall give plainly visible or audible signal to the persons operating, driving or in charge of such vehicles of his intention so to turn, stop, or change his course.

"(*k*) In passing any railroad, interurban or street car while passengers are alighting from or boarding same, vehicles shall be operated with due care and caution, so that the safety of such passengers shall be protected, and for that purpose said vehicle shall be brought to a full stop if reasonably necessary to attain the objects of this subdivision.

"(*l*) Every motor vehicle when moving in defiles, canyons, or mountain passes where the curvature of the road or highway prevents a clear view for a distance of one hundred yards shall be held under control and not permitted to coast and the operator thereof in approaching curves shall give a warning by the gong or other adequate signaling device.

"(*m*) Police patrol wagons, police ambulances, fire patrols, fire engines and fire apparatus in all cases while being operated as such, shall have right of way with due regard to the safety of the public; but this provision shall not protect the driver or operator of any such vehicle or his employer or principal from the consequences of the arbitrary exercise of this right or for injuries wilfully inflicted

"SEC. 21. Whenever an automobile, motorcycle or other motor vehicle or any vehicle whatsoever, regardless of the power by which the same may be propelled or drawn, strikes any person, or collides with any vehicle containing a person, the driver of, and all persons in, such automobile, motorcycle or other motor vehicle or other vehicle, who have or assume authority over such driver, shall immediately cause such automobile, motorcycle or other motor vehicle, or other vehicle, to stop and shall render to the person struck, or to the occupants of the vehicle collided with, all necessary assistance including the carrying of such person or occupant to a physician or surgeon for medical or surgical treatment, if such treatment be required, or if such carrying is requested by the person struck or any occupant of the vehicle struck; and such driver, and person having or assuming authority over such driver, shall further give to the occupants of such vehicle or person struck, the number of such automobile, motorcycle or other motor vehicle, or other vehicle, also the name of the owner thereof and the names of the occupants or passengers not exceeding five in each automobile, motorcycle or other motor vehicle, or other vehicle, at the time of such striking or collision. Any person violating any of the provisions of this section is punishable by imprisonment in the State prison not exceeding ten years, or in the county jail not exceeding one year, or by fine not exceeding five thousand dollars, or by both such fine and imprisonment

"SEC. 22. (*a*) No races or contests for speed, whether on a bet or wager or otherwise, shall be held upon any public highway within this State without the permission of the proper authorities of the State, county, city and county, city or town, having jurisdiction over such portion of the highway as is intended to be used for such race or contest, and unless such highway is fully and efficiently patrolled for the entire distance over which such race or contest for speed is to be held.

"(*b*) Every person operating or driving a motor or other vehicle on the public highways of this State shall operate or drive the same in a careful and prudent manner and at a rate of speed not greater than is reasonable and proper, having regard to the traffic and use of the highway, and no person shall operate or drive a motor or other vehicle on a public highway at such rate of speed as to endanger the life or limb of any person or the safety of any property; provided, that it shall be unlawful to drive at a rate of speed in excess of thirty miles an hour; and *provided, further*, that in any event no person shall operate or drive a motor or other vehicle on any public highway where the territory contiguous thereto is closely built up, at a greater rate of speed than twenty miles an hour, or in the business district of any incorporated city and county, city or town, at a greater rate than fifteen miles an hour, or at a greater rate of speed than ten miles an hour where the operator's or chauffeur's view of the road traffic is obstructed either upon approaching an intersecting way, or in traversing a crossing or intersection of ways, or in approaching or traversing a crossing or intersection of ways, or in approaching or traversing a bridge, dam, trestle, causeway or viaduct, or in going around corners or a curve in a street or highway.

"(*c*) In the case of any person arrested for violation of the provisions of this section, unless such person shall demand that he be taken forthwith before the most accessible magistrate, the arresting officer shall take the name and address of such person and the number of his motor vehicle and notify him in writing to appear before a designated magistrate at a time and place to be specified in such writing at least five days subsequent to the date of such notice and upon the promise in writing of such person to appear at such time and place, such officer shall forthwith release him from custody. Any person wilfully violating such promise shall be guilty of a misdemeanor regardless of the disposition of the charge upon which he was originally arrested.

"(*d*) Limitations as to rate of speed herein fixed shall be exclusive of all other limitations fixed by any law of this State, or of any political subdivision thereof, and local authorities shall have no power to pass, enforce or maintain any ordinance, rule or regulation in any way in conflict with, contrary to or inconsistent with the provisions of this Act, and no such ordinance, rule or regulation of said local authorities now in force or hereafter enacted shall have any force or effect, excepting, however, that (1) such powers as are now or may hereafter be vested in local authorities to enact ordinances and regulations, applicable equally and generally to all vehicles and other users of the highways, and providing for traffic or crossing officers or semaphores, to bring about the orderly passage of vehicles and other users of the public highways or certain portions thereof, where the traffic is heavy and continuous, as well as (2) the powers now or hereafter vested in local authorities to license and to regulate the operation of vehicles offered to the public for hire, and to regulate the use of the highways for processions or assemblages, shall remain in full force and effect, and all ordinances, rules and regulations which may have been or which may be hereafter enacted in pursuance of such powers, shall remain in full force and effect; *provided, further*, that local authorities may set aside for a given time a specified public highway or highways for speed contests, or races, to be conducted under suitable patrol and under other proper restrictions for the safety of the public as hereinabove provided; *and provided, further*, that local authorities may by general rule, ordinance or regulation, exclude vehicles from any cemetery or ground used for the burial of the dead, or exclude vehicles used solely or principally for commercial purposes from any park or part of a park system where such general rule, ordinance, or regulation is applicable equally and generally to all other vehicles used for the same purpose; *provided*, that at the entrance or at each entrance, if there be more than one, to such cemetery or park from which vehicles are so excluded, there is posted a sign in writing or printing, in the English language, plainly legible from the middle of the highway or public road on which said cemetery or park opens, plainly indicating the prohibition of such general rule, ordinance or regulation.

"SEC. 23. (*a*) In case of the arrest three times within a period of sixty days of any person for the violation of section 22 of this Act, followed by the conviction of such person upon each of such charges, or in case of two arrests within any period of sixty days of any person for the violation of section 17 of this Act, followed by the conviction of such person upon each of such charges, the department shall forthwith revoke the license of such person to operate a motor vehicle on the public highways of this State, in case said violations, or any of them, occurred in connection with the operation of a motor vehicle. Upon so revoking the license the department shall forthwith send notice of such revocation to the operator and to the local police authorities, and shall make demand upon the operator for the return to the department of the license certificate theretofore issued to him, and of the badge in case of a chauffeur. It shall be the duty of the operator to return such license certificate and of a chauffeur to return also his badge in compliance with a demand so made. The department shall not again issue any such license to such person until the expiration of six months from the date of the last conviction of such person as hereinabove provided for; and it shall be unlawful, whether said convictions were had in connection with the operation of a motor vehicle or of any other vehicle, for such person so convicted to operate or drive any vehicle upon the public highway anywhere within this State, during a period of six months after the date of the last conviction hereinabove provided for.

"(*b*) In addition to all other punishments provided in this Act, the court may, for a period of not to exceed thirty days, suspend an operator's or chauffeur's license upon conviction of the licensee for violation of any of the provisions of this Act.

"SEC. 24. (*a*) Before operating a motor vehicle upon the public highways, application for a license to operate such vehicle shall be made by mail or otherwise to the department upon a blank to be prepared, and furnished on request, by said department. In the case of an application to operate a motor vehicle as chauffeur, the fees provided in section 7 of this Act shall accompany the application. To each person shall be assigned some distinguishing number or mark and the license certificate issued shall be in such form as the said department may determine; it shall contain the distinguishing number or mark assigned to the licensee, his name, age, place of residence, business address if any, and a brief description of the licensee for the purpose of identification, and such other information as the said department shall deem necessary. Every person licensed to operate motor vehicles as aforesaid, shall endorse his usual signature in the space on the license certificate provided for the purpose, immediately upon the receipt of said certificate, and his license shall not be valid until the certificate is so endorsed. The licenses issued to chauffeurs shall be valid for one year only from the date of issue and the licenses issued to operators shall be valid until suspended or revoked as in this Act provided. The said department shall furnish to every chauffeur so licensed a suitable metal badge with the distinguishing number assigned to him stamped thereon, without extra charge therefor, such badge to have stamped thereon the words 'Registered Chauffeur No. -----, Cal.' with the said license number inserted therein. This badge shall thereafter be worn by such chauffeur, affixed to his clothing in a conspicuous place, at all times when he is operating or driving a motor vehicle upon the public highway but shall be valid only for a period of one year from date of issuance. In case of the loss of such badge, a duplicate will be issued by the said department on the filing of an affidavit showing the fact of loss and on payment of a fee of one dollar to the department. An application for the annual renewal of a chauffeur's license shall be accompanied by the fee required by this Act.

"(*b*) It shall be unlawful for any person to cause or knowingly to permit his or her child or ward to violate any of the foregoing provisions of this section.

"SEC. 25. Upon the receipt of an application as provided in section 24 of this Act, the department shall thereupon file the same, and register the applicant in a book or on index cards which shall be kept in the same manner, subject to public inspection, as the books or index cards for the registration of motor vehicles.

"SEC. 26. No person shall use a fictitious name in applying for such chauffeur's or operator's license, nor shall any chauffeur or operator licensed as herein provided, voluntarily permit any other person to possess or use his license certificate, or badge, nor shall any person while operating or driving a motor vehicle use or possess any license certificate or badge belonging to another person, or a fictitious license certificate or badge.

"SEC. 27. No person shall operate or drive a motor vehicle upon a public highway after the thirty-first day of December, 1915, nor shall any owner of a motor vehicle permit such vehicle to be so operated or driven after said date, unless the requirements of this Act shall have been in all respects complied with; *provided, however*, that a nonresident operator or chauffeur who has complied with the provisions of the country or state of his residence relative to the operation of motor vehicles and who, while operating a motor vehicle upon the highways of this State shall wear such badge as may have been assigned to him in the country or state of his residence, shall be exempt from license hereunder for a period not to exceed three months in any calendar year; *provided, further*, that a nonresident owner of a motor vehicle, not later than ten days after commencing to operate such motor vehicle, or to permit the same to be operated, upon the public highways of this State shall apply to the department for registration of such motor vehicle, said application to be made upon a blank form to be prepared and furnished by the department and to state in addition to such other matters as may be required by the department, the name and post office and residence address of the applicant, together with registration number, if any, of said motor vehicle in the country or state in which said applicant resides. Upon receipt of such application last above described the department shall furnish to the applicant, without charge, a registration device of a distinctive form to be determined by the department, indicating that the holder thereof has complied with the requirements of this Act and containing such other matter as may be deemed suitable by the department, which device shall be valid not to exceed three months from the date of its issuance, at the end of which period it shall be returned, transportation prepaid, to the department. The department shall file, alphabetically, such applications for registration by nonresident owners of motor vehicles, and the files shall be open to inspection by the public during reasonable business hours.

"SEC. 28. Any person who shall drive or operate, or cause to be driven or operated, upon any public highway any motor vehicle not his own, without intent to steal the same, in the absence of the owner thereof, and without such owner's consent, shall be guilty of a misdemeanor.

"SEC. 29. Any person who throws or deposits any glass bottle, glass, nails, tacks, hoops, wire, cans, or any other substance likely to injure any person, animal, or vehicle upon any public highway, shall be guilty of a misdemeanor.

"SEC. 30. (*a*) Any person who shall, individually or in association with one or more others, wilfully break, injure, tamper with or remove any part or parts of any motor vehicle, for the purpose of injuring, defacing or destroying such vehicle, or temporarily or permanently preventing its useful operation, or for any purpose against the will or without the consent of the owner of such vehicle or who shall in any other manner wilfully or maliciously interfere with or prevent the running or operation of such vehicle, shall be guilty of a misdemeanor.

"(*b*) Any person who shall, without consent of the owner or person in charge of a motor vehicle, climb upon or into such vehicle whether the same be in motion or at rest; or who, while such vehicle is at rest and unattended, shall attempt to manipulate any of the levers, the starting crank, or other device, brakes, or mechanism thereof, or to set said vehicle in motion shall be guilty of a misdemeanor.

"SEC. 31. No chauffeur or other person having the care of a motor vehicle for the owner shall receive or take, directly or indirectly, without the written consent of such owner, any bonus, discount or other consideration for supplies or parts furnished or purchased for such motor vehicle, or on any work or labor done thereon by others, or on the purchase of any motor vehicle for his employer, and no person furnishing such supplies or parts, work or labor, or selling any motor vehicle shall give or offer any such chauffeur or other person having the care of a motor vehicle for the owner thereof, directly or indirectly, without such owner's written consent, any bonus, discount, or other consideration thereon. Any person violating this section shall be guilty of a misdemeanor.

"SEC. 32. Excepting as in this Act otherwise expressly provided, any person violating any of its provisions shall be deemed guilty of a misdemeanor, and upon conviction thereof unless in this Act otherwise expressly provided, shall be punishable by a fine not exceeding one hundred dollars, or by imprisonment for not exceeding thirty days, or both, for the first offense; and shall be punishable by fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment for not exceeding thirty days, or both for a second offense; and shall be punishable by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars, or by imprisonment for not exceeding thirty days, or both, for a third or subsequent offense.

"SEC. 33. (*a*) Any person violating the provisions of section 17 of this Act shall be guilty of a misdemeanor, and upon conviction shall be punishable for the first offense by imprisonment in the county jail for a period not exceeding thirty days or by a fine not exceeding one hundred dollars; and for a second offense by imprisonment in the county jail for a period not exceeding ninety days; and for a third or subsequent offense by imprisonment in the county jail for not less than six months nor for more than one year.

"(*b*) The owner of any motor vehicle driving the same or causing or allowing the same to be driven or operated on any public highway, in violation of any of the provisions of section 11 of this Act shall be guilty of a misdemeanor, and on conviction thereof shall be punishable in the manner and to the extent provided in section 32 of this Act; *provided, however*, that this subdivision shall not affect the liability to punishment of the person, other than the owner, driving or operating such motor vehicle.

"(*c*) Any person, other than the owner, who when driving or operating a motor vehicle on any public highway, knowingly violates any of the provisions of section 11 of this Act shall be guilty of a misdemeanor, and on conviction thereof shall be punishable in the manner and to the extent provided in section 32 of this Act; but this subdivision shall not affect the liability to punishment of the person or persons owning such vehicle.

"(*d*) Any person violating any of the provisions of section 26 of this Act shall be guilty of a misdemeanor, and on conviction thereof shall be punishable in the manner and to the extent provided in section 32 of this Act; *provided, however*, that the fine for the first offense, in case a fine be imposed shall be not less than fifty ($50) dollars, and the term of imprisonment, if a sentence of imprisonment be imposed, shall be not less than ten days.

"SEC. 34. There is hereby created in the State treasury a fund which shall be known as the 'Motor Vehicle Fund.' All money remaining at the time of the taking effect of this Act in the Motor Vehicle Fund created by the Motor Vehicle Act approved May 31, 1913, shall then be transferred to the Motor Vehicle Fund hereby created. All moneys received by the department under any of the provisions of this Act must be paid into the State treasury within twenty-four hours after the receipt thereof and shall be deposited to the credit of the Motor Vehicle Fund; *provided*, that if at any time such payment can not be made because of the intervention of a Sunday or a holiday, then such money shall be paid into the state treasury before twelve o'clock noon of the first business day following such Sunday or holiday. One-half of the net receipts under this Act shall be paid from the Motor Vehicle Fund to the counties from which the moneys were received, as determined by the places of residence of the persons to whom the licenses are issued, and all such amounts returned shall be paid into the road funds of the several counties receiving the same, and shall be expended by such counties, exclusively in the construction and maintenance of roads, bridges and culverts. In the event that any county has not established a road fund, its proportion of the receipts shall be retained by the State until provision for such road fund has been made, and it shall then be paid over. In the months of January and July of each year the department shall make to the Controller a report setting forth the gross and net receipts for the preceding six months, and thereafter the Controller shall draw his warrant upon the Motor Vehicle Fund in favor of the county treasurer of each county for the amount to which such county is entitled; *provided, nevertheless*, that the Controller shall not draw such warrant in favor of any county which theretofore shall not have established a road fund. Of the moneys in said Motor Vehicle Fund, when such action has been authorized by the Board of Control, the department may draw, without at the time furnishing vouchers and itemized statements, a sum not to exceed five thousand dollars, said sum so drawn to be used as a revolving fund where cash advances are necessary. At the close of each fiscal year, or at any other time, upon demand of the Board of Control, the moneys so drawn must be accounted for and substantiated by vouchers and itemized statements submitted to and audited by the Board of Control and by the Controller. All moneys remaining in the Motor Vehicle Fund after the expenditures hereinbefore authorized in addition to all sums that have been heretofore or that may be appropriated hereafter by the Legislature for the same purpose, shall be expended under the direction of the State Department of Engineering for the maintenance and improvement of the State roads and highways under the jurisdiction of said State Department of Engineering, and for the maintenance and improvement of roads and highways in State parks subject to the approval of the official or officials charged by law of the management and control of such parks; such moneys to be so drawn from said Motor Vehicle Fund for the purpose of such maintenance and improvement upon warrants executed by the State Controller at the demand made by the State Department of Engineering, and allowed and audited by the Board of Control. So much of the Motor Vehicle Fund as may be necessary is hereby appropriated to be expended by the department in carrying out the provisions of this Act; *provided, however*, that there shall not be expended for such purposes in any one year more than one hundred fifty thousand dollars.

"SEC. 35. All fines collected in case of a conviction for violation of any of the provisions of this Act following arrests by any municipal officer and all forfeitures following such arrest shall belong to the municipalities of the county in which the city employing such municipal officer is situated. When collected such fines and forfeitures shall be paid into the county treasury and thereafter by the supervisors of such county, at quarterly intervals [illegible] according to population ascertained [illegible] ing under a freeholders charter [illegible] No city operat the same, or any of the [illegible] said fines and forfeitures [illegible] and forfeitures be equitably [illegible] which enforce this Act. Money [illegible] be expended solely in the [illegible] bridges and culverts within the [illegible] streets, ban public highways entering [illegible] collected by or in any court for [illegible] whether by a justice of the peace [illegible] Act, the peace, or otherwise, shall be [illegible] of court is held. Said moneys shall be [illegible] and maintenance of roads, bridges, and culverts and for no other purpose.

"SEC. 36. A full record shall be kept by [illegible] judge or court in this State [illegible] tion of any provision of this Act, and [illegible] with by the justice of the peace, [illegible] in which the justice of the peace [illegible] whereupon said clerk shall forward said [illegible] court. shall be made upon forms [illegible] Said abstracts sary information as to the [illegible] of hearing, the plea, the judgment, [illegible] may be, and every such abstract [illegible] as the case judge or clerk of such police court [illegible] The said department shall keep such records [illegible] the inspection of any person [illegible]

"SEC. 37. There is hereby created [illegible] Motor Vehicle Department of California. [illegible] tendent who shall be a [illegible] nor and shall hold office at the [illegible] days from the time of notice of his appointment take and subscribe to the constitutional oath of office and file the same in the office of the S[illegible] execute to the people of the State a [illegible] He shall receive an annual salary of [illegible] a warrant of the Controller. He shall [illegible] shall be a civil executive [illegible] one cashier at an annual salary of [illegible] of the Board of Control such additional [illegible] duct of the business of the department [illegible] compensation and term of [illegible] the State a bond in the penal sum of [illegible] provided for shall be payable [illegible] shall be made upon the [illegible] audited by the Board of Control [illegible] records and such material, supplies and [illegible] to the registration of motor vehicles [illegible] provisions of the motor vehicle Act approved May 31, 1913, [illegible] to the department.

"SEC. 38. This Act shall be known and cited as the 'Vehicle Act.' An Act entitled, 'An Act to regulate the use and operation of vehicles upon the public highways and elsewhere, to provide for the registration and [illegible] of motor vehicles and for the payment of [illegible] ing of persons operating motor vehicles, [illegible] vehicles upon the public highways, [illegible] vehicle without the consent of the owner [illegible] acceptance by certain persons of any [illegible] for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon, to provide penalties for violations of [illegible] for the disposition of fines and forfeitures [illegible] tion of registration and license fees, fines and forfeitures [illegible] to provide for carrying out the [illegible] and to create a revolving fund therefor, and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act,' approved May 31, 1913, and all Acts or parts of Acts inconsistent with this Act are hereby expressly repealed; provided, however, that the said motor vehicle Act approved May 31, 1913, shall remain in full force and effect until midnight of the thirty-first day of December, 1915.

"SEC. 39. The provisions of this Act, so far as they are the same as those of existing statutes, shall be construed as a continuation thereof, and not as new enactments; and a reference in a statute which has not been repealed to provisions of law which have been revised and re-enacted herein shall be construed as applying to such provisions as so incorporated in this Act. The repeal of a law by this Act shall not affect any act done, ratified or confirmed, or any right accrued or established, or any action, suit or proceeding begun under any of the laws repealed before the repeal took effect; but the proceedings in such case shall, when necessary, conform to the provisions of this Act.

"SEC. 40. If any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

"SEC. 41. The provisions of section 37 of this Act and such other provisions hereof as relate to the creation and conduct of the motor vehicle department, the preparation and purchase of forms, supplies, and other work incident to the registration of motor vehicles and to the licensing of the operators thereof shall go into effect ninety days after the final adjournment of this session of the Legislature, and the remainder of this Act shall go into effect at midnight on the thirty-first day of December, in the year one thousand nine hundred fifteen.

"SEC. 42. There shall be printed one hundred fifty thousand copies of this Act, which shall be distributed on demand, without charge, by the department."

Amendment adopted.

Bill read second time, ordered to print, and third reading.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Senator Purkitt asked for, and was granted, unanimous consent to take up Assembly Bills Nos. 1080 and 1082 for third reading at this time, out of the regular order.

Assembly Bill No. 1080—An Act to amend an Act entitled "An Act to create a drainage district to be called Knight's Landing Ridge Drainage District; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said drainage district; the issuance of bonds by said drainage district and testing the validity of the levy of such assessments and the issuance of such bonds," approved April 30, 1913, by amending section 1 of said Act, and making the description more certain, amending section 6 of said Act in reference to the certifying and depositing of a certified copy of assessment, amending section 7 of said Act in reference to the lien of said assessment, and also amending the said section 7 in regard to the collection of the assessments, issuance of warrants and the payment of all moneys that may be collected into the county treasury of Yolo County.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Purkitt moved to refer to Senator Stuckenbruck as a Special Committee of One to amend Assembly Bill No. 1080 as follows:

AMENDMENT NUMBER ONE.

On page 12, line 32, of the printed bill, after the period(.) after the word "district", insert the following: "All sums so paid must be placed by the said respective treasurers to the credit of the drainage district, and at the end of said thirty days, the said treasurer of Colusa County shall transmit to the said treasurer of Yolo County all moneys collected by him, and the latter shall place the same to the credit of said drainage district, and the same shall be paid out by said Treasurer of Yolo County upon warrants issued by the Board of Commissioners of the drainage district. All warrants that may be paid upon assessments to the treasurer of said Colusa County, at the end of said thirty days, shall be endorsed by him as being received upon assessments, and shall be transmitted by him to the treasurer of the county of Yolo, and the latter shall cancel the same, and likewise, all warrants that may have been paid to him upon the said assessments during the said period of thirty days".

AMENDMENT NUMBER TWO.

On page 12, line 32, of the printed bill, after the word "days", insert the following "unless otherwise ordered by the Board of Drainage Commissioners."

AMENDMENT NUMBER THREE.

On page 16, line 21, of the printed bill, after the period (.) in said line, add the following: "That on the first Monday of each month the county treasurer of Colusa County shall transmit to the county treasurer of Yolo County all the moneys that may be in his hands to the credit of Knight's Landing Ridge Drainage District, arising from any source, and, likewise, all warrants that may be delivered in payment of any assessment, and all such moneys shall thereupon be placed to the credit of said district by said county treasurer of Yolo County."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1080, with instructions to amend, respectfully reports the same back, amended as per instructions.

STUCKENBRUCK, Committee.

Report read and, on motion of Senator Purkitt, adopted.
Bill ordered to print.

Assembly Bill No. 1082—An Act approving, confirming and declaring valid the creation, formation and organization of Reclamation District No. 108, created by that certain Act of the Legislature of the State of California entitled "An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa, fixing, defining and establishing the boundaries of the consolidated district, providing for its management and control, subject to the provisions of the Political Code of California, and to other laws of said State relative to reclamation districts; and repealing all Acts and parts of Acts inconsistent therewith," approved April 23, 1913, and all Acts and proceedings of said district and the board of trustees thereof, and also more clearly defining the exterior boundaries of said district.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Purkitt moved to refer to Senator Stuckenbruck as a Special Committee of One to amend Assembly Bill No. 1082 as follows:

AMENDMENT NUMBER ONE.

On page 3, line 28 of the printed bill, strike out the word "to" and insert in lieu thereof the word "of".

AMENDMENT NUMBER TWO.

On page 8, line 12 of the printed bill, after the word "line" insert the following "thence east along the township line to the right or west bank of the Sacramento River".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 23, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1082, with instructions to amend, respectfully reports the same back, amended as per instructions.

STUCKENBRUCK, Committee.

Report read and, on motion of Senator Purkitt, adopted.
Bill ordered to print.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Senator Anderson asked for, and was granted, unanimous consent to take up Assembly Bills Nos. 637 and 638 for third reading at this time, out of the regular order.

Assembly Bill No. 637—An Act to amend section 2 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under constitutional provision without Governor's approval February 25th, 1901, as amended.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Anderson moved to refer to Senator Kehoe as a Special Committee of One to amend Assembly Bill No. 637 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the title, after the figures "1901", strike out the words "as amended." and insert in lieu thereof the following: "as subsequently amended, by amending section 2 and section 3 thereof, relating to the proceedings for the calling of an election therefor and by adding a new section thereto to be numbered section 12½, relating to the consolidation of elections."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, commencing with the word "section" where it appears the second time in said line, strike out all of that portion of the bill down to the word "breakwaters" in line 3, page 2, of the printed bill, and insert in lieu thereof the following:

"SECTION 1. Section 2 of an Act entitled 'An Act authorizing the incurring of indebtedness by cities, towns and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof,' which became a law under the constitutional provision without the Governor's approval February 25th, 1901, as subsequently amended, is hereby amended to read as follows:

"'Sec. 2. Whenever the legislative branch of any city, town or municipal corporation shall, by resolution passed by vote of two-thirds of all its members determine that the public interest or necessity demands the acquisition, construction or completion of any municipal improvement, including bridges, waterworks, water rights, sewers, light and power works or plants, buildings for municipal uses, wharves,'".

AMENDMENT NUMBER THREE.

On page 2, line 4, of the printed bill, commencing with the word "schoolhouses", strike out the remainder of the bill and insert in lieu thereof the following: "schoolhouses, fire apparatus, and street work, or other works, property or structures necessary or convenient to carry out the objects, purposes and powers of the municipality, the cost of which will be too great to be paid out of the ordinary annual income and revenue of the municipality, it may at any subsequent meeting of such legislative branch, by a vote of two-thirds of all its members, order the submission of the proposition of incurring a bonded debt for the purpose set forth in said resolution, to the qualified voters of said city, town or municipal corporation, at an election held for that purpose; *provided*, that propositions of incurring indebtedness for more than one object or purpose may be submitted at the same election. The ordinance calling such election shall recite the objects and purposes for which the indebtedness is proposed to be incurred, the estimated cost of the proposed public improvements, the amount of the principal of the indebtedness to be incurred therefor, and the rate of interest to be paid on said indebtedness, and shall fix the date on which such election will be held, the manner of holding such election and the voting for or against incurring such indebtedness, and in all particulars not recited in such ordinance, such election shall be held as provided by law for holding municipal elections in such municipality; *provided, however*, that if the rate of interest to be paid on such indebtedness shall not exceed four and one-half per centum per annum payable semi-annually, the rate of interest need not be recited in such ordinance, but in its discretion the said legislative branch may recite in such ordinance a maximum rate of interest to be paid on such indebtedness, not exceeding six per centum per annum payable semi-annually, which rate when so recited, shall not be exceeded in the issuance of bonds for such indebtedness.

"Sec. 2. Section 3 of said Act is hereby amended as follows:

"'Sec. 3. Such ordinance shall be published once a day for at least seven days in some newspaper published at least six days a week in such municipality, or once a week for two weeks in some newspaper published less than six days a week in such municipality, and one insertion each week for two succeeding weeks shall be a sufficient publication in such newspaper published less than six days per week. In municipalities where no such newspaper is published, such ordinance shall be posted in three public places therein for two succeeding weeks. No other notice of such election need be given. It shall require the votes of two-thirds of all the voters voting at such election to authorize the issuance of the bonds herein provided; *provided, however*, should the proposition so submitted at such election fail to receive the requisite number of votes of the qualified electors voting at such election to incur the indebtedness for the purpose specified, the legislative body of such municipality shall have no power or authority to make or consider, either upon petition or call or order another election for incurring any indebtedness for improvements substantially the same as voted upon at such prior election, unless a petition signed by fifteen per centum of the qualified electors of such municipality computed upon the total number of votes cast therein for all candidates for Governor at the last general election at which a governor was elected be filed with the legislative body of such municipality, requesting that such proposition or a proposition substantially the same be submitted at an election to be called for the submission of such proposition and to be held in accordance with the provisions of this Act.'

"Sec. 3. That a new section is hereby added to said Act, to be known as section 12½ and to read as follows:

"'Sec. 12½. Any election submitting the proposition of incurring indebtedness and the issuance of bonds called pursuant to the provisions of this Act may be held separately, or may be consolidated with any other election authorized by law at which the qualified voters of such city, town or [illegible] are entitled to vote; *provided, however*, that in the event any such election called pursuant to the provisions of this Act is consolidated with any other election, the provisions of the Act setting forth the procedure for the calling and holding of the election called pursuant to the provisions of this Act, shall be complied with, except that the ordinance calling such election need not set forth the election precincts, polling places and officers of election, but may provide that the precincts, polling places and officers of election shall be the same as those set forth in the ordinance, notice or other proceeding calling the election with which the election called pursuant to the provisions of this Act, is consolidated, and shall refer to such ordinance, notice or other proceeding by number and title, or by other definite description.'"

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Special Committee of One to which was referred Assembly Bill No. 637, with instructions to amend, respectfully reports the same back amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Anderson, adopted.

Bill ordered to print.

Also:

Assembly Bill No. 638—An Act to amend section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Anderson moved to refer to Senator Kehoe as a Special Committee of One to amend Assembly Bill No. 638 as follows:

AMENDMENT NUMBER ONE.

On page 3, line 35, of the printed bill, commencing with the word "as", strike out all that portion of the bill down to and including "therein" in line 3, page 4, of the printed bill.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 638, with instructions to amend, respectfuly reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Anderson, adopted.
Bill ordered to print.

SECOND READING OF SENATE BILLS.

Senate Bill No. 768—An Act to amend section 628 of the Penal Code of the State of California, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During second reading of bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4, of the title, strike out the period and insert in lieu thereof the following: "and to repeal section 628*g* of the Penal Code, relating to the protection of abalones."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 31, of the printed bill, strike out the words "first day of May" and insert in lieu thereof "thirtieth day of April".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 26, of the printed bill, strike out "(*Panulirus interruptus*)".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 28, page 3, of the printed bill, after the comma insert the following: "and in water further than twenty-five miles from the international boundary line between the United States and Mexico extended westerly into the Pacific Ocean,".

AMENDMENT NUMBER FIVE.

On page 3, line 32, of the printed bill, strike out "(*Panulirus interruptus*)".

AMENDMENT NUMBER SIX.

On page 3, line 34, of the printed bill, strike out "(*Panulirus interruptus*)".

AMENDMENT NUMBER SEVEN.

On page 3, line 37, of the printed bill, strike out all of said line after the word "any;" also, on page 4, strike out all of lines 1 and 2 and the words: "inclusive of the head" in line 3 and insert in lieu thereof the following: "catfish between the 15th day of May and the 14th day of August, inclusive, of any year, or who at any time has in his possession for sale, or sells, or offers for sale, any dressed catfish which shall measure less than seven inches in length, exclusive of any part of the head, or who at any time has in his possession, for sale, or sells, or offers for sale, any undressed catfish less than nine inches in length".

AMENDMENT NUMBER EIGHT.

On page 4, after the period in line 5, of the printed bill, add the following: "Section 628*g* of the Penal Code, relating to abalones, is hereby repealed."

CONSIDERATION OF AMENDMENTS—(POSTPONED).

On motion of Senator Luce further consideration of amendments Nos. 4, 5, 6, 7 and 8 was postponed until the next legislative day.

Senate Bill No. 218—An Act to revise and amend sections 3, 5, 6 and 12 of an Act known as "The Net Container Act," approved May 24, 1913.

COMMITTEE AMENDMENTS

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 1, line 13, after the word "food", insert the words "or medicine".

Amendment adopted.

AMENDMENT NUMBER TWO

On page 1, line 15, after the word "be", strike out the words "eaten or drunk" and insert in lieu thereof the following "so used or consumed".

Amendment adopted.

AMENDMENT NUMBER THREE

On page 3, after the period following the word "less" in line 10, insert the following:

"(*d*) To the sale of medicine, when prescribed by a licensed physician, veterinarian, or dentist; or to medicinal or pharmaceutical preparations or mixtures of two or more medicinal substances."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, strike out all of lines 23 and 24.

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

ADJOURNMENT.

At ten o'clock and twenty-five minutes p.m., on motion of Senator Wolfe, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Tuesday, April 27, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by Secretary Edwin F. Smith and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

By invitation of the President pro tem., prayer was offered by Rev. Father C. E. Woodman, of Newman Hall, Berkeley.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 26, 1915, the further reading was dispensed with, on motion of Senator Rush.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 12—An Act to amend sections 3457 and 3466 of the Political Code of the State of California, relating to reclamation and swamp land districts;

Also: Senate Bill No. 717—An Act to amend section 396 of the Code of Civil Procedure, relating to change of place of trial to the proper county;

Also: Senate Bill No. 688—An Act to amend section 628*b* of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 884—An Act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 12, 717, 688 and 884.

Senate Bill No. 12—An Act to amend sections 3457 and 3466 of the Political Code of the State of California relating to reclamation and swamp land districts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWELVE.

AMENDMENT NUMBER ONE.

On page 1, line 13, of the amended bill, after the word "warrants", insert the following: "in excess of the sum of fifty dollars for material, supplies or labor furnished during any one month, and also all warrants".

AMENDMENT NUMBER TWO.

On page 3, line 1, of the amended bill, after the word "direct", strike out the period, and insert a semicolon and the following words: "*provided, however*, that any land owner may, at the time any installment is called, pay the whole of such assessment, except in cases where bonds have been issued on the assessment".

AMENDMENT NUMBER THREE.

On page 3, line 14, of amended bill, after the words "if known", insert the following: "or entered upon the assessment roll of the county".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 12?"

The roll was called, and Assembly amendments to Senate Bill No. 12 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Breed, Brown, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—31.

NOES—None.

Senate Bill No. 12 ordered to enrollment.

Also:

Senate Bill No. 717—An Act to amend section 396 of the Code of Civil Procedure, relating to change of place of trial to the proper county.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED SEVENTEEN.

AMENDMENT NUMBER ONE.

In line 3, of the title, strike out the words "of California".

AMENDMENT NUMBER TWO.

On page 1, line 2, strike out the words "of California".

AMENDMENT NUMBER THREE.

On page 1, line 4, strike out all after the period.

AMENDMENT NUMBER FOUR.

On page 1, line 5, strike out all up to and including the period.

AMENDMENT NUMBER FIVE.

On page 2, line 4, strike out the words "is enacted" and insert in lieu thereof the words "is made".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 717?"

The roll was called, and Assembly amendments to Senate Bill No. 717 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Senate Bill No. 717 ordered to enrollment.

Also:

Senate Bill No. 688—An Act to amend section 628b of the Penal Code of the State of California, relating to the protection of fish.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED EIGHTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 1, lines 6 and 7, of the engrossed bill, strike out the word "black" at the end of the line 6, and also the word "bass" at the beginning of line 7.

AMENDMENT NUMBER TWO.

On page 1, line 8, after the comma following the word "fish" in said line, insert the following: "or who, in any fish and game district other than districts three and four, between the first day of December and the thirtieth day of April, inclusive, of the year following, takes, catches, kills or has in his possession any black bass, or who, in fish and game districts three or four, between the first day of December and the first day of March, inclusive, of the year following, takes, catches, kills or has in his possession any black bass,".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 688?"

The roll was called, and Assembly amendments to Senate Bill No. 688 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Senate Bill No. 688 ordered to enrollment.

Also:

Senate Bill No. 884—An Act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHT HUNDRED EIGHTY-FOUR.

AMENDMENT NUMBER ONE.

On page 4, line 37, strike out the word "proposed", also strike out the word "special" in line 5, page 29.

AMENDMENT NUMBER TWO.

On page 17, line 11, after the word "director" insert the words "at large".

AMENDMENT NUMBER THREE.

On page 20, in line 22, strike out the word "ten" and insert in lieu thereof the word "thirty".

AMENDMENT NUMBER FOUR.

On page 20, line 23, strike out the word "ten" and insert in lieu thereof the word "thirty".

AMENDMENT NUMBER FIVE.

On page 23, strike out all of lines 33 and 34 after the word "eleventh" and insert in lieu thereof the following: "To proceed in the name of the district in case of condemnation proceedings".

AMENDMENT NUMBER SIX.

On page 25, strike out all of lines 30, 31, 32, 33, 34, 35 and 36.

AMENDMENT NUMBER SEVEN.

On page 26, strike out all of lines 1 and 2.

AMENDMENT NUMBER EIGHT.

On page 35, in line 37, after the word "cents" add "or dollars or cents".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 884?"

The roll was called, and Assembly amendments to Senate Bill No. 884 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Senate Bill No. 884 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 11—Relative to the dredging and improvement of the Mokelumne River;

Also: Senate Concurrent Resolution No. 13—Relative to a measure pending in Congress known as House Joint Resolution 344, Sixty-third Congress, second session, providing for the appointment of a National Marketing Commission, and memorializing Congress to adopt the resolution so that it may immediately go into effect.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Joint Resolution No. 11 ordered to enrollment.

Senate Concurrent Resolution No. 13 ordered to enrollment.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: I am directed to inform Your Honorable Body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 966, An Act to amend section 531 of the Political Code, relating to the duties of the Superintendent of State Printing.

Also, Senate Bill No. 1018, An Act to amend section 1 of an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children, and of convicts in the state prisons," approved April 26, 1909, to include the inmates of the Whittier State School, the Preston School of Industry and the California School for Girls within the scope of said Act.

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 966 and 1018.

Senate Bill No. 966—An Act to amend section 531 of the Political Code, relating to the duties of the Superintendent of State Printing.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER NINE HUNDRED SIXTY-SIX.

On page 2, line 19, strike out the word "any" and insert in lieu thereof the following: "such".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 966?"

The roll was called, and Assembly amendment to Senate Bill No. 966 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, [illegible], [illegible], Blakslee, Boyd, [illegible], Campbell, Chandler, Cogswell, Cohn, [illegible], [illegible], [illegible], [illegible], Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, [illegible], [illegible], Sharkey, Slater, Stuckenbruck, Thompson, Tyrrell, and Welch—32.

NOES—None.

Senate Bill No. 966 ordered to enrollment.

Also: Senate Bill No. 1018—An Act to amend section 1 of an Act entitled "An Act to permit asexualization of inmates of the state hospitals and the California Home for the Care and Training of Feeble-Minded Children, and of convicts in the state prisons," approved April 26, 1909, to include the inmates of the Whittier State School, the Preston School of Industry and the California School for Girls within the scope of said Act.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND EIGHTEEN.

AMENDMENT NUMBER ONE.

On page 1, line 7, of the title of the printed bill, after the word "school", strike out the words "for defective persons" and insert in lieu thereof the following: "The Preston School of Industry and the California School for Girls".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out the words "Medical Director of the department" and insert in lieu thereof the following: "physician".

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, strike out the words "for defective persons" and insert in lieu thereof the following: "or the physician of the Preston School of Industry or the physician of the California School for Girls".

AMENDMENT NUMBER FOUR.

On page 2, line 2, of the printed bill, after the word "home", strike out the words "or state" and on page 2, line 3, after the word "prison", insert the following: "or school".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1018?"

The roll was called, and Assembly amendments to Senate Bill No. 1018 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Carr, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—32.

NOES—None.

Senate Bill No. 1018 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 921—An Act to amend section 348 of the Code of Civil Procedure, relating to the limitation of actions brought to recover money or other property deposited with any bank, banker, trust company or savings and loan society, by including therein building and loan association.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 921 ordered to enrollment.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 429—An Act to add a new section to the Civil Code to be known as section 318a, relating to the calling of stockholders' meetings;

Also: Senate Bill No. 518—An Act to amend section 270 of the Penal Code of the State of California;

Also: Senate Bill No. 969—An Act to add a new section to the Code of Civil Procedure to be numbered 103a, relating to the duties of clerks of certain justices of the peace;

Also: Senate Bill No. 1045—An Act to amend section 394 of the Code of Civil Procedure of the State of California, relating to the place of trial of actions;

Also: Senate Bill No. 1196—An Act to amend section 398 of the Code of Civil Procedure, relating to the transfer of actions in the Superior Court.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 429, 518, 969, 1045 and 1196 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Bill No. 1045—An Act to amend section 9 of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the [illegible] and appropriating money therefor and to repeal section 17 of an Act approved March [illegible] 'An Act to prevent [illegible] secure its enforcement', and to [illegible] parts of Acts inconsistent with this Act," approved [illegible] 1911."

Also: Senate Bill No. 536—An Act to [illegible] California of horses, [illegible] cattle and [illegible] communicable diseases [illegible] before being brought into the State of California [illegible] such inspection or certification [illegible] of this Act, and repealing an Act approved [illegible] 4, 1911 [illegible] An Act to [illegible] the importation into the State of California of [illegible] are affected with any infectious or contagious disease [illegible] of such animals [illegible] Act to prevent the importation of [illegible] with tuberculosis into the State of California," approved March 7, 1911 [illegible] an Act entitled "An Act to prevent the [illegible] with glanders into the State of California," approved March 7, 1911:
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KING, Chairman.

Assembly Bill No. 1015 ordered on file for second reading.

Senate Bill No. 536 ordered on file for second reading.

Also:

[illegible]

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 341—An Act to [illegible] mission, to define its powers and duties and the [illegible] agricultural, horticultural, dairy [illegible] processed therefrom, which shall be grown, raised, produced, processed, or manufactured within the State of California, and to provide a penalty for the offense of using or imitating the State brand [illegible] priating money [illegible] the "State Marketing Commission Fund," [illegible] money shall be placed [illegible] therein to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with the provisions of this Act [illegible] tion, and respectfully reports the same back [illegible] amended and be re-referred to Committee on Finance.

KING, Chairman.

Senate Bill No. 341 ordered re-referred to Committee on Finance.

ON FISH AND GAME

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 971—An Act to amend section [illegible] of the Penal Code of the State of California, relating to the [illegible] of fish and game [illegible] consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

FLINT, Chairman.

Senate Bill No. 971 ordered on file for second reading.

ON CONTINGENT EXPENSES

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred the report of the Special Committee appointed pursuant to provisions of Assembly Concurrent Resolution No. 25, relating to the funeral of the late Honorable Frank M. Rutherford, with an itemized statement of expenses incurred by said committee and the following resolution:

Resolved, That the Controller be, and he is hereby authorized and directed to draw his warrant in favor of L. B. Mallory, Chief Clerk of the Assembly, for the above amount: $945.05 from the Contingent Fund of the Assembly, and $84.15 from the Contingent Fund of the Senate, and the State Treasurer is hereby directed to pay the same, has had the same under consideration, and respectfully recommends that the said report and resolution be adopted.

BEBAN, Chairman.

Senator Beban moved that the report and resolution be adopted.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, King, Lyon, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—33.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1258—An Act to prevent waste in the production and in the storage of crude oil or petroleum, and to confer upon the Railroad Commission certain powers and duties in connection therewith, and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Benson to introduce a bill entitled "An Act defining and regulating the sale of cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas; requiring the same to be properly marked as to weight, size and use of fillers or other preparations; and prescribing penalties for violation hereof";

Also: The request of Senator Benson to introduce a bill entitled: "An Act to amend section 170 of the Code of Civil Procedure of the State of California, relating to disqualification of judicial officers to sit or act";

Has had the same under consideration and respectfully reports the same back and recommends that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Campbell, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—30.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with the above report:

By Senator Benson: Senate Bill No. 1262—An Act to amend section 170 of the Code of Civil Procedure of the State of California, relating to disqualification of judicial officers to sit or act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Benson (by request): Senate Bill No. 1263—An Act defining and regulating the sale of cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas; requiring the same to be properly marked to weight, size and use of fillers or other preparations; and prescribing penalties for violation hereof.

Bill read first time, and referred to Committee on Judiciary.

REQUEST FOR INTRODUCTION OF BILL.

Senator Wolfe requested permission to introduce a Senate bill entitled: "An Act to amend an Act entitled 'An Act to establish a

Political Code,' approved March 12, 1872, by amending section 2009 thereof, relating to the relief of officers and enlisted men of the National Guard of California who may be wounded, injured, disabled or killed while in the service of the State."

Request referred to Committee on Introduction of Bills.

INTRODUCTION OF JOINT RESOLUTION.

The following joint resolution was introduced:

By Senator Flint: Senate Joint Resolution No. 15—Relative to making a national forest of the Pinnacles Forest Reserve and certain vacant land lying contiguous thereto.

Resolution referred to Committee on Federal Relations.

APPROVAL OF JOURNALS.

On motion of Senator Thompson the Journals of Monday, April 12, 1915, Wednesday, April 14, 1915, Thursday, April 15, 1915, and Friday, April 16, 1915, were approved as corrected.

REQUEST FOR INTRODUCTION OF BILL.

Senator Brown requested permission to introduce a Senate bill entitled "An Act providing for the appointment of a commission to investigate and report at the forty-second session of the Legislature relative to the adoption of a system of land colonization and rural credits; and making an appropriation therefor."

Request referred to Committee on Introduction of Bills.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 595—An Act to amend section 4014 of the Political Code of the State of California.

On motion of Senator Irwin, Senate Bill No. 595 was passed on file, to retain its place.

Senate Bill No. 1138—An Act to regulate the building and occupancy of dwelling houses in incorporated and unincorporated towns, cities, cities and counties, and to provide penalties for the violation thereof.

On motion of Senator Anderson, Senate Bill No. 1138 was passed on file.

Senate Bill No. 220—An Act to add a new section to the Code of Civil Procedure to be numbered 1029, relating to the service of summons in actions for divorce or annulment of marriage.

Bill read third time previously.

The question being on the passage of Senate Bill No. 220.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Anderson moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Benedict, Boyce, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—36.

The Secretary announced the absentees.

Time, eleven o'clock and thirty-five minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and forty minutes p.m. Senators Thompson and Beban were brought to the bar of the Senate, and on motion of Senator Gerdes, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and forty-four minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Anderson.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 229 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Brown, Carr, Chandler, Cogswell, Cohn, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Rush, Scott, Thompson, and Wolfe—23.

NOES—Senators Butler, Campbell, Crowley, Duncan, Irwin, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Stuckenbruck, and Tyrrell—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 231—An Act to add a new section to the Political Code, to be numbered 4153*a*, providing for powers and duties of district attorneys in actions for divorce or annulment of marriage.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 231 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Lyon, Scott, Thompson, and Wolfe—23.

NOES—Senators Campbell, Duncan, Irwin, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Stuckenbruck, and Tyrrell—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 230—An Act to add a new section to the Civil Code, to be numbered 128*a*, providing for the service of summons and complaint on the district attorney in actions for divorce or annulment of marriage, and conditioning the courts' jurisdiction thereon.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 230 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Brown, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Lyon, Scott, Thompson, and Wolfe—22.

NOES—Senators Butler, Campbell, Duncan, Irwin, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Stuckenbruck, and Tyrrell—12.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 161—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

On motion of Senator King, Senate Bill No. 161 was passed on file.

On motion of Senator Thompson, Senate Bill No. 130 was passed on file.

Senate Bill No. 130—An Act to amend section [illegible] of the Code of Civil Procedure relating to the order of persons entitled to administer upon estates.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relating to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator [illegible], Senate Bill No. 74 was passed on file.

SENATE CONSTITUTIONAL [illegible]

A resolution to propose to the people of the State of California an amendment to the Constitution by amending sections 1 and 9 of article XIII and by repealing sections 8, 10 and 11 of said article, all relating to revenue and taxation.

The Legislature of the State of California, at its forty-first session, commencing on the fourth day of January, nineteen hundred and fifteen, two-thirds of the members elected to both the Senate and Assembly concurring, hereby proposes to the people of the State of California the following amendments to the Constitution of the State of California:

First: Section 1 of article XIII of the Constitution is hereby amended to read as follows:

Section 1. All taxes shall be levied and collected under general laws, and shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax. The Legislature shall define and classify the subjects of taxation, and prescribe the manner and methods of assessing, levying and collecting taxes, for state, county, city and county, municipal and district purposes. In the exercise of this power the Legislature may designate certain classes of property as taxable or exempt in whole or in part for state purposes, and certain classes as taxable in whole or in part for county, city and county, municipal and district purposes, and may provide that any tax shall be in lieu of any or all other taxes or licenses, or both. The Legislature shall provide for the administration of such taxes by a state tax commission, subject to the limitations contained in sections 12 and 13 of article XI of this Constitution.

The following shall not be subject of taxation:

A mortgage, deed of trust, or other obligation by which a debt is secured when land is pledged as security for the payment thereof, together with the money represented by such debt; property used for free public libraries or free museums; growing crops; property used exclusively for public schools; property owned by the United States, this State or any county, city and county, municipality or school district in this State; improvements of any character constructed by any county, city and county or municipality, when property [illegible] by this Constitution is exempt from taxation; provided, that land and improvements thereon, located outside of the county, city and county or municipality owning the same, that was subject to taxation at the time of its acquisition by such county, city and county or municipality shall be subject of taxation.

The Legislature may provide, except in the case of credits secured by mortgage or deed of trust, for a deduction from credits of debts due bona fide residents of this State.

The adoption of this section shall not affect nor impair any assessment or tax levy heretofore made nor the collection thereof, and all laws relating to the assessment, levy and collection of taxes in force at the time of adoption of this section shall remain in full force until changed by the Legislature.

Second: Section 8 of article XIII of the Constitution is hereby repealed.

Third: Section 9 of article XIII of said Constitution is hereby amended to read as follows:

Sec. 9. The State Board of Equalization, as constituted at the time this amendment shall take effect, shall continue in existence, and the present members of said board shall continue in office, until the first Monday in January, 1917, at which time said terms of office shall expire and said board cease to exist. All powers and duties conferred upon said board either by law or by this Constitution at or prior to the time of the adoption of this amendment shall continue until changed by the Legislature and from and after the adoption of this amendment said board and its members shall exercise only such powers and perform only such duties as shall be thereafter prescribed by law.

Fourth: Section 10 of article XIII of the Constitution is hereby repealed.

Fifth: Section 14 of article XIII of the Constitution is hereby repealed; *provided, however*, that the repeal of this section shall not affect or release any assessment or tax levy heretofore made under authority of said section and all laws heretofore enacted by the Legislature to carry said section into effect and in force at the time of the adoption of this repeal shall remain in full force until changed by the Legislature.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 38 adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Scott, Slater, Thompson, Tyrrell, and Wolfe—28.

NOES—Senators Ballard, Duncan, Purkitt, and Stuckenbruck—4.

Constitutional amendment ordered transmitted to the Assembly.

Senate Bill No. 814—An Act to provide for the licensing of motor vehicles engaged in the carrying of passengers for hire upon the public highways in the State of California.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cogswell moved to refer to Senator Carr as a Special Committee of One to amend Senate Bill No. 814 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 34, of the printed bill, after the period, add the following: "A person who, by reason of transfer of ownership, loss of possession, or discontinuance, ceases to operate a motor vehicle registered under the provisions of this Act shall be entitled, upon filing with the Superintendent of the Motor Vehicle Department an affidavit of such transfer of ownership, loss of possession, or discontinuance, to a rebate bearing the same proportion to the fee theretofore paid by him as the remaining undivided quarters of the calendar year bear to that portion of the year for which said fee was paid; *provided*, that any such rebate shall be paid upon a certificate filed by the Superintendent of the Motor Vehicle Department with the Board of Control, setting forth the facts; *and provided, further*, that any person operating a motor vehicle upon a stage route established where seasonal conditions prevent such operation during a portion of the year shall pay in advance a license fee equal to one-twelfth of such fee elsewhere provided in this Act multiplied by the number of calendar months not less than three during which such operation is desired.

AMENDMENT NUMBER TWO.

On page 4, line 24, of the printed bill, strike out the word "three" and insert in lieu thereof the word "ten" and strike out the following: "($3000)".

AMENDMENT NUMBER THREE.

On page 4, line 27, of the printed bill, at the end of said line add the following: "Of the amount so appropriated not to exceed the sum of three thousand five hundred dollars shall be used for the expenses incident to the collection of the license tax herein provided for, and the balance of said appropriation shall be available for the payment of rebates as provided for in section 5 of this Act".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 814, with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, Committee.

Report read and, on motion of Senator Cogswell, adopted.

Bill ordered to print, and re-engrossment.

SENATOR CHANDLER IN THE CHAIR.

At twelve o'clock m., Senator Chandler, of the Twenty-sixth District, in the chair.

REQUEST FOR INTRODUCTION OF BILL.

Senator Cogswell requested permission to introduce a Senate bill entitled "An Act to provide for the assessment, levy and collection of taxes for the support of the state government for the sixty-seventh and sixty-eighth fiscal years."

Request referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 1246—An Act to continue the Alpine State road; to define its course; to provide for its acquisition, construction, improvement, maintenance and repair, and to repeal an Act entitled "An Act to establish the Alpine State highway; to define its course; to provide for its acquisition, construction, repair and maintenance, and to make an appropriation therefor," approved April 12, 1911, and an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora at a point known as Long Barn, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a state highway," approved March 27, 1897.

Also, Assembly Bill No. 279—An Act authorizing the establishment of a cash revolving fund for the Department of Engineering and defining its uses.

Also, Assembly Bill No. 746—An Act to provide for the maintenance of portions of routes of State roads and highways by the Advisory Board of the Department of Engineering and the payment thereof in certain cases by county boards of supervisors.

Also, Assembly Bill No. 747—An Act to amend the Penal Code by adding a new section thereto to be numbered section 588*b*, concerning the breaking down, removal, injury or destruction of barriers or obstructions, the moving down, removal or destruction of [illegible] or the [illegible], [illegible] or defacing of warning lights or barriers on a State road or highway, and prescribing a penalty for the violation of such section,

Has had the same under consideration, and respectfully reports the same back and recommends that the same do pass.

BIRDSALL, Chairman.

Senate Bill No. 1246 ordered on file for second reading.

Assembly Bills Nos. 279, 746 and 747 ordered on file for second reading.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 1122—An Act to amend an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California; regulating the work; fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held on the eighth day of November, 1910, A. D., by amending section 8 thereof, relating to the reimbursement to the State by the several counties thereof of sums equal to the interest upon certain outstanding bonds, and the proceeds of said bonds sold and expended as in said Act provided, and providing for the submission of this Act to a vote of the people, has had the same under consideration, and respectfully reports the same back and recommends that the same do pass as amended.

BIRDSALL, Chairman.

Senate Bill No. 1122 ordered on file for second reading.

Also:

SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 892—An Act providing for the construction, acquisition and maintenance of a system of state lateral highways connecting each county seat with the nearest state main line highway; providing for the issuance and sale of State bonds to create a fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass as amended.

BIRDSALL, Chairman.

Senate Bill No. 892 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 1092—An Act to provide for the reimbursement of counties in this State which sustained a net loss of revenues during the years 1911, 1912, 1913 and 1914, by the withdrawal of railroad property from county taxation under the provisions of section 14, article XIII, of the Constitution of this State in addition to the reimbursement provided for by the terms of an Act entitled "An Act to provide for the reimbursement of counties in this State, which sustain net loss of revenue by the withdrawal of railroad property from county taxation, under the provisions of section 14, of article XIII, of the Constitution of this State," approved April 26th, 1911—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance.

COGSWELL, Chairman.

Senate Bill No. 1092 ordered re-referred to Committee on Finance.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1589—An Act to amend section 4240 of the Political Code, relating to the compensation of county and township officers of counties of the eleventh class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Assembly Bill No. 1589 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 57—An Act to amend an Act entitled "An Act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Assembly Bill No. 57 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Committee on Agriculture to which was referred Assembly Bill No. 701—An Act to amend section 9 of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufactur-

and sale of butter and cheese, [illegible] 'therefor,' and to repeal all Acts and parts of Acts [illegible] approved April 21, 1911—[illegible] reports the same back and recommends that it do pass [illegible].

[illegible], Chairman.

Assembly Bill No. 701 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April [illegible], 1915.

MR. PRESIDENT: Your Committee on Irrigation [illegible] Assembly Bill No. 1094—An Act to add a new section to the Civil Code of the State of California to be numbered [illegible], [illegible] of water [illegible] respectfully reports the same back with amendments and recommends that it do pass as amended.

MADDUX, Chairman.

Assembly Bill No. 1094 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Judiciary to which was referred Assembly Bill No. 875—An Act [illegible] persons under the [illegible] care, custody, and [illegible] persons [illegible] same back with amendments and recommends that it do pass as amended.

[illegible], Chairman.

Assembly Bill No. 875 ordered on file for second reading.

PETITIONS—OUT OF ORDER.

Senator Lyon presented the following petitions, out of the regular order, which were ordered printed in the Journal:

LOS ANGELES, CALIFORNIA, April [illegible], 1915.

Honorable Henry H. Lyon, Senator, Sacramento, California:

The [illegible] employees of Southern California are forwarding mammoth petitions asking members of the Legislature to vote for jitney bus bills. [illegible] which [illegible] and these of our [illegible] to you personally [illegible] men on the [illegible] Pacific Electric Railway Company [illegible] favorable outcome of these bills [illegible].

GUS BAYER.

Also:

LOS ANGELES, CALIFORNIA, April [illegible], 1915.

Honorable Henry H. Lyon, Senator for Los Angeles County, Sacramento, California:

Bills numbers [illegible] and [illegible] [illegible] as a personal favor I ask your support [illegible] assist in their passage.

J. A. COX.

Also:

LOS ANGELES, CALIFORNIA, April [illegible], 1915.

Honorable Henry H. Lyon, Senator for Los Angeles County, Sacramento, California:

Please vote and work for the jitney bus bills. [illegible] and [illegible] be seriously damaged. [illegible] Legislature [illegible] behalf. Our jobs are in danger [illegible]. We represent 750 employees, mechanical department, Pacific Electric Railway.

THOMAS GRUBER, and others.

Also:

LOS ANGELES, CALIFORNIA, April 26, 1915.

Honorable Henry H. Lyon, Senator for Los Angeles County, Sacramento, California:

Please vote for the jitney bus bills and don't let them be changed so that they will be ineffective. The electric railways and the electric railway employees are not getting a square deal because the jitneys can run where they please and when they please and are very lightly taxed. We count on you to help us out by working and voting for these bills since ruin for the electric roads means ruin for us. I represent 750 employees, mechanical department, Pacific Electric Railway

THOMAS CARROLL.

Also:

LOS ANGELES, CALIFORNIA, April 26, 1915.

Honorable Henry H. Lyon, State Senator, Sacramento, California:

Please vote and work for the jitney bus bills. The electric roads are being taxed and regulated and unless the jitneys are likewise dealt with the electric lines will be seriously damaged. All the electric railway employees here are petitioning the Legislature but we are asking you as a personal friend to actively work in our behalf. Our jobs are in danger and we want a square deal. I represent six hundred railway employees, southern division, Pacific Electric Railway.

W. W. YAGER.

Also:

LOS ANGELES, CALIFORNIA, April 26, 1915.

Honorable Henry H. Lyon, State Senator, Sacramento, California:

We ask you, knowing you personally, to vote for the jitney bus bills now before the Legislature. They have a great advantage over the electric railways because they are not taxed or regulated. If present conditions keep up, the electric railways will be seriously crippled or put out of business and our livelihood will disappear accordingly. The present situation is not fair to the electric railways nor their twenty-five thousand employees in this State. We ask you to vote for these bills and help establish a fair basis of competition. I represent six hundred employees, Pacific Electric Railway, Southern Division.

A. C. VIGNES.

Also:

LOS ANGELES, CALIFORNIA, April 26, 1915.

Honorable Henry H. Lyon, State Senator, Sacramento, California:

Please vote for the jitney bus bills and don't let them be changed so that they will be ineffective. The electric railways and the electric railway employees are not getting a square deal because the jitneys can run where they please and when they please and are very lightly taxed. We count on you to help us out by working and voting for these bills, since ruin for the electric roads means ruin for us. I represent six hundred railway employees, Southern Division, Pacific Electric Railway.

EDWARD VACHER.

Also:

LOS ANGELES, CALIFORNIA, April 26, 1915.

Honorable Henry H. Lyon, State Senator, Sacramento, California:

The electric railway employees are much aroused over the present situation under which the jitney busses have every advantage in competing with the electric railways. The companies we work for are in danger of being ruined and a large number of their employees put out of employment. We earnestly ask you to vote for the jitney bills now before the Legislature. I represent six hundred railway employees, Southern Division, Pacific Electric Railway.

A. O. WILLIAMS.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Kehoe moved to reconsider the vote whereby Senate Bill No. 29—An Act relating to fire insurance business, providing for the filing of rating schedules, the establishment of public rating bureaus, defining their powers and method of conducting their business, providing for the supervision of the Insurance Commissioner over such rating bureaus and rating schedules, prohibiting deviations from such rating schedules and providing a penalty therefor—was refused passage.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Kehoe the consideration of the above motion to reconsider was postponed until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Kehoe moved to reconsider the vote whereby Senate Bill No. 628—An Act declaring kelp beds to be the property of the State of California and providing for the control and leasing of said beds—was passed.

The question being on the motion to reconsider.

The roll was called and the motion to reconsider carried by the following vote:

Ayes—Senators Anderson, [illegible], Butler, Campbell, Carr, Chandler, Cogswell, [illegible], Kehoe, King, Luce, Lyon, Maddux, Mott, [illegible], Slater, Strobridge, Thompson, Tyrrell and Wolfe—[illegible].

Noes—None.

Senate Bill No. 628—An Act declaring kelp beds to be the property of the State of California and providing for the control and leasing of said beds.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Luce moved to refer to Senator Kehoe as a Special Committee of One, to amend Senate Bill No. 628, as follows:

AMENDMENT NUMBER ONE.

Strike out all of section 5 on page 3 of said bill.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Special Committee of One to which was referred Senate Bill No. 628, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Luce, adopted.

Bill ordered to print, and re-engrossment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 574—An Act to amend section nine hundred twenty-eight of the Penal Code, relating to grand juries, permitting the use of the accounting department of the State Board of Control by the grand juries of the several counties of the State instead of employing "experts."

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 574 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Lee, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Thompson, and Wolfe—30.

NOES—Senators Purkitt, and Shearer—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1060—An Act to establish a tax on producers of crude petroleum, to provide for its collection and to direct the disposition of the proceeds therefrom.

On motion of Senator Chandler, Senate Bill No. 1060 was passed on file.

Senate Bill No. 420—An Act to add a new section to the Political Code of the State of California, to be numbered six hundred two *b* to provide a uniform system of classification of risks, premium rates and schedule ratings for the State Compensation Insurance Fund and all other insurance carriers in this State insuring employers or employees under the Workmen's Compensation, Insurance and Safety Act, chapter 176, Laws 1913; to establish adequate rates for such insurance; to permit the limited issuance of compensation participating policies; requiring the Industrial Accident Commission to furnish certain information for the use of the State Insurance Commissioner; requiring every insurance carrier writing such insurance to file an annual report of its loss experience, and empowering the State Insurance Commissioner to supervise, control and enforce the provisions of this Act, and fixing penalties for the violation thereof.

Bill read third time.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Kehoe, the hour of recess was extended until twelve o'clock and thirty-four minutes p.m.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED TWENTY—(RESUMED).

RECESS.

At twelve o'clock and thirty-four minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committee were received and read, out of the regular order:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 916—An Act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper methods of production—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended by the Committee on Oil Industries.

STROBRIDGE, Chairman.

Senate Bill No. 916 ordered on file for second reading.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 132—An Act to amend section 756 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court;

Also: Senate Bill No. 388—An Act to appropriate money for repairs and improvements at the San Diego State Normal School;

Also: Senate Bill No. 389—An Act to appropriate money for furniture and equipment at the San Diego Normal School;

Also: Senate Bill No. 444—An Act to appropriate money to pay the expenses of street improvements fronting the property of the San Jose State Normal;

Also: Senate Bill No. 466—An Act to appropriate money for repairs and improvements at the California School for the Deaf and the Blind;

Also: Senate Bill No. 467—An Act to appropriate money to install new electric wiring in the institution of the California School for the Deaf and the Blind;

Also: Senate Bill No. 468—An Act to appropriate money to provide the general arts building of the California School for the Deaf and the Blind with fire escape equipment;

Also: Senate Bill No. 469—An Act to appropriate money to develop and equip artesian wells and to connect the same with the water system of the California School for the Deaf and the Blind at the California School for the Deaf and the Blind;

Also: Senate Bill No. 907—An Act to add a new section to the Political Code to be numbered 664a, relating to the powers and duties of the State Board of Control as regards claims against the State;

Also: Senate Bill No. 1084—An Act to provide for the appointment of a State Capital Planning Commission to formulate plans for the capital city of the State and to confer with the City Planning Commission of the State capital city;

Also: Senate Bill No. 1256—An Act to appropriate money for purchase and installation of heating system at the California School for the Deaf and the Blind;

Also: Senate Bill No. 496—An Act to appropriate money for repairs and improvements at the California School for the Deaf and the Blind;

Also: Senate Bill No. 883—An Act to appropriate money for the erection of additional buildings for the use of the Naval Reserves of San Diego, California;

Also: Assembly Bill No. 170—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 132, 388, 389, 444, 466, 467, 468, 469, 907, 1084, 1256, 496 and 883 ordered on file for second reading.

Assembly Bill No. 170 ordered on file for second reading.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Finance to which was referred Senate Bill No. 113—An Act appropriating money for the construction and equipment of buildings on the property of Humboldt State Normal School;

Also: Senate Bill No. 359—An Act to appropriate money for remodeling the training school building at the San Francisco State Normal School;

Also: Senate Bill No. 360—An Act to appropriate money for repairs and furnishings at the San Francisco State Normal School;

Also: Senate Bill No. 464—An Act to appropriate money for repairs and improvements at the Industrial Home for the Adult Blind;

Also: Senate Bill No. 465—An Act to appropriate money for furniture for the new dormitory building at the Industrial Home for the Adult Blind;

Also: Senate Bill No. 758—An Act to prevent blindness from ophthalmia neonatorum; to vest certain powers and duties in the State Board of Health and health officers; to impose certain duties upon physicians, midwives, nurses, and other persons; and to provide for the enforcement of this Act, and the repeal of chapter XIV, Statutes of 1897, entitled "An Act to regulate medical practice, to prevent blindness in infants," and other Acts in conflict herewith;

Has had the same under consideration, and respectfully recommends that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 113, 359, 360, 464, 465 and 758 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 589—An Act to amend section 7 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

On motion of Senator Crowley, Assembly Bill No. 589 was passed on file.

Assembly Bill No. 1535—An Act to amend sections 3, 5, 6, 7, 9, 11, 12, 18, 21, 23, 25, 27, 42, 43, 60, 63, 66, 67, 74 and 75 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and repealing section 36, and sections 84, 85, 86, 87, 88 and 89 thereof, relating to work in unincorporated territory.

On motion of Senator Tyrrell, Assembly Bill No. 1535 was passed on file.

Assembly Bill No. 55—An Act to amend section 792 of the Political Code of the State of California, relating to qualifications and application to become notaries.

On motion of Senator Tyrrell, Assembly Bill No. 55 was passed to the file of Unfinished Business.

Assembly Bill No. 455—An Act to provide for the issuance of street improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property secured thereby and for the payment of the bonds so issued.

On motion of Senator Tyrrell, Assembly Bill No. 455 was passed on file.

Assembly Bill No. 850—An Act to amend the Penal Code of the State of California by adding thereto two new sections to be known and numbered as section 349*b* and section 349*c*, relating to labor unions.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 850 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Chandler, Duncan, Finn, Flaherty, Flint, Gates, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell and Wolfe—27.
NOES—None.

Title read and approved

Bill ordered transmitted to the Assembly

Assembly Bill No. 625—An Act to amend section 4266 of the Political Code of the State of California, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty-seventh class.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 625 passed by the following vote:

AYES—Senators Ballard, Benedict, Birdsall, Breed, Butler, Campbell, Chandler, Duncan, Finn, Flaherty, Flint, Gates, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 239—An Act to amend section 1 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, as amended by Act approved March 20, 1905, and as further amended by an Act approved April 21, 1911, and relating to the age of school children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 239 passed by the following vote:

AYES—Senators Ballard, Benedict, Benson, Breed, Butler, Campbell, Cogswell, Cohn, Duncan, Finn, Flaherty, Gates, Kehoe, King, Luce, Maddux, Mott, Purkitt, Slater, Strobridge, Stuckenbruck, Tyrrell and Wolfe—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 263—An Act to amend section 4235 of the Political Code of the State of California, relating to the compensation and fees of officers of counties of the sixth class and their assistants, deputies and clerks.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 263 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Campbell, Carr, Cogswell, Duncan, Finn, Flaherty, Flint, Gates, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Slater, Strobridge, Stuckenbruck, and Tyrrell—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION NUMBER TWENTY-FOUR.

Authorizing and requesting the Governor to appoint a commission to co-operate with the federal authorities for the drafting of a law and the formation of a legal plan for the improvement of the Straits of Carquinez, the San Joaquin and Sacramento rivers; and the reclamation of adjacent overflowed lands; for irrigation; and the conservation of water.

Resolved by the Senate and Assembly of the State of California, jointly, That the Governor of the State be, and he is hereby, requested and authorized to appoint a commission of three or more persons to act in conjunction with any similar commission or committee that may be appointed by the President of the United States, or by Congress, or by either branch thereof, or by any federal official for the purpose of framing a law and devising a plan for the improvement of the navigation of the straits of Carquinez, the San Joaquin and Sacramento rivers, the reclamation of swamp and overflowed lands in the San Joaquin Valley, the irrigation of arid lands therein, and the conservation of water, with a view of segregating the expense among the federal government, the State of California, and the landowners, and whereby such work may be concentrated under one management.

Resolved, That upon the passage of this resolution the Clerk of the Assembly be directed to forward a copy thereof to the President of the United States, and to our Senators and Representatives in Congress, asking them to provide for the appointment of a similar commission to act with the committee to be appointed under this resolution by the Governor.

Joint resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 24 adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Shearer, Strobridge, Tyrrell, and Wolfe—26.

NOES—None.

Joint resolution ordered transmitted to the Assembly.

Assembly Bill No. 653—An Act to amend section 1861 of the Civil Code, relating to lien of hotel keepers on property of guests for charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 653 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1460—An Act to amend section 1539 of the Code of Civil Procedure, relating to the service of orders to show cause.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1460 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Campbell, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, King, Luce, Maddux, Mott, Purkitt, Rush, Slater, Strobridge, Thompson, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1461—An Act to amend section 1547 of the Code of Civil Procedure relating to notices of sale at public auction.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1461 passed by the following vote:

AYES—Senators Ballard, Benedict, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gates, Gerdes, Irwin, King, Luce, Maddux, Purkitt, Slater, Stuckenbruck, Thompson, and Wolfe—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1462—An Act to amend section 1549 of the Code of Civil Procedure, relating to notices of sale at public sale.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1462 passed by the following vote:

AYES—Senators Ballard, Benedict, Brown, Butler, Campbell, Cogswell, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, King, Luce, Maddux, Mott, Purkitt, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1463—An Act to amend section 1531 of the Code of Civil Procedure, relating to orders to show cause on sale of real estate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1463 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Brown, Breed, Butler, Campbell, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, King, Luce, Maddux, Mott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 758—An Act to validate the organization of sanitary districts and their proceedings whereby the boundaries thereof were altered, and outlying contiguous territory in the same county as such sanitary district annexed thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 758 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Brown, Breed, Butler, Campbell, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, King, Luce, Maddux, Mott, Purkitt, Rush, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 562—An Act to amend section 172 of the Penal Code, relating to selling, giving away, or exposing for sale, intoxicating, vinous or alcoholic liquors within or contiguous to certain State buildings and grounds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 562 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Breed, Campbell, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Luce, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 307—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," by amending section 78 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 307 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Butler, Campbell, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Maddux, Mott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—26.

NOES—None

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 169—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Shearer moved to refer to Senator Birdsall as a Special Committee of One to amend Assembly Bill No. 169 as follows:

AMENDMENT NUMBER ONE.

On page 2, of the printed bill, in lines 5 and 6, strike out the words "Plumas, Sierra, Nevada, Placer, and El Dorado," and in lieu thereof insert the word "Lassen".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 169, with instructions to amend, respectfully reports the same back, amended as per instructions.

BIRDSALL, Committee.

Report read and, on motion of Senator Shearer, adopted.

Bill ordered to print, and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Birdsall, the Secretary was directed to issue a rush order for printing Assembly Bill No. 169.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 341—An Act to legalize bonds issued and to be issued and sold by irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 341 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Luce, Maddux, Mott, Owens, Purkitt, Scott, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 368—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also to provide for the distribution of water for irrigation purposes" by amending sections 1, 28, 57 and 61, and by adding new sections to be known as sections 41*a* and 61*a*.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Benson as a Special Committee of One, to amend Assembly Bill No. 368 as follows:

AMENDMENT NUMBER ONE.

On line 8, of the title, after the comma following the figure "1", insert the following: "5,".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, before the word "Section," insert the following: "SECTION 1."

AMENDMENT NUMBER THREE.

On page 2, of the printed bill, following line 27, insert the following:

"SEC. 2. Section 5 of said Act is hereby amended to read as follows:

"'SEC. 5. If, on said final hearing, the boundaries of the proposed district are defined and established, said board shall make an order dividing said district into five divisions, as nearly equal in size as may be practicable, which shall be numbered first, second, third, fourth and fifth, and one director shall be elected for each division by the electors thereof; *provided*, that if so requested in said petition, the board may order that there shall be only three divisions in said district, and that only three directors be elected, and one director shall be elected for each division by the electors thereof, and all of said directors shall be residents of the respective divisions they are elected to represent.'".

AMENDMENT NUMBER FOUR.

On page 2, line 28, of the printed bill, strike out the numeral "2" and insert in lieu thereof the numeral "3".

AMENDMENT NUMBER FIVE.

On page 3, line 5, of the printed bill, strike out the numeral "3" and insert in lieu thereof the numeral "4".

AMENDMENT NUMBER SIX.

On page 3, line 17, of the printed bill, strike out the numeral "4" and insert in lieu thereof the numeral "5".

AMENDMENT NUMBER SEVEN.

On page 4, line 3, of the printed bill, strike out the numeral "5" and insert in lieu thereof the numeral "6".

AMENDMENT NUMBER EIGHT.

On page 4, line 28, of the printed bill, strike out the numeral "6" and insert in lieu thereof the numeral "7".

AMENDMENT NUMBER NINE.

On page 6, line 1, of the printed bill, strike out the numeral "7" and insert in lieu thereof the numeral "8".

AMENDMENT NUMBER TEN.

On page 6, line 10, of the printed bill, strike out the numeral "8" and insert in lieu thereof the numeral "9".

AMENDMENT NUMBER ELEVEN.

On page 7, line 13, of the printed bill, strike out the numeral "9" and insert in lieu thereof the numeral "10".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 368, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Committee.

Report read and, on motion of Senator Jones, adopted.

Bill ordered to print, and re-engrossment.

Assembly Bill No. 424—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by repealing section 64 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 424 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Jones, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1002—An Act to amend section 1599 of the Political Code of the State of California, relating to the election of school trustees and defining the duties of the county clerk in relation to such election.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1002 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Jones, Luce, Lyon, Maddux, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1517—An Act to amend section 1 of an Act entitled "An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness and the distribution of their property," approved February 10, 1903, as amended, relating to the procedure in cases of dissolution of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1517 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Boyd, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gates, Gerdes, Jones, Luce, Lyon, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Sturtevant, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1235—An Act to amend the Political Code by adding a new section thereto to be numbered 1618a, providing for the establishment of separate schools for the instruction of the mentally deficient.

Bill read third time.

On motion of Senator Butler, Senate Bill No. 1235 was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At three o'clock and fifteen minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1046—An Act to add a new section to the Political Code, to be numbered section 3804½, relating to the cancellation of erroneous assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1046 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Boyd, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Gates, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Owens, Rush, Scott, Shearer, Slater, Strobridge, Sturtevant, Thompson, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1564—An Act to validate proceedings for the annexation of territory to, incorporation in, and inclusion thereof within municipal corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1564 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Brown, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Owens, Rush, Scott, Shearer, Slater, Strobridge, Sturtevant, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 722—An Act to amend sections 1, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16½, 17 and 18 of an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board and defining its powers," approved December 24, 1911, as amended by an Act approved May 26, 1913, and to add thirteen new sections to said Act to be numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31, relating to the organization, powers and duties of said Reclamation Board, and creating a revolving fund and appropriating money therefor—and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1533—An Act to amend section 637 of the Penal Code of the State of California, providing for the construction and maintenance of fishways over or around dams and artificial obstructions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1533 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Luce, Lyon, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1001—An Act to amend section 628c of the Penal Code, relating to the protection of surf fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1001 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Luce, Lyon, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR BENEDICT IN THE CHAIR.

At three o'clock and twenty-five minutes p.m., Senator Benedict of the Thirty-fourth District, in the chair.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1501—An Act to amend section 599 of the Penal Code, relating to the protection of elk.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1501 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gates, Jones, Lee, Lyon, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 595—An Act to provide for the enforcement of labor laws of the State of California by the Commissioner of the Bureau of Labor Statistics.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 595 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gates, Irwin, Lee, Lyon, Maddux, Purkitt, Rush, Scott, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 340—An Act to amend an Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes (approved March 31, 1897) by adding thereto two sections to be known respectively as "section 61*a*" and "section 61*b*," relating to the acquiring of irrigation systems and works by the exchange of bonds therefor and the validation of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 340 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gates, Irwin, Jones, Kehoe, Lee, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—32.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 131—An Act to amend section 4277 of the Political Code of the State of California, relating to salaries, fees and compensation of officers of counties of the forty-eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 131 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 366—An Act to amend section 4132 of the Political Code, prescribing what indexes shall be kept by county recorders.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 366 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1485—An Act to amend section 4131 of the Political Code of the State of California, relating to what is to be recorded by county recorders.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Breed moved to refer to Senator Tyrrell as a Special Committee of One to amend Assembly Bill No. 1485 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 10 of the printed bill, strike out the period following the word "proved" and insert in lieu thereof a semicolon and the following: "*provided, however*, that all deeds, grants, or other conveyances of real property within municipalities for use as public streets or highways shall be recorded only after the acceptance of said conveyance by the municipality within which said real property is located".

AMENDMENT NUMBER TWO.

On page 1, line 1, before the word "Section" insert the following: "SECTION 1."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1485, with instructions to amend, respectfully reports the same back, amended as per instructions.

TYRRELL, Committee.

Report read and, on motion of Senator Breed, adopted.

Bill ordered to print.

Assembly Bill No. 660—An Act to amend subdivision 4 of section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

AYES—Senators Anderson, Benedict, Beban, Boyd, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, [illegible], Gates, Irwin, Jones, Kehoe, Luce, Lyon, Mott, Owens, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.
NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 84—Relative to an Act to amend section [illegible] of the Code of Civil Procedure of California, relating to the time when trial must be commenced.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 84 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Boyd, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, [illegible], Gates, Irwin, Jones, Kehoe, Luce, Lyon, [illegible], Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1381—An Act to amend section [illegible] of the Code of Civil Procedure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1381 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Boyd, Butler, Campbell, Cogswell, Cohn, Crowley, Finn, Flaherty, [illegible], Gates, Irwin, Jones, Kehoe, Luce, [illegible], Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 801—An Act to amend section 1152 of the Political Code of the State of California, relating to the place for holding an election, approved February 12, 1903.

On motion of Senator Tyrrell, Assembly Bill No. 801 was passed on file.

Assembly Bill No. 802—An Act to amend section 1151 of the Political Code of the State of California, relating to board of elections for special election precincts, poll lists, approved January 9, 1912.

On motion of Senator Tyrrell, Assembly Bill No. 802 was passed on file.

ASSEMBLY JOINT RESOLUTION NUMBER NINE

Relative to the maintenance of a siren by the United States Lighthouse Service on Alcatraz Island and asking for its discontinuance and the substitution of some noiseless but equally effective arrangement.

WHEREAS, The United States Lighthouse Service maintains a siren on Alcatraz Island, which, when in use, disturbs the peace and quietness of the northern residential section of San Francisco and the residents of Sausalito, Belvedere and Tiburon, Marin County; and

WHEREAS, There is now in use by said United States Lighthouse Service, in other places, and on other points, a system of powerful lights, bells and whistles, that answer the same purpose as the sirens and will not disturb the peace and quiet of the residents in the vicinity thereof; therefore, be it

Resolved, That the United States authorities be and they are hereby requested to provide for the removal of said siren and to substitute in lieu thereof bells, whistles, lights, or some other system of signals less objectionable than the present siren; and be it further

Resolved, That a copy of this resolution be forwarded to the proper department at Washington, D. C., and a copy of the same be forwarded to each of our Senators and Representatives in Congress.

Joint resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 9 adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Tyrrell, and Wolfe—28.

NOES—None.

Joint resolution ordered transmitted to the Assembly.

Assembly Bill No. 1283—An Act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities to be a public nuisance, creating a lien upon the property fronting upon such streets.

By order of the Acting President, Assembly Bill No. 1283 was passed on file.

CONSIDERATION OF MOTION TO RECONSIDER.

On motion of Senator Irwin, the Senate took up the consideration of the motion to reconsider the vote whereby Assembly Bill No. 59—An Act to amend section 198 of the Code of Civil Procedure of the State of California, relating to qualifications of jurors—was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 59 passed carried by the following vote:

AYES—Senators Anderson, Beban, Benedict, Breed, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

The question being on the passage of Assembly Bill No. 59.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wolfe moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Tyrrell, and Wolfe—32.

The Secretary announced the absentees.

Time, four o'clock and thirty-seven minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At five o'clock and twenty minutes p.m., Senators Thompson, Carr, Strobridge, Cogswell, and King were brought to the bar of the Senate, and, on motion of Senator Tyrrell, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and twenty-two minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wolfe.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 59 passed by the following vote:

Ayes—Senators Anderson, Beban, Benson, Brown, Butler, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Jones, Kehoe, King, Lee, Lyon, Rush, Scott, Slater, Tyrrell, and Wolfe—21.

Noes—Senators Ballard, Benedict, Breed, Campbell, Chandler, Cogswell, Flint, Gerdes, Irwin, Maddux, Mott, Owens, Purkitt, [illegible], and Strobridge—15.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 58—An Act to amend section 205 of the Code of Civil Procedure of the State of California, relating to the selection and listing of jurors.

Bill read third time.

The question being on the passage of bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wolfe moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Lee, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, [illegible], [illegible], Tyrrell, and Wolfe—30.

The Secretary announced the absentees.

Time, five o'clock and twenty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At five o'clock and twenty-eight minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wolfe.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—Senators [illegible]—[illegible].

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER

Pursuant to the notice given on a previous day, Senator [illegible] moved to reconsider the vote whereby Assembly Bill No. [illegible]—An Act to add a new section to the [illegible] Code of the State of California to be numbered section [illegible], relating to [illegible] of high school principals—was lost.

CONSIDERATION OF MOTION TO RECONSIDER—POSTPONED.

On motion of Senator [illegible], the consideration of the above motion to reconsider was postponed until the next legislative day.

CONSIDERATION OF MOTION TO RECONSIDER—POSTPONED.

On motion of Senator [illegible], the consideration of the motion to reconsider the vote whereby Senate Bill No. [illegible] was passed was postponed until the next legislative day.

WITHDRAWAL OF CONSTITUTIONAL AMENDMENT

Senator [illegible] asked for and was granted unanimous consent to withdraw Senate Constitutional Amendment No. 1.

Senate Constitutional Amendment No. 1—Proposed amendment to section [illegible] of the Constitution, relating to the method of selecting the Justices of the Supreme Court, Justices of the District Courts of Appeal and Judges of the Superior Courts.

By order of the President, Senate Constitutional Amendment No. 1 was stricken from the file.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Political Code of the State of California, relating to salaries and fees of officers in counties of the [illegible] class.

Bill read second time and ordered on file for third reading.

Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Political Code of the State of California, relating to the compensation of officers of counties of the forty-[illegible] class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-[illegible] class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1562—An Act to amend section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 931—An Act to amend section 4249 of the Political Code, relating to county officers, and their salaries and deputies; to township officers and their compensation, and to the compensation of jurors and grand jurors in counties of the twentieth class.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 12, strike out the words "except as herein otherwise provided."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 18, strike out the word "indexer" and insert in lieu thereof the word "indexers".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

CONSIDERATION OF ASSEMBLY BILL—OUT OF ORDER.

Senator Mott asked for and was granted unanimous consent to take up at this time, out of the regular order, Assembly Bill No. 728 for the purpose of amendment.

Assembly Bill No. 728—An Act to amend section 4246 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Mott moved to refer to Senator Breed as a Special Committee of One to amend Assembly Bill No. 728 as follows:

AMENDMENT NUMBER ONE.

In line 18, page 7, of the amended bill, strike out the comma after the word "Act".

AMENDMENT NUMBER TWO.

In line 19, page 7, of the amended bill, strike out the comma after the word "incumbents" and the balance of said line 19, and insert in lieu thereof a period.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 728, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read and, on motion of Senator Mott, adopted.

Bill ordered to print.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 758—An Act to prevent blindness from ophthalmia neonatorum; to vest certain powers and duties in the State Board of Health and health officers; to impose certain duties upon physicians, midwives, nurses, and other persons; and to provide for the enforcement of this Act, and the repeal of chapter XIV, Statutes of 1897, entitled "An Act to regulate medical practice, to prevent blindness in infants," and other Acts in conflict herewith—has had the same under consideration, and respectfully reports the same back and recommends that it be referred to Senator Thompson as a Special Committee of One to amend as follows:

AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED FIFTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 4, strike out all of section 7.

AMENDMENT NUMBER TWO.

On page 4, line 11, strike out the figure "8" after the word "Sec.", and insert the figure "7."

And as so amended that the bill do pass.

STROBRIDGE, Chairman.

Report adopted.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the Acting President appointed Senator Thompson a Special Committee of One to amend Senate Bill No. 758 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 26, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 758, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Committee.

Report read and, on motion of Senator Strobridge, adopted.

Bill ordered to print, and re-engrossment.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At five o'clock and forty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 13—Relative to co-operative agricultural extension work between the United States Department of Agriculture and the University of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Joint Resolution No. 13 ordered to enrollment.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: I am directed to inform [illegible] body that the Assembly on this day passed Senate Bill No. 77—An Act to amend an Act entitled "An Act to amend sections numbers 851 and 852 of an Act entitled 'An Act for the organization, incorporation and government of municipal corporations, approved March 13, 1883,' approved March 9, 1911."

Also, Senate Bill No. 314—An Act to amend section 2189 of the Political Code, relating to the discharge of [illegible].

Also, Senate Bill No. 421—An Act to add to the Civil Code a new section, to be numbered 302a, providing for the sending of a financial statement to the stockholders of every corporation prior to the annual meeting.

Also, Senate Bill No. 612—An Act to amend section 2 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Also, Senate Bill No. 715—An Act to amend section [illegible] of the Civil Code of the State of California, relating to damages [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 77, 314, 421, 612 and 715 ordered to enrollment.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 321—An Act to amend section [illegible] of the Political Code, relating to revenue and taxation.

Also, Senate Bill No. 322—An Act to amend section 21 of an Act entitled "An Act to carry into effect the provisions of section 14 of article XIII of the Constitution of the State of California, as said Constitution was amended November 8, 1910, providing for the separation of State from local taxation, and providing for the taxation of public service and other corporations, banks, and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911, (Statutes 1911, page 530) as amended by an Act approved June 12, 1913 (Statutes 1913, page 615), relating to revenue and taxation.

Also, Senate Bill No. 677—An Act to amend an Act entitled "An Act regulating the placing, erection, use and maintenance of electric poles, wires, cables and appliances, and providing the punishment for the violation thereof," approved April 22, 1911, by amending sections 1 and 3 thereof and by adding two sections thereto to be known and designated as sections 7 and section 8.

Also, Senate Bill No. 831—An Act to amend section [illegible] of the Penal Code of the State of California, relating to the protection of fish and game.

Also, Senate Bill No. 853—An Act to add a new section to the Penal Code of the State of California, to be numbered [illegible], relating to the [illegible] of game.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 321, 322, 677, 831 and 853 ordered to enrollment.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 899—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section 188, relating to the disposition of funds paid by order of court.

Also: Senate Bill No. 1005—An Act to carry into effect the provisions of section 1a of article XIII of the Constitution of California, exempting property from taxation in certain instances, defining certain terms, providing [illegible] with reference to said exemption, and to that end adding a new section to the Political Code of the State of California to be numbered 3613.

Also: Senate Bill No. 1208—An Act empowering the legislative body of any city or municipal corporation to abandon proceedings taken under an Act entitled "An Act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby," approved April 21, 1909, and referred to as the "Street Improvement Act of 1909";

Also: Senate Bill No. 755—An Act to amend section 635 of the Penal Code of the State of California, relating to the pollution of the streams and the use of explosives in the streams and public waters and to repeal section [illegible] of the Penal Code.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 899, 1005, 1208 and 755 ordered to enrollment.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 21—Relative to adjourning *sine die* of the forty first session of the Legislature of the State of California; to fix a day for said adjournment.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Resolution referred to Committee on Finance.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 851—An Act to establish a standard for the packing in the State of California of the kinds of fresh fruits specified in this Act, for sale or for transportation for sale, for interstate and foreign shipment, and to prevent deception in the packing; also to establish a system of inspection for the same.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 142—An Act to create the office of public defender; to provide for the appointment of such officer, and prescribing their duties and compensation;

Also: Senate Bill No. 572—An Act to amend section 633 of the Political Code, relating to the licensing of insurance agents;

Also: Senate Bill No. 699—An Act to amend section 632 and to repeal section 632½ of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 741—An Act to add a new section to the Penal Code of the State of California, to be numbered section 628*h*, relating to the protection of fish;

Also: Senate Bill No. 756—An Act to amend section 626*m* of the Penal Code of the State of California, relating to the protection of fish and game;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 142, 572, 699, 741 and 756 ordered on the file of Unfinished Business.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from committees on this legislative day.

Assembly Bill No. 1045—An Act to amend section 9 of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 536—An Act to prevent the importation into the State of California of horses, mules, dairy cattle and breeding bulls which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this Act, and repealing an Act approved June 4, 1913, entitled "An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State", to repeal an Act entitled "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an Act entitled, "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 971—An Act to amend section 626f of the Penal Code of the State of California, relating to the protection of fish and game.

COMMITTEE AMENDMENTS

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 1, lines 6 and 7 of the printed bill, strike out all of line 6 beginning with the word "geese" and all of line 7 and insert in lieu thereof the following: "[illegible] honker geese and black sea brant) or wild ducks, or more than [illegible] honker geese or black sea".

Amendment adopted.

AMENDMENT NUMBER TWO

On page 2, line 1 of the printed bill, strike out the words "or brant" and insert after the word "except" the words "honker geese".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 2 of the printed bill, after the word 'ducks' insert the following: "or more than twenty-four honker geese".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1246—An Act to establish the Alpine State road; to define its course; to provide for its supervision, construction, maintenance, improvement and repair and to repeal an Act entitled "An Act to establish the Alpine State Highway; to define its course; to provide for its supervision, construction, repair and maintenance, and to make an appropriation therefor," approved April 15, 1911, and an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora, at a point known as Long Barn, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a state highway," approved March 12, 1901.

Bill read second time, ordered engrossed, and on file for third reading.

Assembly Bill No. 279—An Act authorizing the establishment of a cash revolving fund for the Department of Engineering and defining its use.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 746—An Act to provide for the abandonment of portions of routes of state roads and highways by the advisory board of State Department of Engineering, and for consent thereto in certain cases by county boards of supervisors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 747—An Act to amend the Penal Code by adding a new section thereto to be numbered section 588*b*, concerning the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of notices, or the extinguishment, removal, injury or destruction of warning lights or lanterns on a state road or highway, and prescribing a penalty for the violation of such section.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 1122—An Act to amend an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of State highways in the State of California; specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, 1910, A. D., by amending section 8 thereof, relative to the reimbursement to the State by the several counties thereof of sums equal to the interest upon certain outstanding bonds, and the proceeds of sale thereof, sold and applied as in said Act provided, and providing for the submission of this Act to a vote of the people.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 27, page 2, of printed bill, strike out the comma after the word "highway," and insert a period in lieu thereof.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 27, of printed bill, strike out the word "with" spelling with a small "w", and insert the word "With", spelling with a capital "W".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 30, of printed bill, strike out the semicolon after the word "act" and insert a comma in lieu thereof.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 892—An Act providing for the construction, acquisition and maintenance of a system of state lateral highways connecting each county seat with the nearest state main line highway; providing for the issuance and sale of State bonds to create a fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 2 to 7, of the title, of the printed bill, strike out all of lines 2 to 7, inclusive, and insert in lieu thereof the following: "Authorizing the construction, improvement, maintenance and control of the uncompleted portions of the system of State highways prescribed and contemplated by an Act entitled 'An Act authorizing the construction, acquisition, maintenance and control of a system of State highways in the State of California; specifying the work; fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people,' approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D. 1910, and known and cited as the 'State Highways Act;' specifying the work; fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said system; creating a revolving fund to be used by the State Department of Engineering for the purposes of this Act; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 1 to 13, of the printed bill, strike out all of lines 1 to 13, inclusive, and all of pages 2 to 7, inclusive, and insert in lieu thereof the following:

"SECTION 1. The fund created for the construction and acquisition of a system of State highways by an Act entitled 'An Act authorizing the construction, acquisition, maintenance and control of a system of State highways in the State of California; specifying the work; fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people,' approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D. 1910, and known and cited as the 'State Highways Act,' being inadequate to felly carry out the objects of said Act, the uncompleted portions of said system prescribed by said 'State Highways Act' shall be constructed, improved and acquired as and in the manner provided by law by the Department of Engineering of said State at a cost not to exceed twelve million dollars. For the purpose of providing for the payment of the cost of the construction, improvement or acquisition necessary for and in completing said system of said highways and supplementing the fund created by said 'State Highways Act,' the State of California is hereby authorized to incur an indebtedness in the manner provided by this Act in the sum of twelve million dollars.

"Immediately after the issuance of the proclamation of the Governor, as provided in section 11 of this Act, the Treasurer of the State shall prepare twelve thousand suitable bonds of the State of California in the denomination of one thousand dollars each, to be numbered from 1 to 12,000, inclusive, and to bear the date of the third day of July, 1917. The total issue of said bonds shall not exceed the sum of twelve million dollars and they shall bear interest at the rate of four and one half per cent. per annum from the date of issuance thereof. The said bonds and the interest thereon shall be payable in gold coin of the United States of the present standard of value either at the office of the Treasurer of said State or, at the option of the holder, at the fiscal agency for the State of California in the city of New York in the State of New York, at the times and in the manner following, to wit: The first three hundred of said bonds shall be due and payable on the third day of July, 1923, and three hundred of said bonds in consecutive numerical order shall be due and payable on the third day of July in each and every year thereafter until and including the third day of July, 1962. The interest accruing on all of said bonds that shall be sold shall be payable either at the office of the Treasurer of the State or at said fiscal agency, as the holder may elect, on the third day of January and the third day of July of each and every year after the sale of the same. The interest on all bonds issued and sold shall cease on the day of their maturity and the said bonds so issued and sold shall on the day of their maturity be paid as herein provided and canceled by the Treasurer of said State. All bonds remaining unsold shall, at the date of the maturity thereof be by the Treasurer of the State canceled and destroyed. All bonds issued pursuant to the provisions of this Act shall be signed by the Governor of this State, countersigned by the State Controller and endorsed by the State Treasurer, and the said bonds shall be so signed, countersigned and endorsed by the officers who are in office on the third day of July, 1917, and each of said bonds shall have the great seal of the State of California impressed thereon. The said bonds signed, countersigned, endorsed and sealed as herein provided, when sold, shall be and constitute a valid and binding obligation upon the State of California, though the sale thereof be made at a date or dates after the person so signing, countersigning and endorsing, or either of them, shall have ceased to be the incumbents of said office or offices.

SEC. 2. Appended to each of said bonds there shall be interest coupons so attached that the same may be detached without injury to or mutilation of said bond. The said coupons shall be consecutively numbered and shall bear the lithographed signature of the State Treasurer who shall be in office on the third day of July, 1917. No interest shall be paid on any of said bonds for such time as may intervene between the date of said bond and the date of sale thereof, unless such accrued interest shall have been, by the purchaser of said bond, paid to the State at the time of such sale.

SEC. 3. There shall be provided in the general appropriation bill sufficient money to defray all expenses that shall be incurred by the State Treasurer in the preparation of said bonds and in the advertising of the sale thereof, as in this Act provided.

SEC. 4. When the bonds authorized by this Act to be issued shall have been signed, countersigned, endorsed and sealed as in section 1 provided, the State Treasurer shall sell the same in such parcels and numbers as the Governor of the State shall direct, to the highest bidder for cash. The Governor of the State shall issue to the State Treasurer such direction immediately after being requested so to do, through and by a resolution duly adopted and passed by a majority vote of the advisory board of the Department of Engineering. Said resolution shall specify the amount of money which, in the judgment of said advisory board, shall be required at such time, and the Governor of the State shall direct the State Treasurer to sell such number of said bonds as may be required to raise said amount of money and that said bonds shall be sold in consecutive numerical order commencing with the first three hundred thereof. The State Treasurer shall not accept any bid which is less than the par value of the bond plus the interest which has accrued thereon between the date of sale and the last preceding interest maturity date. The State Treasurer may at the time and place fixed by him for said sale continue such sale as to the whole or any part of the bonds offered to such time and place as he may at the time of such continuance designate. Before offering any of said bonds for sale, the said Treasurer shall detach therefrom all coupons which have matured or will mature before the date fixed for such sale. The State Treasurer shall give notice of the time and place of sale by publication in two newspapers published in the city and county of San Francisco and in one newspaper published in the city of Oakland, and in one newspaper published in the city of Los Angeles and in one newspaper published in the city of Sacramento once a week for four weeks next preceding the date fixed for such sale. In addition to the notice last above provided for, the State Treasurer may give such further notice as he may deem advisable, but the expenses and cost of such additional notice shall not exceed the sum of five hundred dollars for each sale so advertised.

There is hereby created in and for the state treasury a fund to be known and designated as the "Second State Highway Fund," and immediately after such sale of bonds the Treasurer of the State shall pay into the state treasury and cause to be placed in said Second State Highway Fund the total amount received for said bonds, except such amount as may have been paid as accrued interest thereon. The amount that shall have been paid at such sale as accrued interest on the bonds sold shall be by the Treasurer of the State, immediately after such sale, paid into the treasury of the State and placed in the "Second State Highway Interest and Sinking Fund," which is hereby created.

The moneys placed in the said Second State Highway Fund, pursuant to the provisions of this section, shall be used exclusively for the acquisition of rights of way for and the acquisition, construction and improvement of the uncompleted portions of the system of State highways prescribed by said "State Highways Act."

The route or routes of said State highways to be acquired, constructed or improved under the provisions of this Act shall be selected by the Department of Engineering in the manner provided by and to carry out the objects of said "State Highway Act."

Moneys shall be drawn from said Second State Highway Fund for the purposes of this Act upon warrants duly drawn by the Controller of the State upon demands made by the Department of Engineering and audited by the State Board of Control; *provided, however*, that out of the proceeds of the first sale of bonds made hereunder the State Controller and the State Treasurer shall transfer upon their respective books the sum of one hundred thousand dollars to the credit of the "State Highway Revolving Fund," which is hereby created. The moneys in said State Highway Revolving Fund, or such part thereof as the advisory board of the Department of Engineering shall deem necessary, may be expended, from time to time, upon the demands of the Department of Engineering, approved by the State Board of Control, for the purpose of making cash payments in advance for such expenditures as are necessary and proper to carry out the provisions of this Act. Upon receipt of such demands, so approved, it shall be the duty of the State Controller to draw his warrant upon said "State Highway Revolving Fund" in favor of the person or persons therein named, and the State Treasurer shall pay the same. On or before the tenth day of each month thereafter, the Department of Engineering shall submit to the State Board of Control a verified, itemized statement, showing all expenditures during the preceding calendar month of the moneys so withdrawn from said "State Highway Revolving Fund," accompanied by proper vouchers and receipts therefor. Such statements shall be audited by the State Board of Control in the same manner that claims against the State are audited, and, if found to be correct, shall be approved by the State Board of Control and transmitted to the State Controller with such approval endorsed thereon. The State Controller shall thereupon draw his warrant upon the "Second State Highway Fund" in favor of the Department of Engineering for the aggregate amount of such expenditures, and upon the surrender of such warrant, properly endorsed, the State Treasurer shall transfer the amount thereof upon the books of his office from the said "Second State Highway Fund" to the said "State Highway Revolving Fund," to be expended as aforesaid.

SEC. 5. There is hereby appropriated from the general fund in the state treasury such sum annually as will be necessary to pay the principal of and the interest on the bonds, issued and sold pursuant to the provisions of this Act, as said principal and interest becomes due and payable.

There shall be collected annually in the same manner and at the same time as other State revenue is collected such a sum, in addition to the ordinary revenues of the State as shall be required to pay the principal and interest on said bonds as herein provided, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue, to do and perform each and every act which shall be necessary to collect such additional sum.

The Treasurer of the State shall, on the first day of January, 1918, and on the first day of each July and the first day of each January thereafter transfer from the general fund of the State treasury to the "Second State Highway Interest and Sinking Fund" such an amount of the money by this Act appropriated as shall be required to pay the interest on the bonds theretofore sold, until the interest on all of said bonds so sold shall have been paid or shall have become due in accordance with the provisions of this Act.

There is hereby created in the state treasury a fund to be known and designated as the "Second State Highway Sinking Fund." The Treasurer of the State shall, on the first day of July of the year 1923, and on the first day of July, of each and every year thereafter in which a parcel of the bonds sold pursuant to the provisions of this Act shall become due, transfer from the general fund of the State treasury to the said Second State Highway Sinking Fund such an amount of the moneys appropriated by this Act as may be required to pay the principal of the bonds so becoming due and payable in such years.

SEC. 6. The principal of all said bonds sold shall be paid at the time the same becomes due, from the second state highway sinking fund, and the interest on all bonds sold shall be paid at the time said interest becomes due, from the second State highway interest and sinking fund. Both principal and interest shall be so paid upon warrants duly drawn by the Controller of the State upon demands audited by the State Board of Control, and the faith of the State of California is hereby pledged for the payment of the principal of said bonds so sold, and the interest accruing thereon.

SEC. 7. The State Controller and State Treasurer shall keep full and particular account and record of all their proceedings under this Act and they shall transmit to the Governor in triplicate an abstract of all such proceedings thereunder with an annual report in triplicate, one copy of each to be by the Governor, laid before each House of the Legislature biennially. All books and papers pertaining to the matter provided for in this Act shall, at all times, be open to the inspection of any party interested, or the Governor, or the Attorney General, or a committee of either branch of the Legislature or a joint committee of both or any citizen of the State.

SEC. 8. The highway constructed or acquired under the provisions of this Act shall be permanent in character and be finished with oil or macadam or a combination of both, or of such other material as in the judgment of the said Department of Engineering shall be most suitable and best adapted to the particular locality traversed. The State Department of Engineering, in the name of the people of the State of California, may purchase, or receive by donation or dedication from counties, or from public or private persons, or it may lease, any right of way, rock quarry or land necessary or proper for the construction, use, improvement or maintenance of said state highway and shall proceed, if necessary, to condemn under the provisions of the Code of Civil Procedure relating to such proceedings any necessary or proper right of way, rock quarry or land. The Department of Engineering shall have full power and authority to purchase, sell, exchange, lease or otherwise acquire or dispose of all supplies, stock, material, machinery and implements and do all other things necessary or proper in the construction improvement or maintenance of said state highway. The Department of Engineering shall have full power and authority to purchase, lease, or erect plants for manufacture of cement, crushed rock and other materials used in road or highway work, and also the power to dispose of said plants when no longer required for such purposes. With the exception of those public highways which have been permanently improved under county or permanent road division bond issues within nine years prior to the adoption of this Act, all public highways within this State lying within the right of way of said state highway as determined and adopted by the Department of Engineering shall be and the same shall become a part of the right of way of said state higway, witout compensation being paid therefor; *provided* nothing herein contained shall require the State to maintain any highway along or on said right of way, prior to the completion or acquisition of the permanent improvements contemplated by this Act. Whenever any money received from the sale of bonds, under the provisions of this Act, shall be expended in any county in this State, such county must pay into the state treasury such sum each year as shall equal the interest, at the rate of four and one-half per cent, per annum, upon the entire sum of money expended within such county in the construction of said State highway, less such portion of said amount expended as the bonds matured under the provisions of this Act shall bear to the total number of bonds sold and outstanding; *provided, however*, that in all cases where, by reason of physical difficulties to be overcome, or other good and sufficient cause, the State Department of Engineering shall determine that the cost of construction of any portion of such State highway in any county, or counties, is so great as to entail an unjust and inequitable burden upon any such county, or counties, in refunding to the State the sums so paid for interest upon the bonds sold and the proceeds thereof applied as aforesaid, such county, or counties, shall not be required to refund the whole amount of such interest, but only such proportion thereof as the State Department of Engineering shall adjudge to be fair and reasonable. All highways constructed or acquired under the provisions of this Act shall be permanently maintained and controlled by the State of California.

SEC. 9. This Act, if adopted by the people, shall take effect on the thirty-first day of December, 1916, as to all its provisions except those relating to, and necessary for, its submission to the people and for returning, canvassing and proclaiming the votes, and as to said excepted provisions this Act shall take effect ninety days after the final adjournment of the present session of the Legislature.

SEC. 10. This Act shall be submitted to the people of the State of California for their ratification at the next general election to be holden in the month of November, nineteen hundred and sixteen, and all ballots at such election shall have printed thereon the words "For the State Highway Act of 1915" and such other designation as may be necessary to properly identify this Act. In a square immediately below the square containing said words there shall be printed on said ballot the words "Against the State Highway Act of 1915." Opposite the words "For the State Highway Act of 1915" and "Against the State Highway Act of 1915," there shall be left spaces in which the voters may make or stamp a cross to indicate whether they vote for or against this Act, and those voting for said Act shall do so by placing a cross opposite the words "For the State Highway Act of 1915" and those voting against said Act shall do so by placing a cross opposite the words "Against the State Highway Act of 1915." The Governor of this State shall include the submission of this Act to the people as aforesaid, in his proclamation calling for said general election.

SEC. 11. The votes cast for or against this Act shall be counted, returned and canvassed and declared in the same manner and subject to the same rules as votes cast for State officers, and if it appears that said Act shall have received a majority of all the votes cast for and against it at such election, as aforesaid, then the same shall have effect as hereinbefore provided and shall be irrepealable until the principal and interest of the liabilties herein created shall be paid and discharged, and the Governor shall make proclamation thereof. But if a majority of the votes cast, as aforesaid, are against this Act then the same shall be and become void.

SEC. 12. It shall be the duty of the Secretary of State to have this Act published in at least one newspaper in each county, or city and county, if one be published therein, throughout this State, for three months next preceding the general election to be holden in the month of November, A. D. nineteen hundred and sixteen; the cost of publication shall be paid out of the general fund, on Controller's warrants duly drawn for the purpose.

SEC. 13. This Act shall be known and cited as the "State Highway Act of 1915."

SEC. 14. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Assembly Bill No. 1589—An Act to amend section 4240 of the Political Code, relating to the compensation of county and township officers of counties of the eleventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 57—An Act to amend an Act entitled "An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 701—An Act to amend an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911, by amending sections 6 and 7 and by adding thereto three new sections to be numbered 30*a*, 30*b* and 30*c*, relating to the enforcement of uniform standards and rules to be observed by all persons, firms, or corporations dealing with, handling or transporting milk or cream bottles, cans and (or) other containers, regulating the manufacture and sale of assembly milk and cream, and by amending the title to this Act; to repeal all Acts or parts of Acts inconsistent with this Act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 24, of the amended bill, strike out all of line 24, after the word "using" and also all of lines 25, 26, 27, 28 and 29 and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 32, of the amended bill, strike out all of line 32 after the word "corporation" and all of lines 33 and 34, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 12, of the amended bill, strike out all after the word "cream" and all of lines 13 and 14 and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 15, of the amended bill, strike out lines 15 to 21, inclusive, and insert in lieu thereof the following paragraph:

"(3) Any milk or cream can or other shipping-container, either while full, or while being returned empty, shall be handled carefully and kept right end up".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, strike out lines 28 to 31, inclusive, and the words "charging freight" on line 32.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 4, line 33, of the amended bill, after the word "top" insert the word "of".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 4, strike out all of lines 35, 36 and 37 and lines 1, 2, 3 and 4 on page 5.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 5, line 7, of the amended bill, strike out the word "swill" and insert "garbage".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 5, line 5, strike out the figure "6" and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 5, line 8, strike out "7" and insert "6".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 5, line 13, strike out "8" and insert "7".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1094—An Act to add a new section to the Civil Code of the State of California to be numbered 1410*b*, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6 of the amended bill, after the word "public" insert the following: "or for any public use, or the use of any farming neighborhood".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 7 of the amended bill, strike out the word "public".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 7 of the amended bill, insert the words "restoring or" after the word "by".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 875—An Act to be known as the juvenile court law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the juvenile court law approved March 8, 1909, as amended by an Act approved April 5, 1911, and as amended by an Act approved June 16, 1913, and all amendments thereof and all Acts or parts of Acts inconsistent herewith.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 9, strike out of line 33 the words "the penitentiary" and insert in lieu thereof the words "a state prison".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 11, insert in line 9 after the word "inclusive" the word "of".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 11, strike out of line 13 the word "ten" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 14, strike out of lines 11 and 12 the words "twelve and one-half" and insert in lieu thereof the word "eleven".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 15, strike out of line 17 all after the word "unnecessary" and insert in lieu thereof the following: "or inadvisable for said ward's reformation".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 15, insert a period at the end of line 30 and change the first letter of the following word to a capital.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 17, strike out of line 15 the word "for" and insert in lieu thereof the words "because of such".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 20, strike out of line 26 the word "challenged" and insert in lieu thereof the word "alleged".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 21, insert in line 22 after the word "removed" the words "for cause".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 23, insert in line 30 after the word "who" the words "is a sheriff or constable or".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 25, insert in line 25 after the comma the word "each".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 25, insert in line 26 after the comma the word "each".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 25, insert in line 32 after the comma the word "each".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 27, strike out all of line 2 after the period, and all of lines 3 and 4.

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 28, strike out all of lines 8 to 13, inclusive.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 29, insert in line 20 after the word "In" the words "each of the".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 34, strike out of line 5 the words "or for placement in family homes".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 25, insert in line 26, after the comma, the word "each".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 26, strike out of lines 5, 6 and 7 the following: "one assistant probation officer, one hundred and seventy-five dollars per month; one assistant probation officer at one hundred and fifty dollars per month" and insert in lieu thereof the following: "two assistant probation officers, each one hundred and seventy-five dollars per month".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 26, strike out of line 11 the word "nine" and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 26, strike out of lines 17, 18 and 19 the following: "one hundred and fifty dollars per month; two assistant probation officers,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 27, strike out lines 21 to 26, inclusive, and insert in lieu thereof the following:

"SEC. 19(*h*). In counties of the eighth class there shall be one probation officer and one assistant probation officer. The salaries of said officers shall be as follows: Probation officer, one hundred dollars per month; assistant probation officer seventy-five dollars per month".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 27, strike out of line 29 the word "and" and insert in lieu thereof the following: "thirtieth,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 27 insert in line 28, after the comma following the word "eighteenth" the following: "nineteenth,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 28, strike out of lines 23 and 24 the following: "nineteenth, twentieth, thirtieth, and thirty-eighth" and insert in lieu thereof the following: "twentieth and thirty-second".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 28, strike out of line 30 the following: "thirty-second,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 27, insert in line 36 after the period following the word "month" the following: "In counties of the twelfth class, there shall be one assistant probation officer whose salary shall be seventy-five dollars per month".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 28, strike out the period at the end of line 20 and also strike out of line 21 the words "In counties of the eleventh class there shall be" and insert in lieu thereof the following: "and also".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 29, after line 25, insert a new section to read as follows:

"SEC. 19(*v*). In counties of the thirty-eighth class there shall be one probation officer whose salary shall be seventy dollars per month and one assistant probation officer whose salary shall be fifty dollars per month".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 29, strike out of line 26 the following: "19(*v*)" and insert in lieu thereof the following: "19(*w*)".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 28, line 30, of the printed bill, after the word "thirty-ninth" insert a comma and the word "fortieth".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 28, strike out of line 34 the word "fortieth" also the comma immediately following.

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 27, insert in line 30 after the word "third", the following: "and thirty-sixth".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 28, strike out of line 30 the following: "thirty-sixth,".

Amendment adopted.

Bill read second time, and ordered to print and third reading.

Senate Bill No. 916—An Act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells, requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for abritration of departmental rulings; creating a fund for the purposes of the Act; fixing a fee to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this Act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 14 of title, strike out the words "fixing a fee" and insert in lieu thereof the words "providing for assessment of charges".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, line 1, strike out all after the figure "1.", and all of pages 2 to 11, inclusive, and insert in lieu thereof the following. "A separate department of the State Mining Bureau is hereby established and created to be known as the Department of Petroleum and Gas. Such department shall be under the general jurisdiction of the State Mineralogist. He shall appoint a supervisor who shall be a competent engineer or geologist experienced in the development and production of petroleum and who shall be designated the "State Oil and Gas Supervisor," and whose term of office shall be four years from and after the date of his appointment.

"SEC. 2. For his services in the general supervision of said department the State Mineralogist shall receive as compensation one thousand four hundred dollars annually which shall be in addition to his compensation fixed in section 2 of the Act of June 16, 1913, relating to the State Mining Bureau. The supervisor shall receive an annual salary of four thousand five hundred dollars, and shall be allowed his necessary traveling expenses. The State Mineralogist may appoint necessary clerks, stenographers, and assistants, and prescribe their duties and fix their compensation, within the amount limited in section forty-six hereof and subject to the civil service laws of the State. The additional salary herein authorized to be paid to the State Mineralogist and the salaries of the supervisor and of the deputies, clerks, stenographers, assistants and other employees shall be paid out of the funds hereinafter provided for at the times and in the manner that salaries of other State officers and employees are paid.

"SEC. 3. It shall be the duty of the State Oil and Gas Supervisor so to supervise the drilling, operation and maintenance and abandonment of petroleum or gas wells in the State of California, as to prevent, as far as possible, damage to underground petroleum and gas deposits from infiltrating water and other causes and loss of petroleum and natural gas.

"SEC. 4. It shall be the duty of the State Oil and Gas Supervisor to appoint not more than four deputies and prescribe their duties, and fix their compensation. Such deputies shall serve during the pleasure of the supervisor. He may also employ an attorney and fix his compensation. The supervisor, the deputies, and the attorney shall not be subject to the Civil Service Act.

"SEC. 5. Each deputy appointed by the supervisor shall be a competent engineer or geologist experienced in the development and production of petroleum. Each deputy shall be assigned certain districts or territory, and shall maintain an office in the district, convenient of access to the petroleum or gas operators therein. The office shall be open and the deputy shall be present at certain specified times which shall be posted at such office.

"SEC. 6. It shall be the duty of each deputy, to collect all necessary information regarding the oil wells in the district, with a view to determining the presence and source of water in the oil sand, and to make all maps and other accessories necessary to determine the presence and source of water in the oil sands. This work shall be done with the view to advising the operators as to the best means of protecting the oil and gas sands, and with a view to aiding the supervisor in ordering tests or repair work at wells. All such data shall be kept on file in the office of the Deputy Oil and Gas Supervisor of the respective district.

"SEC. 7. The records of any and all operators, when filed with the deputy supervisor as hereinafter provided, shall be open to inspection to those authorized in writing by such operators, to the State officers, and to the board of arbitration hereinafter provided for. Such records shall in no case be available as evidence in court proceedings and no officer or employee or member of any board of arbitration shall be allowed to give testimony as to the contents of said records, except at such court proceedings as are hereinafter provided for in the review of the decision of the State Oil and Gas Supervisor, or a board of arbitration, and in criminal proceedings arising out of such records, or the statements upon which they are based.

"SEC. 8. It shall be the duty of the supervisor to order such tests or remedial work as is in his judgment necessary to protect the petroleum and gas deposits from damage by underground water, to the best interest of the neighboring property owners and the public at large. The order shall be in written form, signed by the supervisor, and served upon the owner of the well or his local agent, in the manner provided in section eleven hereof. The order shall specify the work necessary to protect such deposits from damage from underground waters. For this purpose each operator or owner shall designate an agent, giving his post office address, who resides within the county where the well or wells are located, upon whom all orders and notices provided for in this act may be served.

"SEC. 9. The well owner, or his local agent, may within ten days from date of service of order from the supervisor, file with the supervisor, or his deputy in the district where the property is located, a statement that the supervisor's order is not acceptable and that arbitration of the subject is demanded.

"SEC. 10. Arbitration of a question which has been the subject of an order by the supervisor shall be accomplished by a board of three members, as follows: (1) The owner of the well or his local agent shall name one member who shall not be directly or indirectly interested in the property, nor employed in its operation. (2) The owners, or their local agents, of wells within a radius of one mile from the affected well, shall name one member of the arbitration board, who shall not be directly or indirectly interested in the property nor employed in its operation. For this purpose the supervisor shall give written notice to each of the said owners or agents. The notice shall specify the time and place of meeting and the fact that it is for the purpose of choosing an arbitrator. The notice shall be published once in a newspaper of general circulation, published in the county where the meeting is to be held, and posted in a conspicuous place at the office of the deputy supervisor at least five days before the time of meeting, and a copy thereof mailed to each of such owners, or their local agents, at the address given, at least five days before the time of meeting. A majority of those attending such meeting shall be sufficient to choose such arbitrator. (3) The third member of the arbitration board shall be chosen by the other members, but if they fail to choose a third member within ten days after the selection of the first two members then such third member shall be chosen by the State Mineralogist, and shall not be directly or indirectly interested in the property, nor employed in its operation. The arbitrators chosen as above specified shall each be paid ten dollars per day for each day of actual service, not to exceed thirty dollars each for any one case, upon warrants drawn upon the repair fund hereinafter created, and approved by the State Mineralogist. One-half of the cost of arbitration shall be paid by the person demanding it and the board of arbitration may, at its discretion, order that the entire cost of such arbitration shall be paid by such person if it finds that such arbitration has been demanded needlessly or not in good faith.

"SEC. 11. Upon receipt by the supervisor or deputy supervisor of a written complaint, signed by one-third of the individuals or corporations owning land or operating wells within a radius of one mile of any well, or group of wells, the supervisor must make an investigation of said well or wells and render a written order stating the work required to repair the damage complained of, or stating that no work is required. A copy of such order must be delivered to each of the complainants and, if the supervisor order the damage repaired, a copy of such order shall be delivered to each of the owners, or agents, having in charge the wells upon which the work is to be done. Service of such copies shall be by mailing to such persons at the post office address given. Within ten days after the date of mailing of such order any of such complainants may demand arbitration of the matter as provided in section 10 of this act. When said complaint is made by a single party against a well or wells, of which there is no financially responsible owner, the supervisor may order the necessary repair work, the expense of which shall be a charge against the complainant collectible as provided in section 14.

"SEC. 12. In any proceedings before the board of arbitration herein provided for, the supervisor shall have the power to subpœna witnesses and to administer oaths; *provided, however*, that no person shall be required to attend upon such subpœnas, either with or without books, papers, documents or accounts, unless residing within the same county or within thirty miles of the place of attendance, but the supervisor may in such a case cause the deposition of witnesses residing within or without the State, to be taken in the manner prescribed by law for like depositions in civil actions in the Superior Courts of this State, and to that end may compel the attendance of witnesses and the production of books, papers, and documents at such places as he may designate within the limits hereinbefore prescribed. Witnesses shall be entitled to receive the fees and mileage fixed by law in civil cases. In case of failure on the part of any person to comply with any order of the supervisor, or any subpœna, or upon the refusal of any witness to testify to any matter regarding which he may lawfully be interrogated before the board, it shall be the duty of the Superior Court or the judge thereof, on application of the supervisor, to compel obedience in the same manner, by contempt proceedings or otherwise, that such obedience would be compelled in a proceeding pending before the court.

"SEC. 13. Within ten days after hearing the evidence the arbitration board shall make a written decision ordering such tests or remedial work as is deemed necessary to protect the oil sands from damage by infiltrating water. This written decision shall be served upon the owner or his agent and shall supersede and nullify the previous order of the supervisor provided for in section 8 hereof. In case no written decision is made by a board of arbitration within thirty days after the date of notice by the supervisor, as provided in section 10 hereof, the order of the supervisor shall be effective and subject only to review by writ of certiorari from the Superior Court as provided in section 14 hereof.

"SEC. 14. On or before thirty days after the date of serving an order of the supervisor provided for in section 8 hereof, or, in case of arbitration, on or before thirty days after date of serving the decision of the board, as provided in sections 12 and 13 hereof, the owner shall commence in good faith the work ordered, and continue until completion. If the work has not been so commenced and continued to completion the supervisor shall appoint agents as he deems necessary, who shall enter the premises and perform the work. Accurate account of all such expenditures shall be kept and the amount paid from the fund hereinafter created upon the warrant of the State Controller. Any amounts so expended shall constitute a lien against the property upon which the work is done. The decision of the board of arbitration or of the supervisor in such a case may be reviewed by writ of certiorari from the Superior Court of the county in which the district is situated, if taken within thirty days after the signing of the order. If no review is taken or, if taken, the decision of the board is affirmed, the lien upon the property shall be enforced in the same manner that other liens on real property are enforced and shall first be enforced against the owner of the well, against the operator and against the personal property and fixtures used in the construction or operation thereof, and then if there then be any deficiency, against the land upon which the work is done.

"SEC. 15. It shall be the duty of the owner of any well now drilled, or that may be drilled, in the State of California, on lands producing or reasonably presumed to contain petroleum or gas, to properly case such well or wells, with metal casing, in accordance with methods approved by the supervisor, and to use every effort and endeavor in accordance with the most approved methods to effectually shut off all water overlying or underlying the oil or gas bearing strata, and to effectually prevent any water from penetrating such oil or gas bearing strata.

"SEC. 16. It shall be the duty of the owner of any well referred to in this Act, before abandoning the same, to use every effort and endeavor in accordance with methods approved by the supervisor, to shut off and exclude all water from entering oil-bearing strata encountered in the well. The owner shall give written notice to the supervisor, or his local deputy, of his intention to abandon any well and the date when such work of abandonment shall begin. The notice shall be given to the supervisor, or his local deputy, at least fifteen days before such proposed abandonment. The owner shall furnish the supervisor, or his deputy, with such information as he may request, showing the condition of the well and proposed method of abandonment. The supervisor, or his deputy, shall before the proposed date of abandonment furnish the owner with a written order of approval of his proposal or a written order stating what work will be necessary before approval, to abandon, will be given. If the supervisor shall fail within the specified time to give the owner a written order such failure shall be considered as an approval of the owner's proposal to abandon the well.

"SEC. 17. The owner of any well referred to in this Act shall, before commencing the work of drilling an oil or gas well, file with the supervisor, or his local deputy, a written notice of intention to commence drilling. Such notice shall also contain the following information: (1) Statement of location and elevation above sea level of proposed derrick and drill rig. (2) The number or other designation by which such well shall be known, which number or designation shall not be changed after filing notice provided for in this section, without the written consent of the supervisor being obtained therefor. (3) The owner's estimate of the depth of the point at which water shall be shut off. (4) The owner's estimate of the depth at which oil or gas producing sand or formation shall be encountered. The provisions of this section shall also apply, so far as may be, to the deepening or re-drilling of any well.

"SEC. 18. It shall be the duty of the owner of any well referred to in this Act, to keep a careful and accurate log of the drilling of such well, such log to show the character and depth of the formations passed through or encountered in the drilling of such well, and particularly to show the location and depth of the water-bearing strata, together with the character of the water encountered from time to time (so far as ascertained) and to show at what point such water was shut off, if at all, and if not, to so state in such log, and show completely the amounts, kinds and size of casing used, and show the depth at which oil-bearing strata is encountered, the depth and character of same, and whether all water overlying and underlying such oil-bearing strata was successfully and permanently shut off so as to prevent the percolation or penetration into such oil-bearing strata; such log shall be kept in the local office of the owner or operator and subject to the inspection of the supervisor or any of his deputies at any time during business hours, and a copy of said log shall be filed with the deputy supervisor immediately upon the completion of said well and also a complete copy shall be filed with the deputy supervisor upon the completion of any additional work upon the well. The owner of any well drilled previous to the enactment of this Act shall furnish to the supervisor a complete and correct log of such well, so far as may be possible, together with a statement of the present condition of said well.

"SEC. 19. It shall be the duty of the owner of any well referred to in this Act to notify the deputy supervisor of the time at which the owner shall test the shut-off of water in any such well. Such notice shall be given at least five days before such test. The deputy supervisor shall be present at such test and shall forthwith note in the log book the result thereof. If any test shall be unsatisfactory to him he shall notify the owner of that fact.

"SEC. 20. It shall be the duty of every person, association or corporation, producing oil in the State of California, to file with the supervisor at his request, but not oftener than once in each month a sworn statement of the amount of oil produced during the period indicated, its gravity and the number of wells drilling, producing, idle, or abandoned. This information shall be in such form as the supervisor may designate.

"SEC. 21. Any owner or operator of a well referred to in this Act, or employee thereof, who refuses to permit the supervisor, or his deputy, to inspect the same, or who wilfully hinders or delays the enforcement of this Act, and every person, firm, or corporation, who violates any provision of this Act is guilty of a misdemeanor and shall be punishable by a fine of not less than one hundred dollars, or by imprisonment in the county jail for not less than thirty days, or by both such fine and imprisonment.

"SEC. 22. Charges levied, assessed and collected as hereinafter provided upon the properties of every person, firm, corporation or association, operating any oil well or wells for the production of petroleum in this State, or operating any well or wells for the production of natural gas in this State where gas wells are situate in counties having producing petroleum wells chargeable under this Act, and on lands situate within two miles, as near as may be, of any petroleum or gas well the production of which is chargeable under this Act, shall be used exclusively for the support and maintenance of the department of petroleum and gas hereinbefore created, and shall be assessed and levied by the State Mineralogist, and collected in the manner hereinafter provided.

"SEC. 23. Every person, firm, corporation or association operating any petroleum well or wells in this State shall annually pay a charge to the State Treasurer at a uniform rate per barrel of petroleum produced for the preceding calendar year at the time and in the manner hereinafter provided, based upon a verified report as herein provided

"SEC. 24. Every person, firm, corporation, or association operating any gas well or wells in this State shall annually pay a charge to the State Treasurer based upon the amount of gas sold in the preceding calendar year at a fixed rate per thousand cubic feet, which rate shall be based upon the proportionate benefits resulting to the property so assessed by reason of the expenditures made under this Act, in the county, in which each such well is located. Said charge shall be based upon a verified report as herein provided; *provided, further*, that no charges shall be assessed, levied, or collected from any person, firm, corporation, or association operating a gas well or wells in any county in which there exist no producing petroleum wells to be assessed under the provisions of this Act.

"SEC. 25. Every person, firm, corporation or association owning any oil land, as determined by the supervisor, shall annually pay a charge to the State Treasurer at the time and in the manner hereinafter provided, which charge shall be a uniform rate per acre. Said charge shall be based upon a verified report as provided herein; *provided, however*, that such lands so assessed shall not be called upon to pay more than one-tenth of the total charges or moneys proposed to be assessed, levied and collected under the provisions of this Act for any one year.

"SEC. 26. The charges assessed, levied and to be collected under the provisions of this Act shall be in addition to any and all charges, taxes, assessments or licenses of any kind or nature paid by or upon the properties assessed hereunder.

"SEC. 27. The State Mineralogist shall annually, on or before the first Monday in March, acting in conjunction with the State Board of Control, make an estimate of the amount of moneys which shall be required to carry out the provisions of this Act.

"SEC. 28. The State Mineralogist shall prescribe the form and contents of all reports for making the charge or other purposes to carry out the intent and provision of this Act, which form shall be mailed in duplicate to the person, firm, corporation or association owning property or assessed under the provisions of this Act.

"SEC. 29. Every person, firm, corporation or association chargeable under the provisions of this Act, shall within ten days after the first Monday in March of each year, report to and file with the State Mineralogist, a report in such form as said officer may prescribe, giving any and all items of information as may be demanded by said report, and necessary to carry out the provisions of this Act, which report shall be verified by such person or officer as the State Mineralogist may designate.

"SEC. 30. If any person, firm, corporation or association chargeable under the provisions of this Act shall fail or refuse to furnish the State Mineralogist within the time prescribed in this Act the verified report provided for in this Act, the State Mineralogist must note such failure or refusal in the record of assessments hereinafter in this Act provided for, and must make an estimate of the petroleum or gas production, or landed area to be assessed of any such person, firm, corporation or association, and must assess the same at the amount thus estimated and compute the charge thereon, which assessment and charge shall be the assessment and charge for such year. And if in the succeeding year any such person, firm, corporation or association shall again fail and refuse to furnish the verified report required by this Act, the State Mineralogist shall make an estimate as aforesaid, which estimate shall not be less than twice the amount of the estimate made by him for the previous year, and shall note such failure or refusal as above provided, and the said estimate so made shall be the assessment or charge for said year. In case of each succeeding consecutive failure or refusal the said State Mineralogist shall follow the same procedure until a true statement or report shall be furnished.

"SEC. 31. Any person, firm, corporation or association failing or refusing to make and furnish any report prescribed in this Act or rendering a false or fraudulent report shall be guilty of a misdemeanor and subject to a fine of not less than three hundred dollars and not exceeding one thousand dollars for each such offense.

"SEC. 32. The State Mineralogist may, for good cause shown, by order entered upon his minutes, extend for not exceeding thirty days, the time fixed in this Act for filing any report herein provided for.

"SEC. 33. On or before the third Monday before the first Monday in July the State Mineralogist shall determine the rate or rates which, when applied to the assessments provided for in this Act, shall produce the sum necessary to be raised as provided in section 27 of this Act. Within the same time the said State Mineralogist shall extend in the proper column of the record of assessments hereinafter provided for the amount of charges due from each person, firm, corporation or association.

"SEC. 34. Between the first Monday in March and the third Monday before the first Monday in July in each year, the State Mineralogist must assess and levy the charges as and in the manner provided for in this Act. The assessments must be made to the person, firm, corporation or association owning or operating the property subject to assessment hereunder on the first Monday in March. If the name of the owner is unknown to the State Mineralogist, such assessment must be made to unknown owners. Clerical errors occurring or appearing in the name of any person, firm, corporation or association whose property is properly assessed and charged, or in the making, or extension of any assessment or charge upon the records, which do not affect the substantial rights of the payer, shall not invalidate the assessment or charge.

"SEC. 35. The State Mineralogist and the chairman of the State Board of Control and the chairman of the State Board of Equalization shall constitute a board of review, correction and equalization, and shall have all the powers and perform such duties as usually devolve upon a county board of equalization under the provisions of section 3672 of the Political Code. The State Mineralogist shall act as secretary of said board, and shall keep an accurate minute of the proceedings thereof. Said board of review, correction and equalization shall meet at the state capitol on the third Monday before the first Monday in July of each year, and remain in session from day to day until the first Monday in July for the purpose of carrying out the provisions of this section.

"SEC. 36. On the third Monday before the first Monday in July of each year the State Mineralogist shall cause to be published a notice, one or more times, in a daily, or weekly, or semi-weekly newspaper of general circulation published in the counties of Fresno, Kern, Los Angeles, Orange, Ventura and Santa Barbara, if one be published therein, otherwise in a newspaper of general circulation published in the county nearest to such county designated herein in which no such paper is published, that the assessment of property and levy of charges under and in pursuance of this Act has been completed and that the records of assessments containing the charges due will be delivered to the State Controller on the first Monday in July.

and that if any person, firm, corporation or association is dissatisfied with the assessment made or charge fixed by the State Mineralogist, he or it may, at any time before said first Monday in July, apply to said board of review, correction and equalization to have the same corrected in any particular. The said board shall have power at any time before said first Monday in July to correct the record of assessments and may increase or decrease any assessment or charge therein if in its judgment the evidence presented or obtained warrants such action. Costs of such publication in any county shall be paid from the repair fund of said county.

"SEC. 37. The State Mineralogist must prepare each year a book, in one or more volumes, to be called the 'Record of Assessments and Charges for Oil Protection,' in which must be entered, either in writing or printing, or both writing and printing, each assessment and levy or charge made by him upon the property provided to be assessed and charged under this Act, describing the property assessed, and such assessments may be classified and entered in such separate parts of said record as said State Mineralogist shall prescribe.

"SEC. 38. On the first Monday in July the State Mineralogist must deliver to the State Controller the record of assessments and charges for oil protection, certified to by said State Mineralogist, which certificate shall be substantially as follows: 'I, ..., State Mineralogist, do hereby certify that between the first Monday in March and the first Monday in July, 19.., I made diligent inquiry and examination to ascertain all property and persons, firms, corporations and associations subject to assessment for the purpose of oil protection as required by the provisions of the Act of Legislature approved ...., 19.., providing for the assessment and collection of charges for oil protection; that I have faithfully complied with all the duties imposed upon me by law; that I have not imposed any unjust or double assessment through malice or ill will, or otherwise; nor allowed any person, firm, corporation or association, or property to escape a just assessment or charge through favor or regard, or otherwise.'

"But the failure to subscribe such certificate to such record of assessments and charges for oil protection, or any certificate, shall not in any manner affect the validity of any assessment or charge.

"It is the intention of this Act that in the assessment of the lands as provided in section 25 hereof, and in carrying such assessments to the record of assessments aforesaid, the State Mineralogist shall keep within two miles as near as may be of producing petroleum or gas wells as provided in said section 25 hereof.

"SEC. 39. The charges levied and assessed under the provisions of this Act shall be due and payable on the first Monday in July in each year, and one-half thereof shall be delinquent on the sixth Monday after the first Monday in July at six o'clock p.m. and unless paid prior thereto, fifteen per cent. shall be added to the amount thereof, and unless paid prior to the first Monday in February next thereafter at six o'clock p.m., an additional five per cent. shall be added to the amount thereof, and the unpaid portion, or the remaining one-half of said charges shall become delinquent on the first Monday in February next succeeding the day upon which they become due and payable, at six o'clock p.m.; and if not paid prior thereto five per cent. shall be added to the amount thereof.

"SEC. 40. Within ten days after the receipt of the record of assessments and charges for oil protection, the State Controller must begin the publication of a notice to appear daily for five days, in one daily newspaper of general circulation published in each of the counties of Fresno, Kern, Los Angeles, Orange, Ventura and Santa Barbara, if one be published therein, otherwise for at least two times in a weekly or semi-weekly paper of general circulation published therein, or if there be neither a daily, nor weekly nor semi-weekly paper of general circulation published in any one of such counties, then the publication of the notice for such county shall be made in a similar manner in a newspaper of general circulation published in the county nearest such county, specifying:

"(1) That he has received from the State Mineralogist the record of assessments and charges for oil protection.

"(2) That the charges therein assessed and levied are due and payable on the first Monday in July and that one-half thereof will be delinquent on the sixth Monday after the first Monday in July at six o'clock p.m., and that unless paid to the State Treasurer at the capitol prior thereto, fifteen per cent. will be added to the amount thereof, and unless paid prior to the first Monday in February next thereafter at six o'clock p.m., an additional five per cent. will be added to the amount thereof; and that the remaining one-half of said charges will become delinquent on the first Monday in February next succeeding the day upon which they become due and payable, at six o'clock p.m.; and if not paid to the State Treasurer at the capitol prior thereto, five per cent. will be added to the amount thereof. Costs of such publication in any county shall be paid from the repair fund of said county.

"SEC. 41. The assessments and charges levied under the provisions of this Act shall constitute a lien upon all the property of every kind and nature belonging to the persons, firms, corporations, and associations and assessed under the provisions hereof, which lien shall attach on the first Monday in March of each year. Every charge and assessment herein provided for has the effect of a judgment against the person, firm, corporation or association, and every lien created by this Act has the effect of an execution duly levied against all property of the delinquent; the judgment is not satisfied nor the lien removed until such charges, penalties, and costs are paid, or the property sold for the payment thereof.

"SEC. 42. All charges assessed and levied under the provisions of this Act shall be paid to the State Treasurer upon the order of the State Controller. The Controller must mark the date of payment of any charge on the record of assessments and charges for oil protection, and shall give a receipt for such payment in such form as the Controller shall prescribe. Errors appearing in any assessment on said record of assessments or overcharges shall be corrected by the Controller by and with the consent of the State Board of Control in such manner as said Controller and said board shall agree upon.

"SEC. 43. Any person, firm, corporation or association claiming and protesting as herein provided that the assessment made or charges assessed against him or it by the State Mineralogist is void, in whole or in part, may bring an action against the State Treasurer for the recovery of the whole or any part of such charge, penalties, or costs paid on such assessment upon the grounds stated in said protest, but no action may be brought later than the third Monday in February next following the day on which the charges were due, nor unless such person, firm, corporation or association shall have filed with the State Controller at the time of payment of such charges a written protest stating whether the whole assessment or charge is claimed to be void, or if a part only, what part, and the grounds upon which such claim is founded; and when so paid under protest the payment shall in no case be regarded as voluntary.

"Whenever, under the provisions of this section, an action is commenced against the State Treasurer, a copy of the complaint and of the summons must be served upon the Treasurer, or his deputy. At the time the Treasurer demurs or answers, he may demand that the action be tried in the Superior Court of the county of Sacramento, which demand must be granted. The Attorney General must defend the action, or may appoint any competent attorney to so defend, the expense of which employment shall be paid from the repair fund raised under the provisions of this Act. The provisions of the Code of Civil Procedure relating to pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for.

"A failure to begin such action within the time herein specified shall be a bar against the recovery of such charges. In any such action the court shall have the power to render judgment for plaintiff for any part or portion of the charge, penalties, or costs found to be void and so paid by plaintiff upon such assessment.

"SEC. 44. The State Controller shall, on or before the thirtieth day of May next following the delinquency of any charge as provided in this Act, bring an action in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California, to collect any delinquent charges or assessments, together with any penalties, or costs, which have not been paid in accordance with the provisions of this Act and appearing delinquent upon the records of assessments and charges for oil protection hereinbefore in this Act provided for.

"The Attorney General, or some competent attorney appointed by him for that purpose, must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for. In such action a writ of attachment may be issued, and no bond or affidavit previous to the issuing of said attachment is required. The special attorney herein authorized to be appointed to prosecute such action or actions shall be paid from the repair funds raised under the provisions of this Act.

"Payment of the charges and penalties or amount of the judgment recovered in such action must be made to the State Treasurer. In such actions the record of assessment and charges for oil protection, or a copy of so much thereof as is applicable in said action, duly certified by the Controller, showing unpaid charges against any person, firm, corporation or association assessed by the State Mineralogist, is prima facie evidence of the assessment upon the property, the delinquency, the amount of charges, penalties, and costs due and unpaid to the State, and that the person, firm, corporation or association is indebted to the people of the State of California in the amount of charges and penalties therein appearing unpaid, and that all the forms of law in relation to the assessment of such charges have been complied with.

"SEC. 45. The first assessment under the provisions of this Act shall be as of the first Monday in March, 1916, and the reports of petroleum production and sales of gas herein provided to be assessed shall be reported for the calendar year ending December 31, 1915. The lands herein provided to be assessed and charged shall be assessed to the owners thereof as of the first Monday in March, 1916.

"SEC. 46. All of the moneys paid to the State Treasurer under this Act shall be deposited to the credit of the 'Oil Protection Fund' which is hereby created. Of the moneys in such funds forty-five thousand dollars only, shall be set aside as a 'supervision account' and shall be available annually for the support and maintenance of the department herein established, and for the necessary expenses of the Controller in carrying out the provisions of this Act. Any balance remaining in said account at the end of any fiscal year shall be carried over and made a part of the succeeding year's 'supervision account'; *provided, further*, that in the first assessment under this Act, an amount equal to the sum appropriated in section 51 hereof, shall be added to the regular supervision account and also the amount of ten thousand dollars which shall be available for providing officers and equipment for the deputy supervisors. All moneys shall be drawn from such fund, for the purpose of this Act, upon warrants drawn by the Controller of the State, upon demands made by the State Mineralogist, and audited by the State Board of Control.

"SEC. 47. The moneys in such fund shall be expended under the direction of the State Mineralogist. All moneys over and above the forty-five thousand dollars for support and maintenance shall be available for the actual repairs of wells as specified in section 14, and for expenditures provided for in sections 36, 40, 43 and 44 of this Act. Moneys collected from any county shall be available for repair work only in said county. Expenditure on repair work, in any county, during one year, shall not exceed an amount equal to twenty-five dollars per producing oil well in said county, but in no county shall the amount exceed twenty-five thousand dollars, and the charges hereinbefore provided for shall be so determined that such amount shall be available. All moneys received in repayment for repair work done under the order and direction of the supervisor, as hereinbefore provided, shall be returned to the repair fund of the county in which the work was done.

"SEC. 48. On or before the first day of October in each and every year, the supervisor shall submit a report in writing to the State Mineralogist showing the total number of barrels of petroleum produced in each county in the State during the previous fiscal year, together with the total cost for said year of supervision as shown by the 'supervision account' and the net amount remaining therein available for the succeeding year's expense, also the total amount uncollected; such report shall also show the total amount collected in each county under the 'County Repair Account' during such year, total amount expended for said purpose, the total amount still outstanding and not repaid, and the sum available for the next succeeding year. Such report shall also include such other information as the supervisor may deem advisable. The State Mineralogist shall make public such statements promptly after receipt of the same from the supervisor for the benefit of all parties interested therein.

"SEC. 49. All leases, licenses and assignments thereof or of any interest therein for, upon or concerning lands or tenements in this State, whereby a right is given or granted to operate or to sink or drill wells thereon for petroleum or gas, or either, or pertaining thereto, shall be filed for record forthwith, and recorded in the records of the county recorder of the county where the property is situated without delay, and not be removed until recorded. No such lease or license shall have any force or validity until it is filed for record as aforesaid, except as between parties thereto, unless the person claiming thereunder is in actual possession.

"SEC. 50. Whenever the term 'supervisor' is used in this Act it shall be taken to mean the 'State Oil and Gas Supervisor,' the term 'oil' shall include 'petroleum,' the term 'petroleum' shall include 'oil,' the term 'gas' shall mean natural gas coming from the earth, the term 'operator' shall mean any person, firm or corporation drilling, maintaining, operating, pumping, or in control of a well in any territory which the supervisor determines to be oil or gas producing territory, the term 'owner' shall include 'operator' when any oil or gas well is operated or has been operated or is about to be operated by any person, firm or corporation other than the owner thereof, and the term 'operator' shall include 'owner' when any such well is or has been or is about to be operated by or under the direction of the owner, except that all the provisions of this Act relating to assessments for the purposes of this Act based upon the annual production of oil or petroleum or sale of gas, as set forth in sections 22 to 45, inclusive of this Act, shall apply only to a person, firm or corporation operating an oil or petroleum or gas well, and shall not apply to the owner of such well if some person, firm or corporation, other than such owner, has been actually operating the well during the whole period for which such annual charge is made, but in the event that the actual operation of any such well changes hands during such period, the charge shall be apportioned upon the basis of the oil or petroleum or gas produced, and the lien provided for in section 41 of this Act shall be a lien against the property of each and all such operators.

"SEC. 51. There is hereby appropriated out of any moneys in the State Treasury, not otherwise appropriated, the sum of twenty thousand dollars which said sum shall be immediately transferred by the State Controller on the books of his office from the general fund to the 'oil protection fund' created by section 46 of this Act.

"The above mentioned fund shall be available for the uses of the State Mineralogist for the maintenance of the Department of Petroleum and Gas and for the necessary expenses of the Controller in carrying out the provisions of this Act. When the collections paid to the State Treasurer, as herein provided, equal the sum of thirty thousand dollars then said sum of twenty thousand dollars shall be re-transferred from the oil protection fund to the general fund. The moneys received into the State treasury through the provisions of this Act are hereby appropriated for the uses and purposes herein specified.

"SEC. 52. If any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

"SEC. 53. This Act shall be liberally construed to meet its purposes and the supervisor shall have all powers which may be necessary to carry out the purposes of this Act, but the provisions of this Act shall not apply to any land or wells situated within the boundaries of an incorporated city where the drilling of oil wells is prohibited.

"SEC. 54. That certain Act entitled 'An Act to prevent injury to oil, gas or petroleum-bearing strata or formations by the penetration or infiltration of water therein,' approved March 20, 1909, together with all Acts amendatory thereof and supplemental thereto and all Acts in conflict herewith are hereby repealed. Nothing herein shall be construed as affecting the provisions of the Act of June 16, 1913, establishing a State Mining Bureau."

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 132—An Act to amend section 756 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 388—An Act to appropriate money for repairs and improvements at the San Diego State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

SECRETARY EDWIN F. SMITH AT THE DESK.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 389—An Act to appropriate money for furniture and equipment at the San Diego State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 444—An Act to appropriate money to pay the expenses of street improvements fronting the property of the San Jose State Normal School in the city of San Jose.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 466—An Act to appropriate money for repairs and improvements at the California School for the Deaf and the Blind.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 467—An Act to appropriate money to install new electric wiring in the institution of the California School for the Deaf and the Blind.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 468—An Act to appropriate money to provide the manual arts building of the California School for the Deaf and the Blind with fire escape equipment.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 469—An Act to appropriate money to develop and equip artesian wells and to connect the same with the water system of the California School for the Deaf and the Blind at the California School for the Deaf and the Blind.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 907—An Act to add a new section to the Political Code to be numbered 664*a*, relating to the powers and duties of the State Board of Control as regards claims against the State.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1084—An Act to provide for the appointment of a State Capital Planning Commission to formulate plans for the capital city of the State and to confer with the City Planning Commission of the State capital city.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1256—An Act to appropriate money for purchase and installation of heating system at the California School for the Deaf and the Blind.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 496—An Act to appropriate money for repairs and improvements at the California School for the Deaf and the Blind.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 883—An Act to appropriate money for the erection of additional buildings for the use of the naval reserves of San Diego, California.

Bill read second time, ordered engrossed, and on file for third reading.

Assembly Bill No. 170—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Senate Bill No. 113—An Act appropriating money for the construction and equipment of buildings on the property of Humboldt State Normal School.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the words "one hundred twelve" and insert in lieu thereof "twenty".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 5, after the word "of" and before the word "buildings" insert the word "temporary".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 5, after the word "buildings" insert the words "and improvements".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 6, after the word "school," strike out all the section.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 359—An Act to appropriate money for remodeling the training school building at the San Francisco State Normal School.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1 of the title, strike out the words "training school".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2 of the title, after the "ing" insert the letter "s".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 1, section 1, strike out the words "seven thousand five hundred" and insert in lieu thereof the following: "twelve thousand".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 4, strike out the words "training school".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 4, after the word "building" insert the letter "s".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 5, after the word "school" insert the following: "The money herein appropriated shall be available to pay any expense which has been incurred for said purpose subsequent to the fifteenth day of April, 1915".

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 360—An Act to appropriate money for repairs and furnishings at the San Francisco State Normal School.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the word "one" and insert in lieu thereof the word "seven".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 464—An Act to appropriate money for repairs and improvements at the Industrial Home for the Adult Blind.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the word "three" and insert in lieu thereof the word "four".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 465—An Act to appropriate money for furniture for the new dormitory building at the Industrial Home for the Adult Blind.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out lines 5, 6, 7 and 8.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

PETITION—(OUT OF ORDER).

Senator Jones presented the following petition, out of the regular order, which was ordered printed in the Journal:

SAN JOSE, CALIFORNIA, April 24, 1915.

Honorable Herbert C. Jones, Senator Twenty-eighth District, and Honorable Frank H. Benson, Senator Twenty-seventh District.

GENTLEMEN: We, the undersigned, employees of the electric railway companies and residents of Santa Clara County, ask you to protect the industry through which we gain out living by passing the bills now before you providing for the taxation of automobiles engaged as public utilities in competition with the electric railways and giving power to counties and municipalities to regulate these automobiles by the granting of franchises.

The proposed tax of $12.50 per passenger seat is but a small part of the gross revenue of the automobiles, compared with that part of the gross revenues now paid in taxes to the State per passenger seat by the electric railways.

The electric railways are subject to State, county and municipal regulation and must secure franchises.

It is little enough in fairness to ask that automobiles operating in competition with them be required to obtain franchises.

If the electric railways, under the unfair competition of automobiles, compared with the railroads practically untaxed and unregulated, not only have to stop extending their service, but must abandon lines and reduce service now given, the communities served, the owners of the railroads and the employees must suffer.

Inasmuch as the largest single expenditure of the electric railways is for wages and, directly and indirectly, the largest part of its revenue goes to the payment of wages, we, as employees, have an important and direct interest in this matter most vital to us.

We, therefore, in behalf of the electric railway employees of Santa Clara County, larger in number than in any other single industry in this county, respectfully and earnestly urge you to vote for these bills.

F. E. CHAPIN and 318 others.

REQUEST FOR INTRODUCTION OF BILL.

Senator Mott requested permission to introduce a Senate bill entitled "An Act to appropriate money to pay the claim of Miller-Enwright Company against the State of California."

Request referred to Committee on Introduction of Bills.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was introduced:

By Senator Kehoe:

Senate Concurrent Resolution No. 22—Relative to the correction of erroneous reports regarding California's experience under woman suffrage.

Resolution referred to Committee on Judiciary.

ADJOURNMENT.

At six o'clock and ten minutes p.m., on motion of Senator Kehoe, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Wednesday, April 28, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by Assistant Secretary J. A. Miller, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

By invitation of the President pro tem., prayer was offered by Rev. Father C. E. Woodman, of Newman Hall, Berkeley.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 27, 1915, the further reading was dispensed with, on motion of Senator Rush.

PETITION.

The Secretary presented the following petition, which was read and ordered printed in the Journal:

SAN FRANCISCO, CALIFORNIA, April 27, 1915.

The Chairman of the Senate, Capitol Building, Sacramento, California:

The social science department of the California Club at a special meeting, after careful and deliberate consideration, respectfully urges your honor to bring before the Senate the case of Leo M. Frank of Atlanta, Georgia, and take such action as shall aid in the cause of justice and humanity.

MARGARET B. CURRY, Secretary.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 988—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737—and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 988.

Senate Bill No. 988—An Act to amend an Act entitled, "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled, 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED EIGHTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 3, line 16, of the printed bill, after the word "them", strike out the semicolon, and insert in lieu thereof a period. Then start a new paragraph beginning with the words "*Provided*, that a building of".

AMENDMENT NUMBER TWO.

On page 34, line 13, of the printed bill, strike out the word "legal", and insert in lieu thereof the word "local".

AMENDMENT NUMBER THREE

On page 35, line 24, of the printed bill, strike out the letter "s" in the word "departments".

AMENDMENT NUMBER FOUR.

On page 40, line 3, of the printed bill, strike out the letter "t" in the word "therein".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 988?"

The roll was called, and Assembly amendments to Senate Bill No. 988 were concurred in by the following vote:

Ayes—Senators Anderson, Ballard, Breed, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, Lyon, Maddux, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—25.

Noes—None.

Senate Bill No. 988 ordered to enrollment.

MESSAGE FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 757—An Act to amend section 626 of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12;

Also: Senate Bill No. 986—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by adding thereto three new sections to be numbered 12*a*, 12*b* and 12 *c*, respectively, relating to the fees of employment agencies and to applications for help or laborers;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 757, 954 and 986.

Senate Bill No. 757—An Act to amend section 626 of the Penal Code of the State of California relating to the protection of fish and game.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED FIFTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 1, line 13, strike out the word "thirty-first" and insert in lieu thereof the following: "fourteenth".

AMENDMENT NUMBER TWO.

Also on page 2, line 9, strike out the word "thirty-first" and insert in lieu thereof the following: "fourteenth".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 757?"

The roll was called, and Assembly amendments to Senate Bill No. 757 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Rush, Scott, Shearer, Slater, Strobridge, and Tyrrell—28.

NOES—None.

Senate Bill No. 757 ordered to enrollment.

Also:

Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED FIFTY-FOUR.

AMENDMENT NUMBER ONE.

On page 2, line 14, strike out the word "lincenses" and insert in lieu thereof the word "licenses".

AMENDMENT NUMBER TWO.

On page 2, line 30, strike out the word "persons" and insert in lieu thereof the word "person".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 954?"

The roll was called, and Assembly amendments to Senate Bill No. 954 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—27

NOES—None.

Senate Bill No. 954 ordered to enrollment.

Senate Bill No. 986—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by adding thereto three new sections to be numbered 12*a*, 12*b* and 12*c*, respectively, relating to the fees of employment agencies and to applications for help or laborers.

On motion of Senator Lyon, Senate Bill No. 986, with pending Assembly amendments, was ordered to the file of Unfinished Business.

MESSAGE FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution amending article XIII thereof, by inserting therein a new section to be known as section 12½, providing for the assessment, levy and collection of a tax for the care and support of orphans and half-orphans, and dependent children.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Resolution referred to Committee on Judiciary.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference, appointed to consider Assembly Bill No. 1406—An Act to add a new section to the Civil Code to be numbered and designated 653*ha*, providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

REPORT OF COMMITTEE ON FREE CONFERENCE.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. 1406, entitled "An Act to add a new section to the Civil Code to be numbered and designated 653*ha*, providing for the manner of calling meetings of an unincorporated society, organization or association, when the manner of calling the same is unprovided for in the constitution or by-laws of such unincorporated society, organization or association, or the officer whose duty it is to call such meeting fails or refuses so to do"—reports that we have met a like committee of the Assembly consisting of Assemblymen Manning, Beck, and Encell and we report that the Free Conference has agreed upon and recommends that the said Assembly Bill No. 1406 be amended as follows:

AMENDMENT NUMBER ONE.

On page 2, line 14, strike out the word "calling" and in line 15, page 2, strike out the word "or".

AMENDMENT NUMBER TWO.

On page 2, line 16, strike out the words "call or".

BENSON,
SCOTT,
CARR,
Senate Committee on Free Conference.
MANNING,
BECK,
ENCELL,
Assembly Committee on Free Conference.

Report read.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Lyon, Maddux, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—None.

Whereupon the President declared the Committee on Free Conference discharged.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 804—An Act to amend sections 1131, 1132, 1142 and 1151 of the Political Code relating to elections, to add a new section to the Political Code, to be known as section 1142*a*, relating to the same subject, and to repeal section 1144 of the Political Code:

Also: Assembly Bill No. 615—An Act to appropriate the sum of $11,433.82 out of the San Francisco Harbor Improvement Fund in the state treasury to pay the assessment levied for said amount on property belonging to the State of California by the city and county of San Francisco for a local improvement.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

Assembly Bill No. 804 read first time, and referred to Committee on Elections.

Assembly Bill No. 615 read first time, and referred to Committee on Finance.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(OUT OF ORDER).

On motion of Senator Lyon, the Senate took up for consideration Assembly amendments to Senate Bill No. 142, out of the regular order.

Senate Bill No. 142—An Act to create the office of public defender, to provide for the appointment of such officers, and prescribing their duties and compensation.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED FORTY-TWO.

AMENDMENT NUMBER ONE.

On page 1, line 3 of the title, strike out the word "offices" and insert in lieu thereof the word "officers".

AMENDMENT NUMBER TWO.

On page 1, line 10, after the word "may" insert "in its discretion".

AMENDMENT NUMBER THREE.

On page 2, line 2, after the word "by" insert "a vote of".

AMENDMENT NUMBER FOUR.

On page 2, line 16, after the word "first" insert ", second".

AMENDMENT NUMBER FIVE.

On page 2, line 22, strike out the words "nine hundred" and insert in lieu thereof the word "sixty".

AMENDMENT NUMBER SIX.

On page 3, line 24, strike out the word "fifty" and insert in lieu thereof the words "one hundred".

AMENDMENT NUMBER SEVEN.

On page 2, line 28, strike out the following: "ninth", and insert the following in line 17, page 2, after the comma following the word "eighth": "ninth,".

AMENDMENT NUMBER EIGHT.

On page 3, line 30, after the word "counties" insert "or cities and counties".

AMENDMENT NUMBER NINE.

On page 4, line 3, after the word "county" insert "or city and county".

AMENDMENT NUMBER TEN.

On page 4, line 15, after the word "county" insert "or city and county".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 142?"

The roll was called, and Assembly amendments to Senate Bill No. 142 were concurred in by the following vote:

AYES—Senators Anderson, Breed, Butler, Campbell, Carr, Chandler, Cohn, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Shearer, Strobridge, Thompson, Tyrrell, and Wolfe—25.

NOES—None.

Senate Bill No. 142 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1127—An Act to amend the Civil Code of California, by adding thereto a new section to be numbered and known as section 1776, relating to the sale of live stock—and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1180—An Act to amend sections 2, 3 and 6 of an Act entitled "An Act to provide for the division of municipalities into sewer districts and for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911;

Also: Senate Bill No. 162—An Act to amend section 4300a of the Political Code, relating to the fees of county clerks;

Also: Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class;

Also: Senate Bill No. 352—An Act to amend section 1687 of the Political Code, relating to qualifications of teachers for pupils of the first grade, and to the payment of teachers' salaries in the elementary school;

And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 218—An Act to amend sections 3, 5, 6 and 12 of an Act known as the "Net Container Act," approved May 24, 1913—and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 849—An Act to amend section 1665 of the Political Code of the State of California, relating to the subjects in which instruction shall be provided in the elementary schools of the State;

Also: Senate Bill No. 1204—An Act providing for the manner of construction and equipment of window sashes in certain classes of windows;

Also: Senate Bill No. 221—An Act to amend section 171 of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases;

Also: Senate Bill No. 424—An Act to amend section 1543 of the Political Code, relating to the duties of superintendent of schools;

And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 1223—An Act to provide for the organization and government of conservation and flood control districts and to provide for the acquisition or construction thereby of works for the irrigation, reclamation and drainage of the lands embraced within such districts, and also to provide for the storage of water for irrigation and to provide for the reclamation of lands subject to overflow—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CHANDLER, Chairman.

Senate Bill No. 1223 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 816—An Act providing for a two platoon system in the fire departments of cities having paid fire departments—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

TYRRELL, Chairman.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: The undersigned, being a minority of the Committee on Municipal Corporations, respectfully submits the following minority report on Assembly Bill No. 816:

The committee has held several public hearings on this bill. It developed that the bill passed the Assembly by a clear majority and during the hearings in this committee the following facts were evolved:

From the humanitarian point of view the system of continuous duty must be absolutely condemned as out of keeping with modern civilization. There can be no reasonable defense of a system that divorces the husband and father from the wife and children for four days at a time; that compels a man to abuse his stomach 281 days a year; that deprives him of the privilege of a divine worship, of the opportunity of social intercourse with his fellowmen; that on account of the irregularity of hours is a bar to membership in any organization with a chance of attendance oftener than once every five months if the club holds monthly meetings. It makes physical wrecks in a few years of the picked men of the community. It has broken up hundreds of homes through the temptation the wife is subjected to in being forced to be alone 281 nights of the year. It is a relic of the barbarous past.

Under the two platoon system, firemen would average 12 hours duty for 351 days of the year. During these 12 hours they would not be absent from duty for any cause, except sickness. There would be no absence for meal leaves, no days off, no nights off. The day shift would do 10 hours' duty, and the night shift 14 hours. Once a week they would "swing", and the night shift would do the 10-hour turn while the day shift did the 14-hour turn. The fireman would sleep at home, eat his breakfast and supper at home and take his lunch with him to the fire house. He would be doing as all workingmen do. He would still have long hours, his occupation would still be a dangerous one, he would still be shorter lived than a clerk, but he would be living a more nearly normal existence than now. Fourteen hours would make a long night, but they now frequently have longer ones, and the 10-hour day would be a compensation.

Above all, their health would be greatly conserved and they could enjoy a few hours of home life each day. Surely, what they ask is not too much.

I, therefore, differ materially with the majority of this committee and recommend that the bill do pass.

SCOTT.

Assembly Bill No. 816 ordered on file for second reading.

REQUEST FOR INTRODUCTION OF BILL.

Senator Campbell requested permission to introduce a Senate bill entitled:

"An act to amend section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants and employees, and prescribing their duties and powers."

Request referred to Committee on Introduction of Bills.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Breed moved to reconsider the vote whereby Senate Bill No. 751—An Act to amend section 2287 of the Civil Code of the State of California, relating to appointment of trustees - was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 751 was passed, carried by the following vote:

AYES—Senators Anderson, Ballard, Breed, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Tyrrell, and Wolfe—28.

NOES—None.

SECRETARY EDWIN F. SMITH AT THE DESK.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FIFTY-ONE—(RESUMED).

The question being on the passage of Senate Bill No. 751.

The roll was called, and Senate Bill No. 751 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Butler, Campbell, Chandler, Cohn, Duncan, Flint, Gerdes, Irwin, Jones, King, Luce, Lyon, Maddux, Purkitt, Rush, Shearer, Stuckenbruck, and Thompson—21.

NOES—Senators Beban, Benedict, Breed, Brown, Cogswell, Crowley, Finn, Flaherty, Mott, Scott, Tyrrell, and Wolfe—12.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR EXTENDED.

On request of the President, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. C. W. Bell, of Pasadena.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act.

On motion of Senator Scott, Senate Bill No. 310 was passed on file.

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

On motion of Senator Thompson, Senate Bill No. 1078 was passed on file.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

On motion of Senator Finn, Senate Bill No. 59 was passed on file.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

On motion of Senator Finn, Senate Bill No. 60 was passed on file.

Senate Bill No. 1202—An Act to provide for the regulation and supervision of racing meetings; establishing a State Racing Commission for the purpose of administering the provisions hereof, and defining its powers and duties; prohibiting book-making; and prescribing penalties for violation of the provisions of the Act.

On motion of Senator Beban, Senate Bill No. 1202 was passed on file.

Senate Bill No. 1138—An Act to regulate the building and occupancy of dwelling houses in incorporated and unincorporated towns, cities, cities and counties, and to provide penalties for the violation thereof.

WITHDRAWAL OF BILL.

Senator Anderson asked for and was granted unanimous consent to withdraw Senate Bill No. 1138.

Senate Bill No. 1138 ordered withdrawn, and stricken from the file.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof.

On motion of Senator Thompson, Senate Bill No. 1049 was passed on file.

Senate Bill No. 889—An Act to add a new section to the Civil Code of the State of California, to be numbered 1410*b*, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

On motion of Senator Breed, Senate Bill No. 889 was passed on file.

Senate Bill No. 161—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

WITHDRAWAL OF BILL.

Senator King asked for and was granted unanimous consent to withdraw Senate Bill No. 161.

Senate Bill No. 161 ordered withdrawn, and stricken from the file.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 130—An Act to amend section 1365 of the Code of Civil Procedure, relating to the order of persons entitled to administer upon estates.

On motion of Senator Thompson, Senate Bill No. 130 was passed on file.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to compete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan, Senate Bill No. 74 was passed on file.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 1060—An Act to establish a tax on producers of crude petroleum, to provide for its collection and to direct the disposition of the proceeds therefrom.

On motion of Senator Chandler, Senate Bill No. 1060 was passed to the foot of the file.

Senate Bill No. 705—An Act to amend section 634 of the Penal Code of the State of California, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 705 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1107—An Act to regulate the issuance of licenses for re-sale to hunters and anglers.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1107 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Rush, Scott, Slater, Stuckenbruck, Thompson, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 985—An Act to amend sections 1999, 2000, 2001, 2002 and 2003 of the Civil Code of the State of California, relating to employees.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 985 passed by the following vote:

AYES—Senators Benson, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

NOES—Senators Anderson, and Ballard—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 441—An Act in relation to the Act of Congress known as the Carey Act, and all Acts amendatory thereof and supplemental thereto, and giving authority to a commission in the investigation, selection, reclamation, control and disposal of all lands granted the State under the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 441 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 352—An Act to amend section 1687 of the Political Code, relating to qualifications of teachers for first grade.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Brown moved to refer to Senator Butler as a Special Committee of One to amend Senate Bill No. 352 as follows:

AMENDMENT NUMBER ONE.

By striking out of section 1, page 2, line 10, the words "or at least", and in line 11, page 2, the words "five years of experience in teaching such special branch".

Motion lost.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Wolfe, the hour of recess was extended until twelve o'clock and thirty-four minutes p.m.

SPECIAL ORDER.

Senator Maddux moved that further consideration of Senate Bill No. 352 be made a special order for this day, immediately after the consideration of Assembly bills.

Motion carried.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 536—An Act to prevent the importation into the State of California of horses, mules, dairy cattle and breeding bulls which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this Act, and repealing an Act approved June 4, 1913, entitled "An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease, to provide for the inspection of such animals before they are brought into the State"; to repeal an Act entitled, "An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California," approved March 7, 1911; to repeal an Act entitled "An Act to prevent the importation of horses, mules and asses affected with glanders into the State of California," approved March 7, 1911;

Also: Senate Bill No. 1246—An Act to establish the Alpine State road; to define its course; to provide for its supervision, construction, maintenance, improvement and repair and to repeal an Act entitled "An Act to establish the Alpine state highway; to define its course; to provide for its supervision, construction, repair and maintenance, and to make an appropriation therefor," approved April 15, 1911, and an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora, at a point known as Long Barn, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State highway," approved March 12, 1901;

Also: Senate Bill No. 132—An Act to amend section 756 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court;

Also: Senate Bill No. 388—An Act to appropriate money for repairs and improvements at the San Diego State Normal School;

Also: Senate Bill No. 389—An Act to appropriate money for furniture and equipment at the San Diego Normal School;

Also: Senate Bill No. 444—An Act to appropriate money to pay the expenses of street improvements fronting the property of the San Jose State Normal School in the city of San Jose;

Also: Senate Bill No. 466—An Act to appropriate money for repairs and improvements at the California School for the Deaf and the Blind;

Also: Senate Bill No. 467—An Act to appropriate money to install new electric wiring in the institution of the California School for the Deaf and the Blind;

Also: Senate Bill No. 468—An Act to appropriate money to provide the Manual Arts Building of the California School for the Deaf and the Blind with fire escape equipment;

Also: Senate Bill No. 469—An Act to appropriate money to develop and equip artesian wells and to connect the same with the water system of the California School for the Deaf and the Blind at the California School for the Deaf and the Blind;

Also: Senate Bill No. 907—An Act to add a new section to the Political Code to be numbered six hundred sixty-four *a*, relating to the powers and duties of the State Board of Control as regards claims against the State;

Also: Senate Bill No. 1084—An Act to provide for the appointment of a State Capital Planning Commission to formulate plans for the capital city of the State and to confer with the City Planning Commission of the state capital city;

Also: Senate Bill No. 1256—An Act to appropriate money for purchase and installation of heating system at the California School for the Deaf and the Blind;

Also: Senate Bill No. 496—An Act to appropriate money for repairs and improvements at the California School for the Deaf and the Blind;

Also: Senate Bill No. 883—An Act to appropriate money for the erection of additional buildings for the use of the naval reserves of San Diego, California;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 814—An Act to provide for the licensing of motor vehicles to operate upon the streets and public highways of the State of California and engage in the business of carrying passengers for hire by indiscriminately accepting and discharging them at successive points thereon; and making an appropriation for the purpose of carrying out the provisions of this Act;

Also: Senate Bill No. 628—An Act declaring kelp beds to be the property of the State of California and providing for the control and leasing of said beds;

And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

RECESS.

At twelve o'clock and thirty-four minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p. m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committee were received and read, out of the regular order.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 649—An Act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust;

Also: Senate Bill No. 1125—An Act to amend section 1269 of the Code of Civil Procedure, relating to escheated property and the procedure in relation thereto;

Also: Senate Bill No. 1192—An Act to repeal article III of chapter III of title VII of part IV of the Civil Code of the State of California, and to enact a new article III of chapter III of title VII of part IV of the Civil Code of the State of California, relating to bills of lading;

Also: Senate Bill No. 1194—An Act to repeal title XV of part IV of division third of the Civil Code of the State of California, and to add a new title XV of part IV of division third of said code in place thereof, relating to negotiable instruments, and to make the law of negotiable instruments in the State of California uniform with the law of other states;

Also: Assembly Bill No. 105—An Act to amend the Code of Civil Procedure of the State of California, by adding thereto a new section, to be numbered 1690, providing for the granting of letters of administration upon the estates of persons presumed to be dead, by reason of absence from the State for seven years; and for the administration of the estates of such absent persons;

Also: Senate Bill No. 1248—An Act to amend section 631 of the Code of Civil Procedure providing when and how trial by jury may be waived;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Senate Bills, Nos. 649, 1125, 1192, 1194 and 1248 ordered on file for second reading.

Assembly Bill No. 105 ordered on file for second reading.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 667—An Act to amend sections 2, 3, 12, 16 and 17 of an Act known as the "Weights and Measure Act," approved June 16, 1913—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended, and be re-referred to Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 667 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 31 of article IV thereof, relating to the loan by the State of its credit to public or private corporations—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted as amended.

KEHOE, Chairman.

Senate Constitutional Amendment No. 17 ordered on file.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Constitutional Amendment No. 36—A resolution proposing to the people of the State of California to amend section 12 of article XIII of the Constitution of the State of California, relative to poll tax—has had the same under consideration, and respectfully reports the same back and recommends that it be not adopted.

KEHOE, Chairman.

Senate Constitutional Amendment No. 36 ordered on file.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 445—An Act to amend section 1465 of the Code of Civil Procedure of the State of California, relative to powers of petitioners to set aside exempt property for use of family;

Also: Senate Bill No. 1193—An Act to amend section 1624 of the Civil Code, and repealing article II of chapter III of title IV of division second of the Civil Code, and repealing sections 2308, 2309, 3310, 3311, 3312, 3313, 3314, 3353, 3354, 3355, 1739, and 1740, of the Civil Code, chapter II of title I of part IV of division third of the Civil Code, chapter III of title I of part IV of division third of the Civil Code, chapter IV of title I of part IV of division third of the Civil Code, and to add chapters II, III, IV, V, VI and VII of title I of part IV of division third of said Civil Code in place thereof, relating to the sale of personal property;

Also: Assembly Bill No. 270—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending sections 85 and 97 thereof, relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants;

Also: Assembly Bill No. 1576—An Act to amend section 1577 of the Code of Civil Procedure of the State of California;

Also: Assembly Bill No. 1000—An Act to amend section 1955 of the Civil Code of the State of California, relating to the letting and hiring of personal property;

Also: Assembly Bill No. 1563—An Act validating the acts of county auditors and county treasurers when they pay out moneys according to a statutory law, should that law afterward be declared unconstitutional;

Also: Assembly Bill No. 203—An Act to amend section 103½ of the Code of Civil Procedure, said amendment relating to clerks of justices' courts in cities or towns of the second and one half class and third class, and appointments, salaries and duties of same;

Also: Assembly Bill No. 574—An Act to amend section 10 of an Act entitled "An Act relating to immigrants and immigration, creating a Commission of Immigration and Housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said Commission to fix their compensation, prescribing the duties of said Commission, providing for the investigation by said Commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, Statutes of California of 1913, page 608;

Also: Assembly Bill No. 885—An Act to amend section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of Legislature; of reports of Supreme Court;

Also: Assembly Bill No. 1511—An Act to amend an Act entitled, "An Act to establish police courts in the cities of the first and one half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an Act entitled, 'An Act to establish police courts in cities of the first and one half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof,'" etc.;

Also: Assembly Bill No. 366—An Act amending section 413 of the Code of Civil Procedure, relating to the service of summons, and making clear the intent of the law regarding the service of summons on non-residents;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bills Nos. 445 and 1193 ordered on file for second reading.

Assembly Bills Nos. 270, 1576, 1000, 1563, 203, 574, 885, 1511 and 380 ordered on file for second reading.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 138—An Act to amend section 1920 of the Civil Code of the State of California, relating to interest on judgments—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass as amended.

KEHOE, Chairman.

Senate Bill No. 138 ordered on file for second reading.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 731—An Act creating and establishing a commission to codify, revise and perfect the law of the State concerning roads, streets, highways and bridges; prescribing the powers and duties of said Commission; providing for the expense of said Commission and appropriating money therefor has had the same under consideration, and respectfully reports the same back and recommends that it do pass and be re-referred to the Committee on Finance.

KEHOE, Chairman.

Senate Bill No. 731 ordered re-referred to Committee on Finance.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent to take up, out of the regular order, for purpose of amendment Assembly Bill No. 487.

REPORTS OF STANDING COMMITTEE—(RESUMED).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Judiciary to which was referred Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; creating a liability on the part of the employers to pay damages in certain cases; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act—has had the same under consideration and respectfully reports the same back and recommends that it be re-referred to Senator Kehoe as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

Amend the title by inserting in the fourth line thereof, after the semicolon following the word "employments" the following: "providing a penalty for the violation thereof;".

AMENDMENT NUMBER TWO.

On page 2, line 23, after the words "from the" strike out the word "place" and insert in lieu thereof the words "usual place of employment".

AMENDMENT NUMBER THREE.

On page 2 strike out all of lines 27, 28, 29 and 30 and insert in lieu thereof the following:

"SEC. 5. In the event that said employer as defined herein shall fail to pay any employee when said employee's wages are due and payable, as provided in this Act, and have been demanded, there shall be added to the wages due said employee and amount equal to twenty-five per cent. of said wages due, as a penalty, and such wages due and such added penalty may be collected in a civil action commenced at any time within one year after such wages and penalty shall become due."

KEHOE, Chairman.

Report adopted.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the Acting President appointed Senator Kehoe a Special Committee of One to amend Assembly Bill No. 487 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 487, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Kehoe, adopted.
Bill ordered to print.

REPORTS OF COMMITTEES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Finance to which was referred Senate Bill No. 775—An Act making an appropriation for the entertainment of the delegates to the convention of the National Guard Association of the United States, at its meeting in the city of San Francisco, California, during the year 1915—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended by Committee on Military Affairs.

STROBRIDGE, Chairman.

Senate Bill No. 775 ordered on file for second reading.
Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 128—An Act appropriating money to pay the claim of Greeer's Building Company against the State of California;

Also: Senate Bill No. 251—An Act appropriating money to pay the claim of Charles W. Williams against the State of California;

Also: Senate Bill No. 281—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California;

Also: Senate Bill No. 282—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California;

Also: Senate Bill No. 283—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California;

Also: Senate Bill No. 284—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California;

Also: Senate Bill No. 513—An Act appropriating money to pay the claim of Peter F. Macdonald against the State of California;

Also: Senate Bill No. 514—An Act appropriating money to pay the claim of William La Haye against the State of California;

Also: Senate Bill No. 546—An Act appropriating money to pay the claim of the Lake Tahoe Railway and Transportation Company against the State of California;

Also: Senate Bill No. 678—An Act to appropriate money to pay the claim of Martha O. Ullner against the State of California;

Also: Senate Bill No. 804—An Act to reimburse Russell T. Joy for money paid by him to the State of California in the purchase of certain certificates of indemnity or scrip, on account of his becoming subsequently disqualified to purchase State lands by reason of removal from the State of California, and making an appropriation therefor;

Also: Senate Bill No. 835—An Act to authorize the repayment to Mary Ann Bath, Carrie F. Stone, Alice B. Walker and John Thaddeus Bath, as heirs at law of John F. Bath, deceased, of moneys paid by said deceased in his life time to the State of California, for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of six hundred forty dollars, and for such purpose authorizing the State Register to issue a certificate to said heirs of John F. Bath, deceased, for the amount so paid for said indemnity certificates, and authorizing the State Controller to draw his warrant on the State Treasurer for said sum, and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State school land fund;

Also: Senate Bill No. 896—An Act to appropriate money to pay the claim of W. E. Gerber against the State of California;

Also: Senate Bill No. 947—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California;

Also: Senate Bill No. 1087—An Act appropriating money to pay the claim of Fred H. Figel against the State of California;

Also: Senate Bill No. 1167—An Act appropriating money to pay the claim of R. A. Sarle against the State of California;

Also: Senate Bill No. 1251—An Act to amend section 1 of an Act entitled "An Act to amend section 1 of an Act entitled 'An Act amending an Act making an appropriation for the establishment of a permanent fund for the purchase of jute to be manufactured at the state prison at San Quentin, approved March 9, 1885,' approved March 16, 1889, and to provide for the disposition and use of the surplus money received from the sale of jute goods and not needed for the 'Revolving Fund' provided for in said Act," approved March 24, 1911.

Also: Senate Bill No. 1249—An Act to amend section 778 of the Political Code relating to contract for the publishing of Supreme and District Courts of Appeal reports;

Also: Senate Bill No. 167—An Act appropriating money for repairs and improvements to buildings and equipment at the California Polytechnic School;

Also: Senate Bill No. 358—An Act to appropriate money for repairs and improvements to the Chico State Normal School;

Also: Senate Bill No. 97—An Act to amend sections 2, 3 and 6 of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an Act approved December 18, 1911, relating to the powers and duties of the Building and Loan Commissioner;

Also: Senate Bill No. 184—An Act to appropriate money for repairs and alterations to main buildings, Santa Barbara State Normal School of Manual Arts and Home Economics:

Also: Senate Bill No. 185—An Act to appropriate money to pay the expense of improving the grounds of the Santa Barbara State Normal School of Manual Arts and Home Economics, including grading, installation of sewer, gas and water mains and conduits;

Also: Senate Bill No. 373—An Act to appropriate money to construct an addition to the manual training building of the Los Angeles State Normal School;

Also: Senate Bill No. 372—An Act to appropriate money to purchase additional equipment for the industrial training departments of the Los Angeles State Normal School;

Also: Senate Bill No. 371—An Act to appropriate money to complete and furnish the Los Angeles Normal School buildings;

Also: Senate Bill No. 16—An Act increasing the number of judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge;

Also: Senate Bill No. 1214—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Stanislaus, to provide for the appointment of an additional judge and for his compensation:

Also: Senate Bill No. 782—An Act to provide two additional judges of the Superior Court of the county of Alameda;

Also: Senate Bill No. 135—An Act to appropriate money to pay the expenses of furnishing and equipping a new normal school building at the Fresno State Normal School;

Also: Senate Bill No. 246—An Act to appropriate money for the construction and furnishing of a cottage for men patients at the Napa State Hospital:

Also: Senate Bill No. 247—An Act to appropriate money for the construction and furnishing of a cottage for women patients at the Napa State Hospital;

Also: Senate Bill No. 248—An Act to appropriate money for the construction and equipment of a building or buildings as a home for workingmen on what is known as the Smith-Brown ranch belonging to the Napa State Hospital;

Also: Senate Bill No. 249—An Act to appropriate money for remodeling South Pay Cottage at the Napa State Hospital;

Also: Senate Bill No. 263—An Act to appropriate money for the development of water including the installation of pumping station and mains at the Southern California State Hospital;

Also: Senate Bill No. 294—An Act to appropriate money for the purchase and installation of three electric elevators at the Mendocino State Hospital;

Also: Senate Bill No. 296—An Act to appropriate money for plumbing repairs at the Mendocino State Hospital;

Also: Senate Bill No. 925—An Act appropriating money to pay the claim of the Southern Pacific Company, a corporation, against the State of California;

Also: Senate Bill No. 1254—An Act re-appropriating the money appropriated to carry out the provisions of the Water Commission Act, approved June 16, 1913, and making the same available for the purpose of said Act during the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 1261—An Act to appropriate money to pay the claims of corporations, arising from exemptions under the provisions of section 14 of article XIII of the Constitution, for the return of corporation license tax erroneously collected;

Also: Senate Bill No. 1253—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-second session of the Legislature concerning the adoption of a system of social insurance and making an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 128, 254, 281, 282, 283, 284, 513, 514, 546, 678, 804, 835, 896, 947, 1087, 1167, 1251, 1249, 167, 358, 97, 184, 185, 373, 372, 371, 16, 1214, 782, 135, 246, 247, 248, 249, 263, 294, 296, 925, 1254, 1261 and 1253 ordered on file for second reading.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 95—An Act to amend section 2982 of the Political Code, relating to the Secretary and Assistant to the Secretary of the State Board of Health;

Also: Senate Bill No. 136—An Act to appropriate money for improving the grounds at the Fresno State Normal School;

Also: Senate Bill No. 213—An Act appropriating money for the construction of a machinery building at the Santa Barbara State Normal School of Manual Arts and Home Economics;

Also: Senate Bill No. 262—An Act to appropriate money for the construction and furnishing of two patient cottages at the Southern California State Hospital;

Also: Senate Bill No. 295—An Act to appropriate money for the replacement of the main pipe line and connections thereto at the Mendocino State Hospital;

Also: Senate Bill No. 375—An Act to appropriate money for improvement to grounds at the Los Angeles State Normal School;

Also: Senate Bill No. 394—An Act to appropriate money for the support and maintenance and erection of additional buildings at the State Hospital at Norwalk, Los Angeles County, California;

Also: Senate Bill No. 984—An Act to amend sections 9 and 10 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883;

Also: Senate Bill No. 1225—An Act making an appropriation to pay the claim of J. V. Stanton, against the State of California;

Also: Senate Bill No. 1242—An Act making an appropriation to pay the claim of C. S. Baldwin against the State of California;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 95, 136, 213, 262, 295, 375, 394, 984, 1225 and 1242 ordered on file for second reading.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Hospital and Asylums to which was referred Senate Bill No. 305—An Act to amend section 2141 of the Political Code, relating to the powers of the Lunacy Commission—has had the same under consideration, and respectfully reports the same back and recommends that it do pass and be re-referred to Committee on Finance.

CROWLEY, Chairman.

Senate Bill No. 305 ordered re-referred to Committee on Finance.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 943—An Act to amend section 1756 of the Political Code of the State of California, relating to the estimate of tax for maintenance of high school—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

ANDERSON, Chairman.

Senate Bill No. 943 ordered on file for second reading.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 809—An Act to amend section 1617c of the Political Code, relating to kindergartens;

Also: Senate Bill No. 810—An Act to add a new section to the Political Code to be numbered 1838 relating to the powers and duties of the governing boards of school districts in levying taxes for building purposes;

Also: Senate Bill No. 819—An Act to add a new section to the Political Code of the State of California to be numbered 1764, relating to the county high school fund, and repealing sections 1758 and 1759 of the Political Code;

Also: Senate Bill No. 689—An Act to amend section 443 of the Political Code, in regard to the State school fund:
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

ANDERSON, Chairman.

Senate Bills Nos. 809, 810, 819 and 689 ordered on file for second reading.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 937—An Act to amend section 1791 of the Political Code of the State of California relating to the powers and duties of city, or city and county, boards of examination;

Also: Assembly Bill No. 1227 An Act to amend section 1593 of the Political Code, relating to the election of school trustees;

Also: Assembly Bill No. 1559—An Act to add a new section to the Political Code to be numbered and designated 1617*d*, providing that the American flag shall be raised over public schools with ceremonies:
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

ANDERSON, Chairman.

Assembly Bills Nos. 937, 1227, and 1559 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 589—An Act to amend section seven of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

On motion of Senator Crowley, Assembly Bill No. 589 was passed on file.

Assembly Bill No. 1535—An Act to amend sections three, five, six, seven, nine, eleven, twelve, eighteen, twenty-one, twenty-three, twenty-five, twenty-seven, forty-two, forty-three, sixty, sixty-three, sixty-six, sixty-seven, seventy-four, and seventy-five, of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and repealing section thirty-six, and sections eighty-four, eighty-five, eighty-six, eighty-seven, eighty-eight, and eighty-nine thereof, relating to work in unincorporated territory.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Tyrrell moved to refer to Senator Breed as a Special Committee of One to amend Assembly Bill No. 1535 as follows:

AMENDMENT NUMBER ONE.

In line 2 of the title, strike out the word "nine" and the comma following said word.

AMENDMENT NUMBER TWO.

In line 21, page 2, of the printed bill, strike out the word "once" and insert in lieu thereof the word "twice".

AMENDMENT NUMBER THREE.

In line 25, page 3, strike out all after the period and all of lines 26, 27, and 28, inclusive.

AMENDMENT NUMBER FOUR

Commencing with line 30, page 4, strike out all of said line and all of lines 31 to 37, inclusive, and also all of lines 1 to 5, inclusive, on page 5

AMENDMENT NUMBER FIVE.

In line 6, page 5, strike out the figure "6" and insert in lieu thereof the figure "5".

AMENDMENT NUMBER SIX

In line 11, page 5, strike out the word "once" and insert in lieu thereof the word "twice".

AMENDMENT NUMBER SEVEN

In line 16, page 5, strike out the figure "7" and insert in lieu thereof the figure "6"

AMENDMENT NUMBER EIGHT

In line 36, page 5, strike out the figure "8" after the "Sec." and insert in lieu thereof the figure "7"

AMENDMENT NUMBER NINE

In line 35, page 6, strike out the figure "9" and insert in lieu thereof the figure "8".

AMENDMENT NUMBER TEN

In line 27, page 7, strike out the figures "10" and insert in lieu thereof the figure "9".

AMENDMENT NUMBER ELEVEN

In line 11, page 8, strike out the figures "11" and insert in lieu thereof the figures "10".

AMENDMENT NUMBER TWELVE

In line 11, page 9, strike out the figures "12" and insert in lieu thereof the figures "11".

AMENDMENT NUMBER THIRTEEN

In line 1, page 11, strike out the figures "13" and insert in lieu thereof the figures "12".

AMENDMENT NUMBER FOURTEEN

In line 19, page 11, strike ou the figures "14" and insert in lieu thereof the figures "13".

AMENDMENT NUMBER FIFTEEN.

In line 21, page 12, strike out the figures "15" and insert in lieu thereof the figures "14".

AMENDMENT NUMBER SIXTEEN

In line 29, page 13, strike out the figures "16" and insert in lieu thereof the figures "15".

AMENDMENT NUMBER SEVENTEEN.

In line 26, page 15, strike out the figures "17" and insert in lieu thereof the figures "16".

AMENDMENT NUMBER EIGHTEEN

In line 20, page 16, strike out the figures "18" and insert in lieu thereof the figures "17".

AMENDMENT NUMBER NINETEEN.

In line 1, page 17, strike out the figures "19" and insert in lieu thereof the figures "18".

AMENDMENT NUMBER TWENTY.

In line 1, page 18, strike out the figures "20" and insert in lieu thereof the figures "19".

AMENDMENT NUMBER TWENTY-ONE

In line 9, page 18, strike out the figures "21" and insert in lieu thereof the figures "20".

AMENDMENT NUMBER TWENTY-TWO.

In line 25, page 18, strike out the figures "22" and insert in lieu thereof the figures "21".

AMENDMENT NUMBER TWENTY-THREE.

In line 1, page 19, strike out the figures "23" and insert in lieu thereof the figures "22".

AMENDMENT NUMBER TWENTY-FOUR.

In line 35, page 20, strike out the figures "24" and insert in lieu thereof the figures "23".

AMENDMENT NUMBER TWENTY-FIVE.

On page 2, line 13, of the printed bill, strike out the word "word" and insert in lieu thereof the word "work".

AMENDMENT NUMBER TWENTY-SIX.

On page 4, line 27, of the printed bill, strike out the comma after the word "district" and insert a comma after the word "denied".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 6, line 12, insert the word "to" between the words "and the".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 7, line 3, of the printed bill, strike out the last "to" and insert in lieu thereof the word "of".

AMENDMENT NUMBER TWENTY-NINE.

On page 7, line 18, insert between the words "lot the" the word "and".

AMENDMENT NUMBER THIRTY.

On page 12, line 36, of the printed bill, strike out the word "receive" and insert in lieu thereof the word "place".

AMENDMENT NUMBER THIRTY-ONE.

On page 14, line 14, strike out the first "his" and insert in lieu thereof the word "the".

AMENDMENT NUMBER THIRTY-TWO.

On page 19, line 15, of the printed bill, strike out the last "of" and insert in lieu thereof the word "or"; and strike out the last "or" and insert in lieu thereof the word "of".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1535, with instructions to amend, respectfully reports the same back amended as per instructions.

BREED, Committee.

Report read and, on motion of Senator Tyrrell, adopted.

Bill ordered to print.

Assembly Bill No. 455—An Act to provide for the issuance of street improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property secured thereby and for the payment of the bonds so issued.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Tyrrell moved to refer to Senator Breed as a Special Committee of One, to amend Assembly Bill No. 455, as amended in Senate April 19, 1915, as follows:

AMENDMENT NUMBER ONE.

In line 33, page 9 of the printed bill as amended in Senate April 19, 1915, strike out all after the word "be", and also strike out all of lines 34 to 36 inclusive, and insert in lieu thereof the following: "sold at the same [illegible] in which real property in such city is sold, for the nonpayment of general municipal taxes and be subject to redemption in the same manner as such real property is redeemed from such delinquent sale.".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 455, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Chairman.

Report read and, on motion of Senator Tyrrell, adopted.

Bill ordered to print.

Assembly Bill No. 129—An Act to amend section 3460 of the Political Code of the State of California, relating to assessments and reassessments in reclamation districts.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 129 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Brown, Butler, Campbell, Chandler, Crowley, Finn, Flaherty, Flint, Gates, Kehoe, King, Luce, Mott, Rush, Scott, Shearer, Slater, Strobridge, Tyrrell, and Wolfe—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 169—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 169 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Brown, Butler, Campbell, Chandler, Cohn, Crowley, Finn, Flaherty, Flint, Gates, Kehoe, King, Luce, [illegible], Mott, Rush, Scott, Shearer, Slater, Strobridge, Sutherland, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR BENSON IN THE CHAIR.

At two o'clock and twenty-five minutes p.m., Senator Benson of the Twenty-seventh District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1235—An Act to amend the Political Code by adding a new section thereto to be numbered 1618a, providing for the establishment of separate schools for the instruction of the mentally deficient.

Bill read third time previously.

On motion of Senator Kehoe, Senate Bill No. 1235 was passed on file.

Assembly Bill No. 1338—An Act to amend sections 3692, 3696, 3714, 3732, 3746, 3737, 3756 of the Political Code, relating to the assessment, equalization and collection of taxes.

Bill read third time.

Senator Thompson moved to refer to Senator Cogswell as a Special Committee of One to amend Assembly Bill No. 1338 as follows:

AMENDMENT NUMBER ONE.

On page 2, in line 2, after the word "assessment" insert the word "book".

AMENDMENT NUMBER TWO.

On page 2, line 32, strike out the word "of" after the word "lowering".

AMENDMENT NUMBER THREE.

On page 3, line 10, strike out the word "said" and insert in lieu thereof the word "this".

AMENDMENT NUMBER FOUR.

On page 5, line 32, strike out the first word "to".

AMENDMENT NUMBER FIVE.

On page 7, line 10, strike out the word "of".

AMENDMENT NUMBER SIX.

On page 7, line 25, strike out the word "are" and insert in lieu thereof the word "is".

AMENDMENT NUMBER SEVEN.

On page 7, line 29, strike out the word "of".

AMENDMENT NUMBER EIGHT.

On page 3, line 34, strike out the whole line and insert in lieu thereof the following: "Third. The aggregate value of all real estate within an incorporated city or town."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1338, with instructions to amend, respectfully reports the same back, amended as per instructions.

COGSWELL, Committee.

Report read and, on motion of Senator Thompson, adopted.

Bill ordered to print.

RECALL OF BILL FROM ENGROSSMENT.

Senator Thompson moved that Senate Bill No. 1045 be recalled from engrossment, for the purpose of considering Assembly amendments.

Motion carried.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 801—An Act to amend section 1132 of the Political Code of the State of California, relating to the place for holding an election, approved February 12, 1903.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 801 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones,

Kehoe, King, Maddux, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1485—An Act to amend section 4131 of the Political Code of the State of California, relating to what is to be recorded by county recorders.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1485 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Maddux, Rush, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 637—An Act to amend section 2 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under constitutional provision without Governor's approval February 25, 1901, as subsequently amended, by amending section 2 and section 3 thereof relating to the proceedings for the calling of an election therefor and by adding a new section thereto to be numbered section 12¾, relating to the consolidation of elections.

Bill read third time previously.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 637 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Maddux, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 638—An Act to amend section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 638 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Maddux, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 802—An Act to amend section 1151 of the Political Code of the State of California, relating to board of elections for special election precincts, poll lists, approved January 9, 1912.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 802 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Gerdes, Jones, Kehoe, King, Luce, Maddux, Rush, Scott, Slater, Strobridge, Tyrrell, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY EDWIN F. SMITH AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1283—An Act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities to be a public nuisance, creating a lien upon the property fronting upon such streets.

On motion of Senator Finn, Assembly Bill No. 1283 was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At two o'clock and fifty-five minutes p.m., Hon Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1573—An Act to establish a standard for California certified seed potatoes and to prevent the sale of other potatoes as California certified seed potatoes, making the violation of this Act a misdemeanor and fixing a penalty therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1573 passed by the following vote:

AYES—Senators Anderson, Behan, Benson, Birdsall, Breed, Butler, Campbell, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Wolfe, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. John T. Williams of San Francisco.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 53—An Act to amend sections two, three and six of an Act known as "Building and Loan Commission Act," approved

April 5, 1911, and amended by an Act approved December 18, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 53 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Campbell, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Maddux, Owens, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR FLINT IN THE CHAIR.

At three o'clock and ten minutes p.m., Senator Flint, of the Eleventh District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 667—An Act to amend section 4268 of the Political Code of California, relating to counties of the thirty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 667 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 872—An Act to amend section 4247 of the Political Code of the State of California, relative to salaries and fees of officers in counties of the eighteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 872 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Thompson, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1307—An Act to amend section 4278 of the Political Code of the State of California, relating to the compensation of officers of counties of the forty-ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1307 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—31.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 1308—An Act to amend section 4281 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-second class.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1308 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—31.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At three o'clock and twenty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1562—An Act to amend section 4271 of the Political Code, relating to salaries of officers of counties of the forty-second class.

Bill read third time.
The question being cn the passage of the bill.
The roll was called, and Assembly Bill No. 1562 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—31.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 931—An Act to amend section 4249 of the Political Code, relating to county officers, and their salaries and deputies; to township officers and their compensation; and to the compensation of jurors and grand jurors in counties of the twentieth class.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 931 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Finn, Flaherty, Flint, Gerdes, Irwin,

Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1045—An Act to amend section nine of an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 1045 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 279—An Act authorizing the establishment of a cash revolving fund for the Department of Engineering and defining its use.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 279 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—35.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 746—An Act to provide for the abandonment of state roads and highways by the State Department of Engineering.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 746 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty,

Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Rush, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—33.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 747—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered section 588*b*, concerning the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of notices, or the extinguishment, removal, injury or destruction of warning lights or lanterns on a state road or highway, and prescribing a penalty for the violation of such section.

On motion of Senator Birdsall, Assembly Bill No. 747 was passed on file.

Assembly Bill No. 1589—An Act to amend section 4240 of the Political Code, relating to the compensation of county and township officers of counties of the eleventh class.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1589 passed by the following vote:

Ayes—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—31.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 57—An Act to amend an Act entitled "An Act granting to the city of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 57 passed by the following vote:

Ayes—Senators Anderson, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—32.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1094—An Act to add a new section to the Civil Code of the State of California to be numbered 1410*b*, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public.

Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1094 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Thompson, and Wolfe—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 170—An Act providing for the building of a bridge across the Colorado River at Needles, California, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 170 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Kehoe, the Senate took up for consideration Assembly amendments to Senate Bills Nos. 572, 699, 741, and 756.

Senate Bill No. 572—An Act to amend section 633 of the Political Code, relating to the licensing of insurance agents.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED SEVENTY-TWO.

AMENDMENT NUMBER ONE.

On page 4, line 4, strike out after the word "salary, as pro-" and in line 5, page 4, "vided in section 5 of said Act".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 572?"

The roll was called, and Assembly amendment to Senate Bill No. 572 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—32.
NOES—None.

Senate Bill No. 572 ordered to enrollment.

Also:

Senate Bill No. 699—An Act to amend section 632 of the Penal Code of the State of California, relating to the protection of fish.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED NINETY-NINE.

AMENDMENT NUMBER ONE.

On page 2, line 7, strike out the word "thirty-first" and insert in lieu thereof the following: "thirtieth".

AMENDMENT NUMBER TWO.

On page 2, line 9, strike out the word "thirty-first" and insert in lieu thereof the following: "April".

On motion of Senator Kehoe, the consideration of the above amendments to Senate Bill No. 699 was postponed until the next legislative day.

Also:

Senate Bill No. 741—An Act to add a new section to the Penal Code of the State of California, to be numbered section 628*h*, relating to the protection of fish.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED FORTY-ONE.

AMENDMENT NUMBER ONE.

On page 1, line 6 of the printed bill, before the word "except," and after the word "shellfish", insert parentheses.

AMENDMENT NUMBER TWO.

On page 1, line 6 of the printed bill, as amended April 22, 1915, strike out the following: "except oysters,".

AMENDMENT NUMBER THREE.

On page 1, line 7 of the printed bill, as amended April 22, 1915, insert between the word "mollusk" and the comma, the following: "(except oysters)," the words "except oysters" to be enclosed in parentheses.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 741?"

The roll was called, and Assembly amendments to Senate Bill No. 741 were concurred in by the following vote:

AYES Senators Anderson, Ballard, Benedict, Benson, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Senate Bill No. 741 ordered to enrollment.

Also:

Senate Bill No. 756—An Act to amend section 626*m* of the Penal Code of the State of California, relating to the protection of fish and game.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED FIFTY-SIX.

AMENDMENT NUMBER ONE.

On page 1, line 3, after the word "between", insert the words "one-half hour after".

AMENDMENT NUMBER TWO.

In line 4, after the word "and", insert the words "one-half hour before".

AMENDMENT NUMBER THREE.

In line 5, after the word "the", insert the word "migratory".

AMENDMENT NUMBER FOUR.

In line 6, after the semicolon, insert the following: "or who, between sunset of one calendar day and sunrise of the following day, hunts, pursues, takes, catches, kills or destroys any of the non-migratory game birds of this State;".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 756?"

The roll was called, and Assembly amendments to Senate Bill No. 756 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Senate Bill No. 756 ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Wolfe to introduce a bill entitled "An Act to amend an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, by amending section 2099 thereof, relating to the relief of officers and enlisted men of the National Guard of California who may be wounded, injured, disabled or killed while in the service of the State";

Also: The request of Senator Brown to introduce a bill entitled "An Act providing for the appointment of a commission to investigate and report at the forty-second session of the Legislature relative to the adoption of a system of land colonization and rural credits, and making an appropriation therefor";

Also: The request of Senator Cogswell to introduce a bill entitled "An Act to provide for the assessment, levy and collection of taxes for the support of the State government for the sixty-seventh and sixty-eighth fiscal years";

Also: The request of Senator Mott to introduce a bill entitled "An Act to appropriate money to pay the claim of Miller-Enwright Company against the State of California";

Also: The request of Senator Campbell to introduce a bill entitled "An Act to amend section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants and employees, and prescribing their duties and powers";

Has had the same under consideration and respectfully reports the same back and recommends that each of such requests be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the Constitution, and the report adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced in accordance with the above report:

By Senator Wolfe: Senate Bill No. 1264—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section 2099 thereof, relating to the relief of officers and enlisted men of the National Guard of California who may be wounded, injured, disabled or killed while in the service of the State.

Bill read first time, and referred to Committee on Finance.

By Senator Brown: Senate Bill No. 1265—An Act providing for the appointment of a commission to investigate and report at the forty-second session of the Legislature relative to the adoption of a system of land colonization and rural credits; and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Cogswell: Senate Bill No. 1266—An Act to provide for the assessment, levy and collection of taxes for the support of the State government for the sixty-seventh and sixty-eighth fiscal years.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Mott: Senate Bill No. 1267—An Act to appropriate money to pay the claim of Miller-Enwright Company against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Campbell: Senate Bill No. 1268—An Act to amend section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants and employees, and prescribing their duties and powers.

Bill read first time, and referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 1145—An Act to create a commission for the purpose of making a survey of local historical material in the State of California; defining the power and duties of said commission; and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

STROBRIDGE, Chairman.

Senate Bill No. 1145 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 739—An Act to amend sections 17 and 18 of an Act entitled "An Act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, and to amend said Act by adding thereto a new section, to be numbered 15a, relating to public school teachers in State institutions—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

ANDERSON, Chairman.

Senate Bill No. 739 ordered on file for second reading.

CONSIDERATION OF SENATE BILL—(OUT OF ORDER).

Senator Finn asked for and was granted unanimous consent to take up Senate Bill No. 59, out of the regular order, for the purpose of amendment.

Senate Bill No. 59—An Act to amend section 2289 of the Civil Code of the State of California, relating to the appointment of trustees.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Wolfe as a Special Committee of One, to amend Senate Bill No. 59 as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 2 to 4 of the title of the bill as amended in the Senate March 27, 1915, strike out all of said lines 2 to 4, inclusive, of the title, and insert in lieu thereof the following: "to add a new section to the Civil Code to be numbered 2290, relating to the appointment of trustees."

AMENDMENT NUMBER TWO.

On page 1, lines 1 to 13, of the bill, strike out all of said lines 1 to 13, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Civil Code, to be numbered 2290 and to read as follows:

"2290. Except when the declaration of trust otherwise provides, when an express trust exists without any appointed trustee or with a less number of trustees than were originally appointed or with one or more trustees, and any one of such trustees renounces, dies or is discharged, the Superior Court of the county where the trust property, or some portion thereof, is situated, must, at the request of the cestui que trust or cestuis que trustent, as the case may be, appoint a trustee or trustees, as the case may be, to fill such vacancy or vacancies to the original number and direct the execution of the trust."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 59, with instructions to amend, respectfully reports the same back, amended as per instructions.

WOLFE, Committee.

Resolution read and, on motion of Senator Finn, adopted.

Bill ordered to print, and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Finn, the Secretary was directed to issue a rush order for printing Senate Bill No. 59.

SPECIAL ORDER.

Senator Carr moved that Senate Bill No. 1258 be made a special order for Thursday, April 29, 1915, at eleven o'clock a.m.

Motion carried.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Kehoe, the following messages from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 1045—An Act to amend section 394 of the Code of Civil Procedure of the State of California, relating to the place of trial of actions—and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 1045.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE THOUSAND FORTY-FIVE.

AMENDMENT NUMBER ONE.

On page 2, line 16, after the first comma, insert the word "or".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1045?"

The roll was called, and Assembly amendment to Senate Bill No. 1045 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Rush, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Senate Bill No. 1045 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 59—An Act to amend section 198 of the Code of Civil Procedure, relating to qualifications of jurors;

Also: Assembly Bill No. 131—An Act to amend section 4277 of the Political Code of the State of California, relating to salaries, fees and compensation of officers of counties of the forty-eighth class;

Also: Assembly Bill No. 239—An Act to amend section 1 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, as amended by Act approved March 20, 1905, and as further amended by an Act approved April 21, 1911, and relating to the age of school children;

Also: Assembly Bill No. 340—An Act to amend an Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes, approved March 31, 1897, by adding thereto two sections to be known respectively as section 61*b* and section 61*c*, relating to the acquiring of irrigation systems and works by the exchange of bonds therefor and the validation of such bonds.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 625—An Act to amend section 4266 of the Political Code, relating to salaries and fees of officers and fees and mileage of jurors in counties of the thirty seventh class;

Also: Assembly Bill No. 653—An Act to amend section 1861 of the Civil Code, relating to lien of hotel keepers on property of guests for charges;

Also: Assembly Bill No. 660—An Act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution;

Also: Assembly Bill No. 1002—An Act to amend section 1599 of the Political Code of the State of California, relating to the election of school trustees.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1533—An Act to amend section 637 of the Penal Code, providing for the construction and maintenance of fishways over or around dams and artificial obstructions.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

SENATOR CHANDLER IN THE CHAIR.

At four o'clock and fifteen minutes p.m., Senator Chandler, of the Twenty-sixth District, in the chair.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FIFTY-TWO—(RESUMED).

Senate Bill No. 352—An Act to amend section 1687 of the Political Code, relating to qualifications of teachers for first grade.

Bill read third time previously.

SENATOR BENSON IN THE CHAIR.

At five o'clock and fifteen minutes p.m., Senator Benson of the Twenty-seventh District, in the chair.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FIFTY-TWO—(RESUMED).

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At five o'clock and thirty minutes p.m., Hon. Newton W. Thompson President pro tem. of the Senate, in the chair.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FIFTY-TWO—(RESUMED.)

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Jones moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn Flaherty, Flint, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.

The Secretary announced the absentees.

Time, five o'clock and fifty-five minutes p.m

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate

At six o'clock and three minutes p.m., Senator Benson was brought to the bar of the Senate, and, on motion of Senator Jones, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At six o'clock and five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Jones.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 352 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Duncan, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—25.

NOES—Senators Beban, Brown, Campbell, Cohn, Crowley, Finn, Flaherty, Flint, Scott, and Shearer—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Wolfe gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 352 was passed.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands to which was referred Senate Bill No. 745—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission, transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, direct- ing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board and defining its powers," approved December 24, 1911, (as heretofore amended by an Act approved May 26, 1913) by amending section 4 of said Act, altering and extending the boundaries of the Sacramento and San Joaquin Drainage District—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

CHANDLER, Chairman.

Senate Bill No. 745 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 24, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 19—An Act to amend section 4245 of the Political Code of the State of California relating to the salaries, fees, and expenses of officers in counties of the sixteenth class—has had the same under consideration, and respectfully reports the same back as amended and recommends that it do pass as amended.

BREED, Chairman.

Senate Bill No. 19 ordered on file for second reading.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1522—An Act to amend sections 4041 and 4088 of the Political Code—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BREED, Chairman.

Assembly Bill No. 1522 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, has examined Senate Bill No. 744—An Act to provide for the protection of breeders and growers of live stock from theft, for registration of marks and brands, butchers and slaughter house, and the inspection of live stock and the hides thereof; creating a live stock inspection board to administer the Act; providing for the appointment of a secretary, other officers and employees, and their compensation; and prescribing penalties for violation of the provisions thereof.

Also: Senate Bill No. 655—An Act to amend section 1240 of the Code of Civil Procedure of the State of California relating to the private property which may be taken under title VII of part III of the Code of Civil Procedure;

Also: Senate Bill No. 725—An Act to amend sections 4, 5 and 6 of an Act entitled "An Act to enforce the educational rights of children and providing penalties for violation of the Act," approved March 24, 1903, and as amended by an Act approved March 20, 1905, and as amended by an Act approved March 4, 1907, and as amended by an Act approved April 21, 1911;

Also: Senate Bill No. 582—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the commissioner of the bureau of labor statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by amending sections 4, 7, 12 and 14 thereof;

Also: Senate Bill No. 1219—An Act granting to the city of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the city of Eureka, and regulating the management, use and control thereof;

Also: Senate Bill No. 772—An Act to amend sections 1925, 1927, 1928, 1928*a*,
1928*b*, 1928*d*, 1929, 1930, 1931, 1934, 1951, 1954, 1957, 1963, 1985, 2006, 2081,
1908, 2079, 2086, 2107, 1962, 1967, 1981, 1984, 2080, 2111, 2112 of the Political
Code of the State of California, and to add one new section to said code to be known
as section 1963*a*, all relating to the organization, equipment, maintenance and gov-
ernment of the National Guard of the State of California;

Also: Senate Bill No. 234—An Act to repeal an Act entitled "An Act to regulate
the erection of public buildings and structures," approved April 1, 1872;

Also: Senate Bill No. 542—An Act to amend section 4075 and section 4076 of the
Political Code, relating to payment and form of claims against the county;

Also: Senate Bill No. 710—An Act to amend section 1731 of the Political Code,
relating to the election or appointment of members of high school boards;

Also: Senate Bill No 423—An Act to amend section 1730 of the Political Code,
relating to boards of trustees in high school districts;

Also: Senate Bill No 195—An Act authorizing municipal corporations to permit
other municipal corporations and counties to construct and maintain sewers, water
mains and other conduits, and pole lines for the transmission of electricity and
electric energy in, through, over, along and across its streets and public places, and
to construct and maintain sewers, water mains and other conduits and pole lines
for the transmission of electricity and electric energy for their joint benefit and at
their joint expense, through, over, along and across such streets and public places,
and to make and enter into contracts for such purposes, prescribing a method for
compelling such use of such streets and public places;

Also: Senate Bill No 81—An Act to amend that certain Act of the Legislature
of the State of California entitled "An Act to define and regulate the business of
banking," approved March 1, 1909, designated the "Bank Act," as subsequently
amended, by adding a new section thereto to be numbered section 146, relating to
trusts and dispensing with the deposit of securities in certain instances;

Also: Senate Bill No. 1224—An Act to amend section 16 of an Act entitled the
"Bank Act" of the State of California, approved March 1, 1909, approved as
amended April 21, 1911, approved as amended May 31, 1913;

Also: Senate Bill No 950—An Act to amend an Act entitled "An Act to create
a drainage district to be called Knight's Landing Ridge Drainage District; to
promote drainage therein by the making of a cut through Knight's Landing Ridge,
and the construction of a canal leading therefrom; to provide for the election and
appointment of officers of said drainage district, defining the powers, duties and
compensation of such officers; and providing for levying and collecting assessments
upon the lands within said drainage district, the issuance of bonds by said drainage
district and testing the validity of the levy of such assessments and the issuance of
such bonds," approved April 30, 1913, by amending section 1 of said Act, and mak-
ing the description more certain, amending section 6 of said Act in reference to
the certifying and depositing of a certified copy of assessment, amending section 7
of said Act in reference to the lien of said assessment, and also amending the said
section 7 in regard to the collection of the assessments, issuance of warrants and
the payment of all moneys that may be collected into the county treasury of Yolo
County;

Also: Senate Bill No. 666—An Act to amend section 4248 of the Political Code
of the State of California, relating to the salaries, fees and expenses of officers in
counties of the nineteenth class;

Also: Senate Bill No 498—An Act to add two new sections to the Political
Code of the State of California, to be numbered 2697 and 2698, relating to the
abandonment of highways;

Also: Senate Bill No. 54—An Act to repeal an Act entitled "An Act providing
for the removal of human remains from cemeteries in any city, or city and county
in this State, and repealing all Acts in conflict therewith," approved April 24, 1911;

Also: Senate Bill No. 951—An Act approving, confirming and declaring valid
the creation, formation and organization of Reclamation District No. 108, created
by that certain Act of the Legislature of the State of California entitled "An Act
legalizing the consolidation and reorganization of Reclamation District No. 729 with
Reclamation District No. 108, in the counties of Yolo and Colusa; fixing, defining
and establishing the boundaries of the consolidated district, providing for its
management and control, subject to the provisions of the Political Code of California,
and to other laws of said State relative to reclamation districts; and repealing all
Acts and parts of Acts inconsistent therewith," approved April 23, 1913, and all
acts and proceedings of said district and the boards of trustees thereof, and also
more clearly defining the exterior boundaries of said district;

Also: Senate Bill No. 1113—An Act to amend an Act entitled "An Act to per-
mit the consolidation of elections and to provide a procedure therefor," approved
June 11, 1913, by amending section 4 thereof;

Also: Senate Bill No. 11—An Act to amend section 2552 of the Political Code
of the State of California, relating to the salaries and compensation of the officers
of the Board of State Harbor Commissioners of San Francisco, and the employees
of the State of California employed by and under said Board of State Harbor Com-
missioners of San Francisco;

Also: Senate Bill No. 670—An Act to amend section 290*a* of the Civil Code, relating to corporations authorized to act as executor, administrator, guardian, assignee, receiver, depositary or trustee or to engage in the business of banking;

Also: Senate Joint Resolution No. 5—Relative to memorializing the Congress of the United States to initiate proceedings therein for the submission to the several states of an amendment to the Constitution of the United States giving Congress power to enact a uniform divorce law;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this 28th day of April, 1915, at 11 o'clock a.m.

FLAHERTY, Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 770—An Act to amend section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BUTLER, Chairman.

Assembly Bill No. 770 ordered on file for second reading.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 67—An Act to protect any child or person enrolled or in attendance upon any public or private school, or other educational institution, within the State of California, from compulsory vaccination; and to prevent vaccination being made a condition precedent or a prerequisite to admission to or attendance upon any of the public or private schools or other educational institutions within the State of California; making violations thereof a misdemeanor; providing penalties; making exceptions as to private educational institutions; and repealing an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An Act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1889," approved March 7, 1911—has had the same under consideration, and respectfully reports the same back and recommends that it do pass. Minority report: Do not pass.

BUTLER, Chairman.

Assembly Bill No. 67 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 974—An Act to amend sections 1 and 2 of section 631*d* of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Assembly Bill No. 206—An Act to amend section 626*h*, of the Penal Code of the State of Califorina, relating to the domestication of wild game;

Has had the same under consideration, and respectfully recommends that they do pass as amended.

FLINT, Chairman.

Senate Bill No. 974 ordered on file for second reading.

Assembly Bill No. 206 ordered on file for second reading.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 166—An Act to restrict fishing within seven hundred and fifty feet of any pier, wharf, jetty or breakwater in fish and game district number nineteen of the State of California—has had the same under consideration, and respectfully recommends that it do pass.

FLINT, Chairman.

Assembly Bill No. 166 ordered on file for second reading.

RECESS.

At six o'clock and ten minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate at recess until eight o'clock and thirty minutes.

RECONVENED.

At eight o'clock and thirty minutes p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 849—An Act to amend section 1665 of the Political Code of the State of California, relating to the subjects in which instruction shall be provided in the elementary schools of the State.

Bill read third time previously.

The question being on the pasasge of the bill

The roll was called, and Senate Bill No. 849 passed by the following vote:

AYES—Senators Ballard, Behan, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Flaherty, Flint, Gates, Jones, Kehoe, King, Luce, Maddux, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Cohn, the privilege of the floor of the Senate Chamber for this evening was unanimously extended to Mr. William P. Filmer of San Francisco.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1127—An Act to amend the Civil Code of California by adding thereto a new section to be numbered and known as section 1771*a*, relating to the sale of live stock.

On motion of Senator Kehoe, Senate Bill No. 1127 was passed on file.

Senate Bill No. 536—An Act to prevent the importation into the State of California of horses, mules, dairy cattle and breeding bulls which are affected with communicable diseases, providing for the inspection or certification of such animals before being brought into the State of California, exempting certain animals from such inspection or certification, providing penalties for violating any of the provisions of this Act, and repealing an Act approved June 4, 1913, entitled "An Act to prevent the importation into the State of California of horses, mules, asses, or cattle which are affected with any infectious or contagious disease; to provide for the inspection of such animals before they are brought into the State; to repeal an Act entitled 'An Act to prevent the importation of neat cattle for dairy or breeding purposes affected with tuberculosis into the State of California,' approved March 7, 1911; to repeal an Act entitled 'An Act to prevent the importation of horses, mules, and asses affected with glanders into the State of California.'" approved March 7, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 536 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION NUMBER TWENTY-ONE.

Approving a charter for the city of San Jose, ratified by the qualified voters of said city at a special municipal election held thereon on the 19th day of April, 1915.

WHEREAS, The city of San Jose, in the county of Santa Clara, State of California, now is and at all times herein referred to was a city containing a population of more than three thousand five hundred inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States; and

WHEREAS, Said city of San Jose at all times mentioned herein was, and now is, organized and existing under a freeholders' charter adopted under the provisions of section 8 of article XI of the Constitution of the State of California, which charter was duly adopted and ratified by a majority of the qualified electors of said city on the 23d day of February, 1897, and approved by the Legislature of the State of California on the 5th day of March, 1897; and

WHEREAS, Proceedings have been had for the proposal, adoption and ratification of a new charter for said city of San Jose, as set out in the certificate of the mayor and city clerk of the city of San Jose, to wit:

STATE OF CALIFORNIA,
County of Santa Clara, } ss.
City of San Jose.

We, the undersigned, F. R. Husted, mayor of the city of San Jose, State of California, and Roy E. Walter, city clerk of said city, do hereby certify and declare as follows:

That the city of San Jose, in the county of Santa Clara, State of California, now is and at all times herein referred to was a city containing a population of more than three thousand five hundred inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States.

That said city of San Jose at all times mentioned herein was, and now is, organized and existing under a freeholders' charter, adopted under the provisions of section 8 of article XI of the Constitution of the State of California, which charter was duly adopted and ratified by a majority of the qualified electors of said city on the 23d day of February, 1897, and approved by the Legislature of the State of California on the 5th day of March, 1897.

That on the 23d day of December, 1914, there was filed in the office of the city clerk of said city, a petition praying that an election be called for choosing a board of fifteen freeholders to frame, prepare and propose a new charter for the city of San Jose; that said petition was duly verified by Henry A. Pfister, county clerk of the county of Santa Clara, California, and certified as signed by, and that said petition was signed by not less than fifteen per cent of the registered electors of said city; that pursuant thereto said mayor and common council did, by ordinance, call such special election to be held on Thursday, the 4th day of February, 1915; that at such election held on said day, a board of fifteen freeholders, duly qualified, was elected in and by said city, by the electors thereof, which said board within one hundred and twenty days after the result of said election was declared, duly prepared and proposed, and on the 15th day of February, 1915, filed in the office of said city clerk, a new charter for the government of said city, and upon said charter designated the 19th day of April, 1915, as the date upon which such charter should be submitted to the electors of said city for ratification; that said proposed charter and said designation of the date for the submission thereof to the electors for ratification, were duly signed by all of the members of said board of freeholders; that thereupon said mayor and common council duly called and gave notice of such special election to be held on the said 19th day of April, 1915, and did, within fifteen days after the filing of such charter, cause the same to be published once, to wit, on the 17th day of February, 1915, in the San Jose Mercury Herald, a newspaper of general circulation printed and published in said city, and did cause copies of such charter to be printed in convenient pamphlet form, and until the date fixed for said election upon such charter, did advertise in said named paper a notice that such copies of said charter could be had at the office of the city clerk upon application therefor; that at said election, duly and regularly held on said 19th day of April, 1915, a majority of the qualified voters voting thereon voted in favor of such proposed charter, and the mayor and common council of said city at a meeting held in the manner required by law, duly canvassed the returns of said election and duly found, determined and declared that a majority of said qualified electors voting thereon had voted for and ratified said charter; that said charter, as the same was prepared, proposed and ratified as herein set forth is as follows, to wit:

ARTICLE I.

Boundaries, Rights and Liabilities.

BOUNDARIES.

1. The municipal corporation now existing and known as the City of San Jose shall remain and continue a body politic and corporate in name and in fact by the name of the City of San Jose, and by that name shall have perpetual succession, may sue, be sued and use a common seal. The boundaries of the said city shall be: Beginning at a point in the center line of Second street prolonged southerly distant 1½ miles southerly from the point of intersection of said center line of Second street with the center line of San Fernando street, and running thence northeasterly and parallel with San Fernando street to a point in the center line of the channel of the Coyote river distant 603 feet easterly from the point of intersection of said last described line with the east line of the Senter road; thence northwesterly and along the center line of said Coyote river channel to its point of intersection with the center line of Rosa street prolonged northeasterly, said point of intersection being 2,125 feet northeasterly from the underground redwood city monument set at the intersection of the center line of Rosa street with the center line of Seventeenth street; thence southwesterly along said center line of Rosa street, and its prolongation to a point distant 650 feet southwesterly from the original west bank of the Guadalupe river, said point being the northwesterly corner of the city of San Jose, and from which point an underground city monument set at the point of intersection of the center line of Spring street with the western city limits bears south 32 deg. 15 min. east 396.00 feet; thence southwesterly in a straight line to a point in center line of San Augustine street, said point being the point of intersection of the said center line of San Augustine street with a line drawn from the northwesterly corner of the city of San Jose to a point in the center line of San Fernando street, distant 231.61 feet southwesterly from the underground granite monument set at the intersection of the said center line of San Fernando street with the center line of Delmas avenue; thence westerly along the center line of San Augustine street and its prolongation to a point of intersection of the center line of San Augustine street prolonged westerly with a line drawn parallel with and distant 50 feet westerly from the center line of the main track of the Southern Pacific railway; thence southerly along said line parallel with and distant 50 feet westerly from the center line of the main track of the Southern Pacific railway to a point where said line, parallel with said main tracks, intersects the center line of West San Salvador street; thence easterly along the center line of West San Salvador street to a point in the center line of the Los Gatos creek; thence in a southerly direction along the center line of said Los Gatos creek to a point where the true prolongation of the center line of Coe avenue (sometimes known as East Coe avenue) intersects the said center line of the said Los Gatos creek; thence easterly along the said true prolongation of the center line of Coe avenue (sometimes known as East Coe avenue) to a point where the said center line of the said Coe avenue intersects the center line of Bird avenue; thence southeasterly along a straight line to a point where the center line of [illegible] avenue (otherwise known as Marliere street) intersects the center line of Willow street; thence easterly along the center line of Willow street to a point where the center line of Willow street intersects the center line of Guadalupe creek; thence southeasterly along the center line of the Guadalupe creek to the point of intersection of the said center line of the Guadalupe creek with a line drawn parallel with the center line of Second street through to a point in the center line of San Fernando street distant 231.61 feet southwesterly from the underground granite monument set at the intersection of the said center line of San Fernando street with the center line of Delmas avenue; thence southerly along the said line parallel with the center line of Second street to a point 1½ miles from the said point in the center line of San Fernando street, and thence at right angles northeasterly and parallel with San Fernando street to the point of beginning.

Also that certain territory adjoining the above described territory and particularly described as follows, to wit:

Commencing at the intersection of the center line of the Coyote river with the center line of William street, thence easterly along the center line of William street to the center line of McLaughlin avenue; thence northerly along the center line of McLaughlin avenue to the center line of Lendrum avenue; thence easterly along the center line of Lendrum avenue to the center line of King road; thence northerly along the center line of King road to the center line of McKee road (Julian street); thence westerly along the center line of McKee road (Julian street) to the center line of the Coyote river, and thence southerly along the center line of said river, being the easterly line of the old city limits, to the point of commencement.

Also that certain territory adjoining the above described territory and particularly described as follows, to wit:

Beginning at a point in the northerly line of the city of San Jose distant one hundred (100) feet northeasterly from the intersection of the easterly line of the

San Jose-Alviso road; running thence northwesterly and parallel with said San Jose-Alviso road to the intersection of the southerly line of land belonging to A. M. Besse; thence westerly along said southerly line of land of A. M. Besse, twenty-five (25) feet; thence in a northwesterly direction and parallel to said Alviso and San Jose road to the southerly line of the town of Alviso; thence westerly along the said southerly boundary of Alviso to its intersection with the Guadalupe river; thence southerly along the center line of the Guadalupe river to a point 200 feet northerly from and at right angles to a line bearing S. 88 deg. 52 min. from a point 572.56 feet S. 46 deg. 46 min. E. from a granite monument set in the center line of the San Jose and Milpitas road on the southerly line of the Milpitas and Alviso road; thence S. 88 deg. 52 min. W. to the intersection with the westerly line of the Alviso and Santa Clara road; thence northerly and along the westerly line of said Santa Clara road to the intersection with the southerly limits of the town of Alviso; thence in a general westerly direction along the said limits of the town of Alviso to its intersection with the northern boundary of Santa Clara County; thence southerly to a three inch by four inch white stake standing on the high bank of Devil's Slough; thence S. 55 deg. 25½ min. E., a distance of 17.972 feet, to a three-inch by four-inch white stake standing at the quarter section corner between sections 8 and 17; thence running along the boundary line between said sections 8 and 17 a distance of 2640 feet to a four-inch by four-inch white post standing at the common corners of sections 8, 9, 16 and 17, T. 6 S., R. 1 W., M. D. B. and M.; thence N. 88 deg. 01 min. E. a distance of 3704.4 feet to a point in the center line of the present broad gauge track of the S. P. R. R. company's railroad; thence N. 88 deg. 52 min. E. a distance of 4560 feet, more or less, to the intersection of the westerly line of the San Jose-Alviso road. Said point being S. 88 deg 52 min. W. from a point in the center line of Alviso and San Jose road, which is S. 46 deg. 49 min. E., a distance of 572.56 feet from a granite monument set in the center line of the San Jose and Milpitas road on the southerly line of the Milpitas and Alviso road; thence southeasterly along the westerly line of the San Jose-Alviso road to its intersection with the northerly line of the city of San Jose; thence easterly along the northerly line of the city of San Jose to the place of beginning.

The jurisdiction of said city shall extend to and embrace all that parcel of land known as the City Reservation or Alum Rock Park, and also that certain tract of land adjoining the same and known as Point Buena Vista, and all other lands now owned by the city of San Jose.

NEW TERRITORY.

(*a*) The boundaries above described may be altered, and the territory embraced therein may be added to or diminished in accordance with the laws of the State of California governing the annexation and exclusion of territory by municipalities.

POWERS.

2. The city shall have power:

(*a*) To acquire, purchase, receive and hold real and personal property within and without the city limits for any municipal purpose, and to sell, lease or dispose of the same, provided that the rights of the city in its street, parks, water front and wharf property shall be inalienable, except as otherwise provided in this charter. All leases shall be made at public auction to the highest responsible bidder at the highest monthly rent after publication of notice thereof for at least one week in some daily newspaper of general circulation, published in the city of San Jose, which notice shall state explicitly the time and conditions of the lease, provided that the council may in its discretion reject any and all bids.

(*b*) To receive bequests and gifts and to do all things necessary to carry out the purposes of such bequests and gifts.

(*c*) To make and enforce ordinances for the protection of the health, morals, peace, safety, comfort and convenience of the people, and to provide penalties for the violation thereof.

(*d*) To license, for the purpose of regulation and revenue, corporations, copartnerships or persons engaged in any business, occupation, trade or profession.

(*e*) To grant franchises to corporations, copartnerships and persons to construct and operate public utilities in the streets and public grounds of the city, subject to the limitations hereinafter set forth.

(*f*) To acquire, by the right of eminent domain or otherwise, control, construct, maintain, own and operate lands, buildings, machinery or other property, real or personal, within or without the municipality, for the purpose of supplying the people thereof with water, light heat, power, transportation, telephone service, baths, parks, playgrounds, fountains, docks, wharves, warehouses, conduits, pipe galleries, sewers, cemeteries, crematories, hospitals, jails, schools, libraries, reading-rooms, art galleries, nurseries, markets, abbatoirs, and all other public buildings, works and institutions which may be necessary for the health, morals, peace, safety, comfort and convenience of the people.

(*g*) To fix the rates, if any, at which any of the above services shall be furnished to inhabitants of the city or others.

(*h*) To create, provide for, construct and maintain streets, sidewalks, curbs and all other things of the nature of public works and improvements; to exercise any and every power conferred upon municipalities for such purpose by the Constitution and laws of this State; to levy and collect special assessments to pay for the same.

(*i*) To levy and collect taxes upon any or all objects of taxation upon which a city may lay a tax in accordance with the Constitution and laws of this State, subject to the limitations hereinafter imposed.

(*j*) To borrow money for any of the purposes for which the city is authorized to provide, and for the purpose of carrying out any of the powers granted to the city by this charter, and to issue bonds therefor; *provided*, that in the procedure for the creation and issuance of such bonded indebtedness the general laws of the State of California in force at the time such proceedings are taken, shall be observed and followed.

(*k*) To do and perform any and all other acts and things appertaining to a municipal corporation which are not specifically prohibited by the Constitution or laws of this State, or which may be for the general welfare and good of the people of said city of San Jose, and no enumeration of powers in this charter shall be taken to imply any limitation of the foregoing general grant of power.

ARTICLE II.

Elective Officers.

3. The elective officers of the city shall be seven councilmen and a city auditor and a police judge.

TERMS OF COUNCILMEN, CITY AUDITOR AND POLICE JUDGE.

4. The councilmen in office at the time of the adoption of this charter shall hold office for the terms for which they were elected or appointed. On the first Monday in May, 1916, there shall be elected at large four councilmen, city auditor and police judge. Two councilmen shall be elected for a term of four years, and two councilmen for a term of six years. Henceforth as the terms of councilmen expire, their successors shall be elected at large for a term of six years. The city auditor and police judge shall each be elected for a term of four years.

OATHS AND BONDS.

5. Every elective officer shall, before entering upon the duties of his office, take the oath of office provided for in the constitution of this State, and shall file the same with the city clerk. Each councilman shall, before entering upon the duties of his office, give and execute to the city a bond with a surety company as sole surety in the penal sum of $5000, conditioned upon the true, honest and faithful performance of the duties of his office. The city auditor shall give and execute a similar bond in the penal sum of $10,000. The council shall make provision for the payment of the premium of the said bonds out of the city treasury. The bonds of the councilmen shall be approved by the auditor, the bond of the auditor by the council. When approved, the bonds of the councilmen shall be filed with the city auditor and the bond of the city auditor with the city clerk.

SALARIES.

6. Each councilman shall receive the sum of $5 for each council meeting attended, provided that the total compensation of each councilman shall not exceed $25 in any one month. Absence from five consecutive regular meetings, unless excused by resolution of the council, shall operate to vacate the seat of any member so absent.

The city auditor and the police judge shall each receive a salary of $2000 per year.

VACANCIES.

7. A vacancy in any elective office, from whatever cause arising, shall be filled by the council until the next general municipal election, when a successor shall be chosen by the electors for the unexpired term; *provided*, that if, for any reason, the seats of a majority of the council shall become vacant, the city clerk shall call a special election to fill the vacancies for the unexpired portions of the terms, which election shall be conducted as hereinafter provided for the general municipal election.

QUALIFICATIONS.

8. All elective officers shall be, at the time of their election, qualified electors of the city of San Jose.

ARTICLE III.

Nominations and Elections.

9. Candidates to be voted for at all general municipal elections under the provisions of this charter shall be nominated in the manner hereinafter prescribed and not otherwise. The first, or primary election shall be held on the first Monday in May, 1916, and every second year thereafter. Any person desiring to become a

candidate for an elective office shall, at least thirty days prior to said primary election, file with the city clerk a statement of such candidacy, in substantially the following form:

STATE OF CALIFORNIA, }
County of Santa Clara, } ss.

I, (________________) being first duly sworn, say that I reside at ______________ street, city of San Jose, county of Santa Clara, State of California: that I am a qualified elector therein: that I am a candidate for nomination to the office of ______________, to be voted upon at the primary election to be held on the first Monday of May, 19___, and I hereby request that my name be printed upon the official primary ballot for nomination at such primary election for such office.

Signed ________________________

and shall at the same time file therewith the petition of at least 250 qualified voters of said city, requesting such candidacy.

FORM OF NOMINATION PETITION.

10. The petition of nomination shall consist of not less than 250 individual certificates, which shall read substantially as follows:

PETITION OF NOMINATION.

Individual Certificate.

STATE OF CALIFORNIA, }
County of Santa Clara, } ss.
City of San Jose. }

No. ________.

I, the undersigned, certify that I do hereby join in a petition for the nomination of ________________ whose residence is at No. ________ street, San Jose, for the office of ________________, to be voted for at the primary election to be held in the city of San Jose, on the ________ day of May, 19___, and I further certify that I am a qualified elector, and am not at this time a signer of any other petition nominating any other candidate for the above named office, that my residence is at No. ______________ street, San Jose, and that my occupation is ____________________.

(Signed) ________________________________

STATE OF CALIFORNIA, }
County of Santa Clara, } ss.
City of San Jose. }

________________, being duly sworn, deposes and says that he is the person who signed the foregoing certificate and that the statements therein are true and correct.

(Signed) ____

Subscribed and sworn to before me this ______________ day of ______________, 19____.

____

Verification Deputy.

The petition of nomination of which this certificate forms a part shall, if found insufficient, be returned to __________________, at No. __________________ street, San Jose, California.

FORMS TO BE SUPPLIED BY THE CITY CLERK.

11. It shall be the duty of the city clerk to furnish upon application a reasonable number of official forms of individual certificates of the above character.

REQUIREMENTS OF CERTIFICATES.

Each certificate must be a separate paper. All certificates must be of a uniform size as determined by the city clerk. Each certificate must contain the name of one candidate and no more. Each signer must be a qualified elector, and must not at the time of signing a certificate have signed his name to any other certificate for any other candidate for the same office; *provided*, that each elector may sign the certificates as for a separate office of a number of candidates for the office of councilman, not exceeding the number to be elected. In case an elector has signed two or more conflicting certificates, all such certificates shall be rejected. Each signer must verify his certificate and make oath that the same is true before a verification deputy, as provided for in this section. Each certificate shall further contain the name and address of the person to whom the petition is to be returned in case said petition is found insufficient, or upon the withdrawal or death of any candidate.

VERIFICATION DEPUTIES.

12. Verification deputies, under this section, must be qualified electors of the city, and shall be appointed by the city clerk upon application in writing, signed by not less than five qualified electors of the city. The application shall set forth that the

signers thereto desire to procure the necessary signatures of electors for the nomination of candidates for municipal office at the election therein specified, and that the applicants desire the person or persons whose names and addresses are given appointed as verification deputies, who shall upon appointment be authorized and empowered to take the oath of verification of the signers of petitions of nomination. Such verification deputies need not use a seal, and shall not have power to take oaths for any other purpose whatsoever, and their appointments shall continue only until all petitions of nomination under this section shall have been filed with the city clerk. No verification deputy shall be paid, in whole or in part, directly or indirectly, out of the city treasury. All verification deputies must, before their appointment, make and file with the city clerk an oath as to their place of residence, occupation and whether or not they are qualified electors of the city of San Jose, California.

DATE OF PRESENTING PETITION

13. A petition of nomination must be presented to the city clerk not earlier than forty five days nor later than thirty days before the primary election, except as otherwise provided in this charter. The city clerk shall endorse thereon the date upon which the petition was presented to him.

EXAMINATION OF PETITIONS BY CITY CLERK

14. When a petition of nomination is presented for filing to the city clerk, he shall forthwith examine the same, and ascertain whether it conforms to the provisions of this charter. If found not to conform thereto, he shall then and there in writing designate on said petition the defect or omission or reason why such petition can not be filed, and shall return the petition within two days after the same has been presented to him to the person named as the person to whom the same may be returned in accordance with this section. The petition may then be amended and again presented to the clerk as in the first instance, but not later than twenty days before the election. The clerk shall forthwith proceed to examine the petition as hereinbefore provided.

WITHDRAWAL OF SIGNATURE

15. Any signer to a petition of nomination and certificate may withdraw his name from the same by filing with the city clerk a written revocation of his signature before the filing of the petition by the clerk, and not afterwards. He shall then be at liberty to sign a petition for another candidate for the same office.

WITHDRAWAL OF CANDIDATE

16. Any person whose name has been presented under the provisions of this charter as a candidate may, not later than twenty five days before the day of election, cause his name to be withdrawn from nomination by filing with the city clerk a request therefor in writing, and no name so withdrawn shall be printed upon the ballot. If upon such withdrawal the number of candidates remaining does not exceed the number to be elected, then other nominations may be made by filing petitions therefor, not later than twenty days prior to such election, in the same manner as hereinbefore provided.

FILING OF PETITIONS

17. If either the original or the amended petition of nomination be found sufficiently signed as hereinbefore provided, the city clerk shall file the same not less than eighteen days before the date of the election. When a petition of nomination shall have been filed by the city clerk it shall not be withdrawn nor added to, and no signature shall be revoked thereafter.

PRESERVATION OF PETITIONS.

18. The city clerk shall preserve in his office for a period of two years all petitions of nomination and all certificates comprising the same filed under this section.

Immediately upon the expiration of the time of the filing of the petitions of nomination, the city clerk shall mail, not later than five (5) days prior to the day of election, a sample ballot to each qualified voter in the city of San Jose; the city clerk shall thereupon cause the primary ballots to be printed.

BALLOTS.

19. The ballots shall be printed upon plain, substantial white paper, and shall have no party designation or mark whatever, and shall be in substantially the following form:

Official Primary Ballot.

Candidates for Nomination for Councilmen (and City Auditor and Police Judge if any) of the city of San Jose, at the primary election, held May ______, 19___.

Place a cross (X) in the square following the name of the candidate for whom you desire to vote.

For Councilman.

Vote for (giving the number).

(Here print alphabetically the names of all candidates for Councilmen, with a square following each name.)

For City Auditor (if any).

Vote for one.

(Here print alphabetically the names of all candidates for City Auditor, with a square following each name.)

For Police Judge (if any).

Vote for one.

(Here print alphabetically the names of all candidates for Police Judge, with a square following each name.)

FIRST ELECTION.

20. Having caused said ballots to be printed, the said city clerk shall cause to be delivered at each polling place a number of said ballots equal to 10 per cent more than the number of registered voters in such polling precinct who are entitled to vote at said election. Judges of election shall, immediately upon the closing of the polls, count the ballots and ascertain the number of votes cast in such precinct for each of the candidates, and shall forthwith make return thereof to the city clerk, upon proper blanks to be furnished by the said clerk. The council shall meet as a canvassing board and duly canvass the election returns within four days after any municipal election.

In case there is but one person to be elected to an office, the candidate receiving a majority of the votes cast for all the candidates for that office shall be declared elected.

GENERAL ELECTION.

21. If at any election held as above provided there be any office to which the required number of persons was not elected, then as to such office the said first or primary election shall be considered to have been a primary election for the nomination of candidates and a general election on the second Monday succeeding said first election shall be held to fill said office or offices. The candidates not elected at such first election equal in number to twice the number to be elected to all such offices, who have received the highest number of votes for the respective offices at such first or primary election, shall be the only candidates at such general election; *provided*, that if two or more persons shall each receive an equal number of votes at said first or primary election and said number of votes so received by each of said persons shall be greater than the number of votes received by any other person who is a candidate for nomination for the same office, or if any two or more persons receive an equal number of votes at said first or primary election and said number of votes is exceeded by the number of votes received by only one candidate for said office, then in either event both of the persons so receiving an equal number of votes shall likewise become candidates for such office.

The candidates equal in number to the number of persons to be elected, who shall receive the highest number of votes at such general election, shall be declared elected to such office.

RULES GOVERNING GENERAL ELECTION.

22. All the provisions and conditions above set forth as to the conduct of an election, so far as they may be applicable, shall govern the general election; *and provided, also*, that the same precincts and polling places shall, if possible, be used.

ELECTION REGULATIONS

23. The provisions of the State law relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of elections, so far as they may be applicable, shall govern all municipal elections, except as otherwise provided in this charter.

ELECTIONS FOR THE SHORT TERM.

24. If at any general municipal election any elective officer is to be chosen to fill the unexpired portion of a term as provided in section 7 of this charter, all provisions of this article with regard to nominations and elections shall apply to the candidates for such unexpired term; *provided*, that the statement of candidacy and the petitions of nomination shall clearly state that the candidate is a candidate for the short term, and that on the ballots at the first or primary and general municipal elections, the candidates for such short term shall be listed as for a separate office.

ARTICLE IV.

Recall

25. Any elective officer provided for in this charter may be removed from office by the electors. The procedure to effect such removal shall be as follows:

A petition demanding that the question of removing such officer or officers, if the removal of more than one officer is desired, be submitted to the electors shall be filed with the city clerk.

Such petition shall be signed by qualified electors equal in number to at least twenty five (25) per centum of the total number of persons voting at the general municipal election next preceding the filing of such petition.

The signatures to such petitions need not all be appended to any one paper.

PETITIONS.

26. Petition papers shall be procured from the city clerk, who shall keep a sufficient number of such blank petitions on file for distribution as herein provided. Prior to the issuance of such petition papers an affidavit shall be made by one or more qualified electors and filed with the city clerk, stating the name and office of the officer or officers sought to be removed. The city clerk, upon issuing any such petition papers to an elector, shall enter in a record, to be kept in his office, the name of the elector to whom issued, the date of such issuance, and the number of papers issued, and shall certify on such papers the name of the elector to whom issued and the date issued. No petition paper shall be accepted as part of the petition unless it bears such certificate of the city clerk and unless it is filed as provided herein.

SIGNATURES.

27. Each signer of a recall petition shall sign his name in ink or indelible pencil and shall place thereon after his name his place of residence by street and number. To each such petition paper there shall be attached an affidavit of the circulator thereof, stating the number of signers to such part of the petition, and that each signature appended to the paper was made in his presence and is the genuine signature of the person whose name it purports to be, and that such circulator has not received and will not receive, either directly or indirectly, any compensation for circulating said petition, or for procuring signatures thereto.

FILING OF PETITIONS.

28. All papers comprising a recall petition shall be assembled and filed with the city clerk as one instrument within thirty (30) days after the filing with the city clerk of the affidavit stating the name and office of the officer or officers sought to be removed.

EXAMINATION OF PETITIONS.

29. The city clerk shall examine the great register of the county and therefrom ascertain whether or not said petition is signed by the requisite number of qualified voters; and upon his request the council shall allow him extra help for that purpose; and the clerk shall attach to said petition within ten days after its presentation to him, his certificate showing the result of said examination. If by the clerk's certificate the petition is found to be insufficient, it may be amended within ten days from the date of said certificate. The clerk shall within five days after such amendment make like examination of the amendment to the petition and attach his certificate thereto as in the case of the original petition, and if his certificate shall show the said amended petition to be insufficient, it shall be returned to the person filing the same without prejudice to the filing of a new petition to the same effect. If the petition, either as originally filed or after amendment, shall be found to be sufficient, the city clerk shall submit the same to the council at the next regular meeting of said council after the date of his certificate of such sufficiency, and he shall forthwith serve upon the officer or officers sought to be recalled a notice of the submission of such petition, which said notice may be served upon said officer personally or by leaving a written notice of such submission at the last known address in the city of said officer or officers.

CALLING OF ELECTION.

30. If said officer or officers does not resign within five days after the submission of said petition to said council, said council shall order and fix a date for holding a recall election, which said election shall be held not less than twenty days or more than forty days from the submission of said petition to said council. The election shall be held at the same time as any general or special municipal election, scheduled to be held within such period; but if no such general or special election is to be held within such period the council shall call a special recall election, to be held within the time aforesaid.

BALLOTS.

31. The ballots at such recall elections shall conform to the following requirements:

With respect to each person whose removal is sought the question shall be submitted, "Shall (name of person) be removed from the office of (name of office) by recall?"

Immediately following each such question there shall be printed on the ballots the two propositions, in the order set forth:

For the recall of (name of person).
Against the recall of (name of person).

Immediately to the right of each proposition shall be placed a square in which the electors, by making a cross mark (×) may vote for either of such propositions.

RESULT.

32. Should a majority of votes cast at a recall election be against the recall of the officer named on the ballot, such officer shall continue in office for the remainder of his term, subject to recall, except as hereinafter provided. If a majority of the votes cast on the question of the recall of a particular officer at a recall election be for the recall of such officer, he shall, regardless of any technical defects in the recall petition, be deemed removed from office.

LIMITATION OF TIME.

33. No recall petition shall be filed against any elective officer within six (6) months after he takes his office, and in the event of the failure to recall any elective officer at any such election, no other election may be held for the recall of such officer until six (6) months after such previous recall election.

ARTICLE V.

Initiative and Referendum.

34. In addition to the powers vested by this charter in the council, the people reserve to themselves the power to adopt or reject ordinances at the polls independently of the council.

PETITION SHALL CONTAIN PROPOSED ORDINANCES.

35. To initiate proceedings for the exercise of said reserved powers, a petition signed by duly qualified electors of the city equal in number to twenty five per cent of the number of persons voting at the general municipal election next preceding the filing of the petition, shall be filed with the city clerk. Said petition shall be addressed to the council, shall contain the proposed ordinance set out in full and shall request that the proposed ordinance be submitted forthwith to vote of the people at a special election, or at the next general election at the option of those proposing the ordinance.

THE PETITION MAY BE IN TEN SECTIONS.

36. To facilitate the procuring of signers, the petition may consist of not exceeding ten separate sections. Any qualified elector may circulate a section for signatures, and each signer shall add to his signature his place of residence, giving the street and number. Each section shall have attached thereto the affidavit of the person who circulated the same for signatures that all the signatures were made in his presence, and that such signature is the genuine signature of the person whose name it purports to be. The several sections shall each contain a copy of the proposed ordinance, and, at the time of being signed, shall in all respects be counterparts of each other. When filed they shall be attached together and constitute the petition.

VERIFICATION OF THE PETITION.

37. Within ten days after such petition is filed, the city clerk shall satisfy himself whether or not such petition is signed by the requisite number of qualified electors of the city, residing at the places set opposite their respective names. At the conclusion of such examination, the city clerk shall attach to the petition his certificate showing the result of his examination. The council shall allow the city clerk such extra help in making the examination as may be necessary.

PETITION MAY BE AMENDED.

38. If by the certificate it appears that the petition is not signed by the requisite number of duly qualified signers, or is defective in any other particular, it may be amended within ten days from the date of the certificate, by the filing of not exceeding five additional sections duly verified and counterparts except as to the names of the signers, of the sections on file, containing the requisite number of signatures. The city clerk shall, within five days after such additional sections are filed, make examination of the signatures thereon and attach his certificate to the petitions showing whether or not the petition is sufficient. If, after filing the additional sections, the certificate of the city clerk shows the petition still insufficient, no further proceedings shall be had on the petition on file.

COUNCIL SHALL PASS THE ORDINANCE OR CALL AN ELECTION.

39. If the certificate of the city clerk shows the petition sufficient and a special election is demanded in the petition, the council shall within twenty days from the date of the city clerk's certificate showing the sufficiency of the petition, either pass

such ordinance without alteration, or, except as provided in section 46 of this charter, call a special election to be held within forty days from the date of calling said election, and submit thereat said proposed ordinance without alteration to vote of the people. The council may at the same time submit an alternative ordinance.

FIFTEEN PER CENT PETITION.

40. If the petition request that the proposed ordinance be submitted to a vote of the people at the next general municipal election, and be signed by qualified electors equal in number to fifteen per centum of the number of persons voting at the general municipal election next preceding the filing of the petition, and said ordinance be not passed by the council, as demanded in the petition, then such ordinance without alteration shall be submitted by the council to a vote of the people at the next general municipal election; *provided*, such election shall occur at any time after twenty days from the date of the city clerk's certificate showing the sufficiency of the petition. The council may at the same time submit an alternative ordinance.

PRINTED ARGUMENTS FOR AND AGAINST THE ORDINANCE.

41. Not less than twenty days prior to the election at which the proposed ordinance is submitted to vote of the people, the proponents of the ordinance and the council may respectively present to the city clerk written arguments advocating or opposing the passage of the proposed ordinance. There shall be one such printed argument on behalf of the proponents of the ordinance and one on behalf of the council, and said arguments shall be contained in not exceeding two printed pages each, on each printed paper. The form and size of the paper shall be adequate for mailing, and shall be prescribed by the city clerk. The number of copies of such printed arguments for each party shall be five per centum in excess of the total number of qualified electors in the city. One copy of each of said arguments shall be mailed by the city clerk with each sample ballot, and with each sample ballot there shall be mailed a printed copy of the proposed ordinance and petition, omitting, however, the names of the signers of said petition and the certificate of the city clerk. The cost of printing the necessary copies of the petition and proposed ordinance shall be borne by the city.

FORM OF THE BALLOT.

42. The ballot used when voting on the proposed ordinance shall set forth the title of the ordinance in full, state its general nature, and shall contain the words, "For the Ordinance." Opposite such proposition to be voted on, and to the right thereof, the words "Yes" and "No" shall be printed on separate lines, with voting squares in which the voter may make his cross. If a majority of those voting on such proposed ordinance shall vote in favor thereof, such ordinance shall be deemed adopted and shall take effect five days after the declaration of the official canvass of the returns of such election.

SEVERAL ORDINANCES MAY BE SUBMITTED TO VOTE OF THE PEOPLE AT THE SAME ELECTION.

43. Any number of proposed ordinances may be submitted to vote of the people at the same election. The enacting clause of an ordinance adopted by vote of the people shall be, "The People of the City of San Jose do ordain as follows:"

REPEAL OR AMENDMENT OF ORDINANCE.

44. An ordinance proposed by petition and passed by vote of the people can be repealed or amended only by vote of the people. The council, at any general municipal election, may, without petition, submit to vote of the people a proposition to amend or repeal any ordinance adopted by vote of the people, or for the enactment of a new ordinance, and in case a majority of the votes cast thereon at such general municipal election be in favor of the proposition submitted, the ordinance shall thereupon be amended or repealed accordingly, and the new ordinance adopted.

CONFLICTING ORDINANCES ADOPTED.

45. If two or more ordinances adopted at the same election shall contain conflicting provisions, the one adopted by the highest number of voters shall be construed as paramount to the other so far as the particular conflict is concerned.

INITIATIVE ELECTIONS TO BE SIX MONTHS APART.

46. There shall not be held more than one special election in a period of six months for the purpose of submitting any ordinance to vote of the people.

THE REFERENDUM.

47. No ordinance passed by the council shall go into effect before thirty days from the time of its final passage, except where otherwise required by the general laws of the state, or by the provisions of this charter respecting street improvement or street opening, or respecting matters pertaining to the purchase or sale of lands,

and except the ordinance making the annual tax levy, or ordinances pertaining to bond issues, and except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency, and is passed by five affirmative votes in the council: *provided*, that no grant of any franchise shall be construed to be an urgency measure, and all franchises shall be subject to the referendum, as herein provided. If during said thirty days a petition signed by qualified electors of the city, equal in number to at least fifteen per centum of the number of persons voting at the general municipal election next preceding the filing of the petition protesting against the passage of such ordinance, be presented to the council, the same shall thereupon be suspended from going into operation, and it shall be the duty of the council to reconsider such ordinance, and if the same be not repealed, the council shall submit the ordinance to the vote of the electors of the city, either at the next general municipal election, or at a special election to be called for that purpose, and such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof. The form of the petition, and the mode of verification and certification and filing shall be substantially, with such modifications as the nature of the case requires, as provided for recall elections.

ARTICLE VI.

The City Council.

48. The governing body of the city shall be the city council. It shall consist of seven councilmen elected as hereinbefore prescribed. It shall select by an affirmative vote of at least four members of the council a city manager to be the chief administrative officer of the city and shall exercise all the powers conferred by this charter or by the Constitution and laws of the State upon the city of San Jose, subject always to the provisions of the preceding article of this charter.

MEETINGS.

49. At eight o'clock p.m. on the first Monday in July, 1916, the council shall meet in the council chamber at the city hall. Thereafter the council shall meet at such times as it may determine, but not less frequently than once in each two weeks. All meetings shall be open to the public. The council shall adopt rules for the conduct of its business, and shall be the judge of the election and qualifications of its members. It shall keep a journal of its proceedings. Special meetings may be called at any time, upon at least six hours' written notice, by the president of the council, two councilmen, or the city manager. Four members shall constitute a quorum.

ORDINANCES AND RESOLUTIONS.

50. The council shall act only by ordinance or resolution. The vote upon the passage of all ordinances and resolutions shall be by "ayes" and "noes" and entered upon the journal. The affirmative vote of four members shall be necessary to the passage of any ordinance or resolution.

All resolutions and ordinances shall be signed by the president of the council and attested by the city clerk.

In addition to those cases in which an ordinance is required by other provisions of this charter, no action providing for any specific improvements or the appropriation or expenditure of any public money, except sums less than five hundred dollars; for the appropriation, acquisition, sale or lease of public property; for the levying of any tax or assessment; for the granting of any franchise; for establishing or changing fire limits, or for the imposing of any penalty, shall be taken except by ordinance; *provided*, that such exceptions be observed as may be called for in cases where the council takes action in pursuance of a general law of the State.

The enacting clause of all ordinances shall be: "Be it ordained by the council of the City of San Jose." All ordinances shall be introduced in written or printed form and, with the exception of the annual appropriation ordinance, shall contain but one subject which shall be clearly stated in the title. If any subject shall be embraced in an ordinance or resolution which shall not be expressed in its title, such ordinance shall be void only as to so much thereof as shall not be expressed.

An ordinance, unless it is declared to be an emergency measure, as provided in section 47 of this charter, must before final action thereon be passed to print and published in a newspaper of general circulation published in the city of San Jose with the ayes and noes for two days, and, in case of any amendment being made thereto before the final adoption of the ordinance, must in like manner be republished as amended for not less than one day.

No ordinance shall be amended unless the whole section to be amended be set forth as amended, and the original section repealed.

POWER OF INVESTIGATION.

51. The council, or a committee thereof, may investigate the affairs of any department or the official acts and conduct of any official. It shall have power to administer oaths, compel the attendance of witnesses and the production of books and papers.

and may punish for contempt any person failing to obey its subpoena or refusing to testify. No person shall be excused from testifying, but his testimony shall not be used against him in any criminal proceeding, except for perjury.

PRESIDENT OF THE COUNCIL.

52. The council shall elect a president of the council from among their number on the first Monday in July, 1916, and every second year thereafter. He shall preside over the council and may speak and vote as any other member. In case of his absence from a meeting of the council, the council shall elect from among their number a president *pro tempore*. If at any time the office of president of the council becomes vacant by resignation or because, for any reason, the person holding said office ceases to be a member of the council, the council shall elect from their number a president of the council for the unexpired balance of the term.

ARTICLE VII.

Appointive Officers.

53. There shall be the following appointive officers, boards and commissions who shall perform the duties assigned them by this charter or by ordinance:

City manager, city clerk, city treasurer, city engineer, city attorney, chief of the fire department, chief of the police department, board of health, health officer, civil service commission, city planning commission, superintendent of parks, board of library trustees, board of education.

The council may by ordinance provide for the appointment and duties of such other officers, boards, commissions, deputies and employees as may be necessary to carry on the functions of the city as defined in this charter.

The council shall fix the qualifications and compensation of all employees of the city government, except as otherwise provided in this charter. The council shall appoint the city manager, city clerk, city attorney, city auditor and city planning commission (three members). The council may remove any officer appointed by it except the city manager upon the affirmative vote of four members, after a public hearing.

The council may remove the city manager at any time upon the affirmative vote of four of its members.

All other appointive officers shall be appointed and removed by the city manager.

All appointive officers shall before entering upon the duties of their office take the oath herein prescribed for elective officers and file with the city auditor bonds in such penal sums as this charter, or, failing such provision, as the council may by ordinance, direct. These bonds shall be surety company bonds and the premiums thereon shall be paid by the city.

CITY CLERK.

54. The city clerk shall be the custodian of the seal of the city. He shall safely keep all books, records and other documents required by this charter or the laws of the State to be kept and filed in his office. He shall be clerk of the council and, until the council shall otherwise provide by ordinance, he shall act as clerk of the police court. He shall have power to administer oaths. It shall be his duty to perform all acts required of him by this charter, by ordinance or by the laws of the State.

CITY ATTORNEY.

55. The city attorney shall be an attorney at law, duly admitted to practice in the courts of this State, and having practiced therein at least five years.

He shall represent the city in all litigation, including the prosecution of criminal cases arising out of the violations of city ordinances. He shall be the legal adviser of the council, the city manager, and all other officers, boards and departments of the city, and shall give his opinion in writing when requested by any officer or board. He shall draft all proposed ordinances, or resolutions, when requested to do so by the council and perform such other duties as may be prescribed by ordinance.

ARTICLE VIII.

City Manager.

OFFICIAL HEAD OF THE CITY.

56. The council shall appoint a city manager, who shall hold office at the pleasure of the council. The city manager shall be recognized as the official head of the city and shall have and exercise all the rights, powers and duties devolving on the mayors of cities under the laws of the State of California which may be applicable to the city of San Jose, except as otherwise provided in this charter. He shall be the administrative head of the city government and shall be responsible for the conduct of all its departments. He shall receive a salary to be fixed by the council by ordinance. Before taking office he shall file with the city auditor a surety company bond in the penal sum of $10,000, conditioned upon the true, honest and faithful performance of the duties of his office. The premium of this bond shall be paid by the city.

MANAGER'S POWER OF APPOINTMENT.

57. The city manager shall appoint the following officers and all other officers of the city, subject to the provisions of article XVI of this charter, except where this charter expressly provides otherwise:

City treasurer, city engineer, city attorney, board of health, health officer, chief of police department, chief of fire department, board of education, board of library trustees, superintendent of parks.

The city manager may remove any person appointed by him: *provided*, that he must file with the council and the civil service commission a statement of the grounds of the removal and give to the person sought to be removed an opportunity to be heard in his own defense at a public hearing.

OTHER POWERS OF THE MANAGER.

58. He shall have power: (*a*) To see to the faithful execution of the laws and ordinances of the State and city. (*b*) To control and direct the several officers and departments of the city government. (*c*) To investigate at any time the affairs of any department. He, or any person appointed by him, for the purpose, shall have the same power to compel the attendance of witnesses, and the production of books, papers and other evidence, and to punish for contempt, which has herein been conferred upon the council. (*d*) To attend all meetings of the council and to take part in its discussions, but not to vote. (*e*) To keep the council advised of all the needs of the municipality and to recommend measures for its adoption. (*f*) To prepare the annual budget. (*g*) To perform such other duties as may be imposed on him by this charter, or by ordinance.

PURCHASING AGENT.

58*a*. At the beginning of each fiscal year it shall be the duty of the head of each department or office to furnish the purchasing agent with an estimate of the supplies and materials needed by that department or office during the ensuing year. It shall be the duty of the purchasing agent to buy from time to time supplies and materials to the credit of the store fund. It shall be his duty to acquaint himself with the needs and requirements of the city and to procure and retain samples of all materials, fabrics and supplies of every kind necessary for its use. It shall be his duty to take advantage, for the benefit of the city, of all trade and cash discounts and favorable trade conditions that may arise. He shall inspect all purchases upon delivery and must reject any articles which fail to comply with the provisions of the contract as to weight, quantity or quality, and shall not approve any invoice or claim against the city unless the weight, quantity, quality and price of the articles therein enumerated are correctly stated according to the terms of the contract of purchase. He shall keep accurate records of all supplies purchased and the disposition thereof. He shall have the custody of all supplies in the city store, and shall deliver the same from time to time on the written requisition of the officer or department requiring them. The council shall in the first annual appropriation ordinance after the adoption of this charter, appropriate a sum sufficient to create a revolving store fund. Supplies drawn from the store shall be paid for by warrants payable to the store fund.

PURCHASE BY CONTRACT OR IN THE OPEN MARKET.

59. When the expenditure required for the purchase of any supplies exceeds five hundred dollars ($500.00), the purchasing agent shall advertise for sealed proposals in the manner hereinafter prescribed for proposals for public work and the contract shall be awarded by the council to the lowest responsible bidder: *provided*, that the council may reject all bids and order the purchasing agent to buy in the open market at a price less than the lowest bid received from a responsible bidder; *and provided*, that if no bids are received, the council may order the purchasing agent to buy in the open market.

Until the council shall otherwise provide by ordinance, the city manager shall act as purchasing agent.

ARTICLE IX.

Finance.

FISCAL YEAR.

60. The fiscal year shall commence on the first day of December.

TAX LIMIT.

61. The tax levy authorized by the council shall not exceed one dollar upon each one hundred dollars ($100.00) of the assessed valuation of all real and personal property within the city, exclusive of the amount necessary to pay the principal of and interest on the bonded indebtedness of the city, except by ordinance approved, or adopted by the affirmative vote of the majority of the people voting at a general or special election.

ASSESSMENT AND COLLECTION OF TAXES.

62. The council shall have power to avail itself of any law of the State of California now or hereafter in force whereby the assessment of property and the collection of taxes may be made by officers of the county in which the city of San Jose is situated. All ordinances of the city upon this subject in effect at the time of the adoption of this charter, shall remain in full force and effect until repealed or amended. The council may by an ordinance, which must be submitted to and adopted by vote of the people at any general or special municipal election, provide for the assessment of property and the collection of taxes by officers of the city. Such an ordinance may create the offices of assessor and tax collector and provide for their consolidation with any other offices of the city now or hereafter existing, and give to such officers any or all the powers and duties authorized by general law. In this event the council shall be the board of equalization with power to correct, modify, strike out or raise any assessment, provided that notice shall be given to the party whose assessment is to be raised.

ESTIMATE OF REVENUE AND EXPENDITURE.

63. On or before the first day of July of each year, the city manager shall submit to the council an estimate of revenue and expenditures for the ensuing year. It shall contain an estimate of the probable revenue from all sources, the amount necessary to meet the interest and principal of the bonded indebtedness of the city, and the following information arranged in parallel columns:

(*a*) Detailed estimate of the expense of conducting each department as submitted by the department.

(*b*) Expenditures for corresponding items for the last two fiscal years.

(*c*) Expenditures for corresponding items for the current fiscal year, including adjustments due to transfers between appropriations, and an estimate of the expenditures necessary to complete the current fiscal year.

(*d*) Supplies and materials on hand.

(*e*) Such other information as the council may require.

(*f*) Recommendations of the city manager.

Sufficient copies shall be prepared by the city manager to provide one for each member of the council and to place two copies on file in his office for the inspection of the public.

PUBLICATION OF THE BUDGET.

64. Upon the receipt of this budget, the council shall proceed to consider the same. Before final action is taken the city manager, at the direction of the council, shall publish for general distribution an abstract of the budget showing the principal items of expenditure for each department, together with the changes in his recommendations proposed to be made by the council. The council shall then fix a time and place for public hearings. The council shall not finally pass the annual budget before the first day of September.

MISCELLANEOUS PROVISIONS RELATING TO APPROPRIATIONS.

65. Upon request of the city manager, the council may by ordinance, transfer any part of an unencumbered balance of any appropriation to another purpose or object, or may by ordinance authorize a transfer to be made between items appropriated to the same office or department.

At the close of each fiscal year, the unexpended balance of each appropriation against which no contracts for work or supplies are outstanding reverts to the general fund. Any money in the general fund otherwise unappropriated may be appropriated by the council at any time, by ordinance.

No money shall be drawn from the city treasury nor obligation for the expenditure of money be incurred, except in accordance with the appropriations made by the council.

EMERGENCY FUND.

65*a*. The council shall create and maintain a permanent revolving fund to be known as the emergency fund, for the purpose of paying promptly any unexpected or unusual claims against the city. For this purpose the council shall provide that, from the money collected from the annual tax levy and from money received from other sources, a sum equal to not less than one-half cent on each one hundred dollars of the assessed value of said property shall be placed in such fund, until the accumulated amount in such fund shall equal three cents on each one hundred dollars of the assessed value of said property.

The council shall have power to transfer from the emergency fund to any other fund or funds such sum or sums as may be required for the purpose of maintaining such fund or funds, as nearly as possible, on a cash basis. It shall be the duty of the council to provide that all money so transferred from the emergency fund be returned thereto before the end of the fiscal year.

TAX LEVY.

66. It shall be the duty of the city manager to procure, as soon as available each year, a certificate from the county assessor (or the city assessor, should the office of city assessor be created), of the total amount of property assessed for taxation within the limits of the city, as shown by the assessment roll in the office of the county assessor. He shall lay the same before the council at the same time with his estimates for the annual budget.

At the same time that it finally passes the annual budget, the council shall adopt an ordinance setting forth the proper levy in mills upon each dollar of the assessed valuation of all taxable property within the city necessary, in conjunction with the revenue derived from such other taxes, licenses and other sources of income as may be authorized by law and ordinance, to raise the amounts estimated to be required in the annual budget.

The city auditor shall thereupon certify to the county assessor the total of such levy.

If at any time the city reassume the right to assess property and collect taxes, the council shall levy the rate of taxation upon the valuation of the property in the city as fixed by the assessment roll prepared by the city assessor. The assessment roll shall then be delivered to the city auditor, who shall compute and carry out the amount of the tax so levied upon each parcel of property contained in said assessment roll.

TAX LIENS.

66*a*. All taxes assessed, together with any percentage imposed for delinquency and the cost of collection, shall constitute liens on the property assessed; every tax upon the personal property shall be a lien upon the real property of the owner thereof. The liens provided for in this section shall attach as of the first Monday in March in each year, and may be enforced by actions in any court of competent jurisdiction to foreclose such liens, or by a sale of the property affected and the execution and delivery of all necessary certificates and deeds therefor, under such regulations as may be prescribed by ordinance: *provided*, that when real estate is offered for sale for city taxes due thereon, the same shall be struck off and sold to the city, in like case and in like manner and with like effect and with like right of redemption, as it may be struck off and sold to the state when offered for sale for state and county taxes; and the council shall have power to provide for the procedure to be followed in such sales to the city and redemption thereafter.

CITY AUDITOR.

67. The city auditor shall be the general accountant and responsible fiscal officer of the city. He shall keep a complete set of books in the manner hereinafter prescribed. He shall have power to administer oaths, summon witnesses and order the production of books, papers or other evidence for any purpose connected with the financial administration of the city. No money shall be drawn from the city treasury except by warrant drawn by the city auditor. The city auditor shall not draw his warrant for the payment of any claim until he is satisfied that the claim represents an obligation legally incurred and is not, when added to all expenses already incurred against the appropriation in question in excess of the amount of said appropriation, or said appropriation plus duly authorized transfers thereto, nor together with all claims already paid from the fund from which it is to be paid in excess of the money actually paid into the city treasury on account of said fund during the current fiscal year.

UNIFORM ACCOUNTS.

68. The auditor shall install and maintain a modern accounting system which shall include such a standard classification of assets and liabilities as will permit of the preparation of a general balance sheet disclosing the exact financial condition of the city at the close of any month. He shall provide uniform forms of account for all officers and departments of the city which receive and disburse money. And on written request and authorization of the city manager, the city auditor shall hire, engage and contract for the services of a duly qualified, certified public accountant to prescribe, design and install the forms of keeping and rendering all city accounts and the manner in which all creditors, officers and employees of the city shall be paid, and to record in detail all transactions affecting the acquisition, custodianship and disposition of values. Such statements shall include a general balance sheet exhibiting the assets and liabilities of the city, supported by departmental schedules and schedules for each utility publicly owned or operated; summaries of income and expenditure supported by detailed schedules and also comparisons with the last previous year. The accounts of the purchasing agent shall be kept in such a form as will enable the auditor to ascertain at any time the details of unfilled orders for materials and for services or the filled orders for which invoices have not been rendered.

PAYMENT OF CLAIMS.

69. All claims shall be submitted to the city auditor upon vouchers, the form of which shall be prescribed by him, signed by the head of the department for which the indebtedness was incurred and countersigned by the city manager. Before issuing

such a voucher, the head of the department must have duly inspected the supplies or material furnished or work done and have certified the same as satisfactory. The head of each department shall cause to be kept on forms furnished by the city auditor accurate time reports duly certified by some person having cognizance thereof, as the basis for pay roll vouchers. Each head of a department or his surety shall be liable to the city for all loss or damage sustained by the city by reason of the negligent or corrupt approval of any claim against the city in his department.

CITY TREASURER.

70. The city treasurer shall be the custodian of all the moneys of the city. He may deposit such moneys in a bank or banks subject to the limitations of the Constitution and general laws of the State. He shall be ex officio license collector. He shall collect all licenses and other moneys due to the city of San Jose and perform such other duties as the council may by ordinance direct. Before assuming the duties of his office he shall file with the city auditor a surety company bond in the penal sum of fifty thousand ($50,000) dollars, conditioned for the true, faithful and honest performance of his duty. The premium of this bond shall be paid by the city.

PAYMENT OF MONEYS INTO THE TREASURY.

71. Every officer collecting or receiving any moneys belonging to or for the use of the city, except when otherwise provided by law, or this charter, shall pay the same into the city treasury and account therefor to the city auditor daily. The city auditor shall direct the proper fund to be credited therewith.

REPORT OF FINANCIAL CONDITION.

72. The city auditor shall lay before the council at its second meeting in each month a report containing in detail the receipts and disbursements of the city on all accounts, the expenditures made and obligations incurred during the preceding calendar month and a balance sheet showing the financial condition of the city, of the several funds and the total unexpended balance to the credit of each appropriation. Copies of this report shall also be supplied to the city manager, the heads of departments, the public library, and each daily or weekly newspaper published in the city and to such citizens as make application therefor. As soon after the completion of each fiscal year as practicable, the city auditor shall submit to the council a similar report and balance sheet for the preceding fiscal year. This report shall be printed for general distribution.

ANNUAL AUDIT OF ACCOUNTS.

73. The council shall employ, for a stipulated compensation, at the beginning of each fiscal year, a certified public accountant or firm of certified public accountants, who shall, once each year, examine the books, records, and reports of the city auditor, and all officers and employees who receive or disburse city moneys, and the books, records and reports of such other officers and departments as the council may direct and make triplicate reports thereof, and present one each to the city manager and city auditor, and file one with the city clerk. Such accountant or firm of accountants shall have unlimited privilege of investigation and the right to examine under oath or otherwise all officers, deputies and employees of the city, and every such officer, deputy and employee shall give all required assistance and information to such accountant or firm of accountants, and submit to him or them for examination such books and papers of his office as may be requested, and failure to do so shall be deemed and held to be a forfeiture and abandonment of his office. The council shall provide for the payment of the services of such accountant or firm of accountants.

The findings of the accountant or firm of accountants shall be laid before the council by the president of the council and copies thereof shall be supplied to the daily and weekly newspapers published in the city and to the public library

ARTICLE X.

Police and Fire Departments.

ORGANIZATION OF POLICE DEPARTMENT.

74. The police department shall consist of a chief of police, a police force and all such subordinate officers and employees as the city council may prescribe. The council shall have full power to determine the form of organization of the police department, to adopt rules for the government, discipline, equipment and uniform of the department, and to fix the salaries of all officers and employees.

CHIEF OF POLICE.

75. The chief of police shall have all the powers that are now or may hereafter be conferred upon sheriffs and other peace officers by the laws of the State. He shall be responsible for the execution of all laws and ordinances and the rules governing the police department. He shall have such other powers and duties as may be conferred by the rules of the department.

FIRE DEPARTMENT.

76. The fire department shall consist of a chief and such firemen and other employees as the council may determine. The council shall prescribe rules for the government of the department and shall fix the compensation of all its members.

QUALIFICATIONS.

77. Every person appointed to the police and fire department, excepting the respective chiefs thereof, subsequent to the first day of July, 1916, shall be not less than twenty-one, nor more than thirty-five years of age, and must possess the physical qualifications prescribed by the civil service commission (which shall not in the case of male members be inferior to those required of recruits by the United States army). They must also pass a satisfactory mental examination under the rules prescribed by the civil service commission.

FIRE AND POLICE RETIREMENT FUND.

78. The city treasurer shall be the trustee of the fire and police retirement fund. The council may provide for contributions to this fund by the city and by the active members of the police and fire department, to be deducted from their monthly salaries. The contribution from members of the department shall in no case exceed one third of the contribution of the city. The trustees may also receive gifts or donations to the fund. Unless the terms of the gift provide otherwise, the proceeds thereof shall be deposited in a bank or banks, or invested in bonds of the State of California or any political subdivision thereof and the interest earned thereon shall be credited to the fund.

Upon the recommendation of the civil service commission, any member of the police or fire department, who has reached the age of sixty years and has been for twenty years continuously in the service of the department and who by reason of age and infirmity is unfit for the performance of duty, may be retired. Any person so retired shall receive a monthly allowance from the said fire and police retirement fund equal to one-half his average monthly salary for the five years next immediately preceding his retirement. Such retirement allowance shall cease when the person retired dies, commits a felony, becomes dissipated or a habitual drunkard.

Payments shall be made from this fund upon a half-pay retirement voucher, certified by the president and secretary of the civil service commission.

ARTICLE XI.

Police Court.

POLICE JUDGE.

79. There is hereby constituted a police court in and for the city of San Jose, consisting of one police judge.

QUALIFICATIONS.

80. The police judge shall be a qualified elector and shall have been a practicing attorney for at least two years prior to his election. He shall further possess all the qualifications and be subject to all the restrictions imposed by the general laws upon justices of the peace in the State of California.

JURISDICTION.

81. Said police court and police judge shall have all the powers, authority and jurisdiction, both civil and criminal, that are now or may hereafter be conferred by law upon justices of the peace in California, and in addition thereto, said police court and police judge shall have exclusive jurisdiction of all proceedings for the violation of any ordinance of the city of San Jose.

DISQUALIFICATION.

82. In all cases in which the police judge is a party or in which he is interested, or related to either party by consanguinity or affinity within the third degree, and in case of sickness, absence or inability to act, any justice of the peace of the county of Santa Clara may, at the request of the president of the council or of said police judge, act in his place and stead.

FEES AND FINES.

83. All fees and fines collected from any and all sources shall be paid by said police judge daily into the city treasury, and he shall file with the city auditor each month a detailed statement under oath of all money collected by him on behalf of the city.

ARTICLE XII.

Public Works.

DEPARTMENT OF PUBLIC WORKS.

84. The city engineer shall be head of the department of public works. He shall have all such powers and duties as are conferred on him by this charter or by ordinance. He shall be ex officio superintendent of streets. He shall at the time of his

appointment have been a practicing civil engineer for a period of five years. The department of public works shall have charge of all public work relating to streets, street cleaning, lighting and sprinkling of streets, sewers, sewage disposal, garbage disposal, public buildings and the construction and operation of all public utilities owned and operated by the city.

POWERS OF THE COUNCIL RELATIVE TO STREET WORK

85. The council shall have power: to establish or change the grade of any street or public place, to order the whole or any part of any street, avenue, lane, alley, court or place within the city of San Jose to be graded or regraded to the official grade, planked or replanked, paved or repaved, macadamized or remacadamized, graveled or regraveled, piled or repiled, capped or recapped, [illegible], to order sidewalks, manholes, culverts, cesspools, gutters, [illegible] walks to be constructed thereon, to order [illegible] fences or walls of rock or other material to protect the same and also any other work or improvement thereon; to provide for the care of shade trees planted thereon and to cause shade trees to be planted, set out and cultivated thereon; and also to order drains or sanitary sewers or storm water sewers to be constructed on or through private property.

Whenever in the judgment of the council [illegible] the cost and expense of any of the foregoing improvements is to be paid by special assessments on [illegible] property, the general laws of the State of California in force at the time of the improvement shall govern and control and all proceedings shall be in conformity thereto.

STREET OPENINGS

86. The council shall further have power to order the opening, extending, widening, straightening or closing of any street, lane, alley, court or public place within the city and to condemn and acquire any and all property necessary or convenient for that purpose.

Whenever, in the judgment of the council [illegible] the cost and expense of any of the foregoing improvements is to be paid by special assessment [illegible] property, the general laws of the State of California in force at the time of [illegible] shall govern and control and all proceedings shall be in conformity thereto, except that all the duties of the [illegible] shall be performed by the city manager, and all clerical work shall be performed by the superintendent of streets, who shall receive no compensation therefor other than the salaries of their respective offices.

BOULEVARDS

87. The council shall have power to set apart as a boulevard or boulevards, any street or streets over which there is no existing franchise for any railroad, and to regulate and prevent heavy teaming thereon; and when any such street shall have been set aside as a boulevard no franchise for a railroad, [illegible] railway, or street railway of any kind shall be granted upon such boulevard and no railroad track of any kind shall ever be laid thereon unless an ordinance to that effect shall have been duly passed by popular vote.

CLOSED OR ABANDONED STREETS

88. Whenever any street or portion of a street shall be abandoned or closed by ordinance, the council may convey by deed such street or portion of street so abandoned or closed, to the owners of the lands adjacent thereto in such wise as the council shall deem that equity requires.

PUBLIC WORK TO BE DONE BY CONTRACT

89. All public buildings and works, when the expenditure therefor shall exceed five hundred dollars ($500), shall be done by contract and shall be let to the lowest responsible bidder, after advertising for five consecutive days in a daily newspaper of general circulation published in the city, for sealed proposals for the work contemplated; *provided*, that the council may reject any and all bids if deemed excessive and readvertise for bids or provide for the work to be done by the department of public works, when such procedure does not conflict with the general laws of the State.

All contracts shall be approved as to form by the city attorney, and shall be signed by the president of the council and city manager, and attested by the city clerk. No contract is valid, except in the case where the work is to be paid for by special assessment, unless the city auditor shall endorse thereon his certificate that there remains an unexpended balance of an appropriation or proceeds of a bond issue applicable thereto.

BONDS.

90. At the time of executing the contract, the contractor shall execute to the city and file with the city clerk a bond in the penal sum of at least twenty-five per cent (25 per cent) of the contract price, secured by two or more sufficient sureties or by a surety company, approved by the city auditor and city attorney, conditioned upon the faithful performance of the contract within the contract time. The time limited

in the contract for the completion of the work may be extended by the council for ninety days, or by a unanimous vote of the council for a longer period. In case of failure on the part of the contractor to complete his contract within the time fixed in the contract, or such extension thereof as may be allowed, the contract shall by that fact be terminated and the council shall not thereafter pay or allow him any further compensation for any work done by him under said contract, and the contractor and his sureties shall be liable to the city for all loss or damage which it may suffer by reason of his failure to complete his contract within such time.

PROGRESSIVE PAYMENTS.

91. Any contract may provide for progressive payments if the ordinance or resolution authorizing or ordering the work so prescribes, but no progressive payments can be provided for or made at any time which, with prior payments, shall exceed in amount at that time seventy-five per cent of the value of the labor done and the materials used up to that time, and no contract shall provide for or authorize or permit the payment of more than seventy-five per cent of the contract price before the completion of the work done under said contract and the acceptance thereof by the head of the department and city manager.

PENALTY FOR COLLUSION.

92. If at any time it shall be found that the person, firm or corporation to whom the contract has been awarded, has, in presenting any bid or bids, colluded with any other party or parties, then the contract so awarded shall be null and void, and the contractor and his sureties shall be liable to the city for all loss or damage which the city may suffer thereby, and the council may advertise anew for bids for said work.

HOURS OF LABOR.

93. No person employed by the city of San Jose or by any contractor upon any public work shall be compelled to work more than eight hours in any one day or forty-eight hours in any one week, except in case of emergency arising from the act of God or the public enemy, and every contract for such work shall contain a stipulation on the part of the contractor that except when extra time is paid for at the current rate in San Jose, he will pay to the city ten dollars for each and every day any employee works more than eight hours.

ARTICLE XIII.

City Planning Commission.

94. The city planning commission shall consist of the city attorney, city engineer and three persons to be appointed by the council for a term of four years who shall serve without compensation.

All ordinances or resolutions relating to the location of public buildings, the location, extension, widening, enlargement, ornamentation and parking of any street, boulevard, parkway, park, playground or other public grounds, the vacation of streets or other alteration of the city plan of streets, and the location of any bridge, or street railway, shall be laid before it immediately after introduction.

The commission may comment upon or make recommendations with regard to the plan of the city.

All places, plots or replots of lands laid out in building lots, and the streets, alleys or other portions of the same intended to be dedicated to public use, or for the use of purchasers or owners of lots fronting thereon or adjacent thereto, and located within the city limits shall be subject to the approval of the city planning commission, and no plot or map containing the same shall be considered by the city council until it has been approved by the city planning commission.

No post, pole, fence, gate, statue or other work of art shall be placed upon any street, park or other public grounds until the plan or design thereof has been approved by the city planning commission.

ARTICLE XIV.

Department of Parks.

95. The department of parks shall consist of a superintendent of parks and such other employees as the council may provide. The superintendent shall have complete charge of the parks and reservations of the city, except as otherwise limited in this charter. The council shall make rules for the use of the parks and the preservation of the trees, shrubs, lawns, etc. The council may designate any of the employees of the park department as special police officers and as such they shall have the powers and duties within the parks and reservations of the city as would be possessed by regular police officers.

PRIVILEGES AND CONCESSIONS.

96. The parks and reservations of the city shall be inalienable. Concessions and privileges therein or in the buildings erected by the city thereon may be leased as provided in section 2 of this charter for a period of not more than one year.

A lease as provided in section 2 of this charter may be made of such portion of Alum Rock reservation as will not interfere with the free employment of the said reservation by the public, for a period of not more than twenty years, provided that within one year the lessee erects thereon a hotel building to cost not less than fifty thousand dollars, the plans for, and location of which have been approved by the city planning commission, and by the people at a general or special municipal election.

ARTICLE XV.

Department of Health.

HEALTH OFFICER.

98. The head of the department of health shall be the health officer. He shall have all the powers and duties conferred on boards of health and health officers by the general laws of the State and such other powers and duties as may be conferred by ordinance. The health officer shall have the degree of doctor of medicine or shall have received a certificate or degree in public health from the University of California or other institution of equal standing and have practiced medicine or have been engaged in public health work for at least five years.

98*a*. The plumbing inspector shall be appointed by the city manager and shall be under the direction of the health department.

ABATEMENT OF NUISANCES.

99. The health officer shall have power to order the removal or destruction of any matter filthy, obnoxious or dangerous to health in or from any building, grounds or premises, and the demolition, or reconstruction in a way to be approved by him, of any building or premises or any portion or appurtenance thereof which violates any sanitary law or ordinance or which is productive of nuisance or dangerous to health. If the occupant or owner of the building, grounds or premises fails to obey the order of removal, demolition or reconstruction, within a reasonable time, the health officer shall proceed to carry out the terms of the order and the expense thereof shall be borne by the owner of the building, grounds or premises in question and shall become a lien thereon.

POWER OF ARREST

100. The health officer and every other regularly appointed employee of the health department shall have the right and power to arrest any person or persons who may violate any sanitary law or regulation or any valid order of the health officer.

ADVISORY BOARD OF HEALTH.

101. A board of health shall be appointed by the city manager for a term of four years, and shall consist of five persons, three of whom shall be physicians licensed to practice in this state and one a civil engineer. They shall serve without compensation. It shall be the duty of the board of health to meet on the call of the health officer and to give him its advice on any matter which he may refer to it. No order for the demolition or reconstruction of any building or premises shall be valid without the approval of the board.

ARTICLE XVI.

Civil Service Commission.

102. The civil service commission shall consist of three electors of the city appointed by the council for a term of six years except that the commissioners first appointed shall hold office for two, four and six years, respectively, from the first day of July, 1916. They shall serve without compensation. The city clerk shall act as clerk of the civil service commission.

CLASSIFIED AND UNCLASSIFIED SERVICE.

103. The civil service of the city is hereby divided into the unclassified and the classified service.

1. The unclassified service shall include:

(*a*) All officers elected by the people.

(*b*) The city manager, city clerk, city attorney and treasurer.

(*c*) The heads of departments and members of appointive boards.

(*d*) The secretaries, assistants or deputies of the city manager and one assistant or deputy for each department.

2. The classified service shall comprise all positions not specifically included by this charter in the unclassified service, except positions under the board of education.

RULES.

104. The commission, subject to the approval of the council, shall adopt, amend, and enforce a code of rules and regulations, providing for appointment and employment in all positions in the classified service, based on merit, efficiency, character

and industry, which shall have the force and effect of law; shall make investigations concerning the enforcement and effect of this article and of the rules adopted in accordance therewith. It shall make an annual report to the council.

EXAMINATION AND APPOINTMENT.

105. The secretary shall provide examinations in accordance with the regulations of the commission and maintain lists of eligibles of each class of the service of those meeting the requirements of the said regulations. Positions in the classified service shall be filled by the city manager from a list of the three persons, if there be that number, on the eligible list who have received the highest standing on examination; *provided*, that for good reason shown the city manager may reject all three and call for a new list.

PROMOTION.

106. The commission shall provide for promotion to all positions in the classified service, based on records of merit, efficiency, character, conduct and seniority.

PROBATION PERIOD.

107. An appointment or promotion shall not be deemed complete until a period of probation not to exceed six months has elapsed, and a probationer may be discharged or reduced at any time within the said period of six months.

PRESENT CIVIL SERVICE EMPLOYEES.

108. All persons in the employ of the city holding positions in the classified service, as established by this charter at the time it takes effect, shall, unless their positions be abolished, retain the same until discharged, reduced, promoted, or transferred in accordance with the terms of this charter.

PAY ROLLS CERTIFIED.

109. The city auditor shall draw no warrant for, nor shall the treasurer pay any salary or compensation for service to any person holding a position in the classified service unless the pay roll or account for each salary or compensation shall bear the certificate of the commission, by the secretary, that the persons named therein have been appointed or employed and are performing service in accordance with the provisions of this charter and of the rules established thereunder.

INVESTIGATIONS.

110. In any investigation conducted by the commission, it shall have the power to subpœna and require the attendance of witnesses and the production thereby of books and papers pertinent to the investigation and to administer oaths to such witnesses.

POLITICAL BELIEF. ASSESSMENTS AND ACTIVITY.

111. No person in the classified service or seeking admission thereto, shall be appointed, reduced or removed, or in any way favored or discriminated against because of political opinions or affiliations, or because of race, color or religious belief. No officer or employee of the city shall directly or indirectly solicit or receive or be in any manner concerned in soliciting or receiving any assessment, subscription or contribution for any political party or political purpose whatever. No person holding a position in the classified service shall take any part in political management or affairs or in political campaigns further than to cast his vote or to express privately his opinions.

VIOLATIONS AND PENALTIES.

112. The commission, subject to the approval of the council, shall determine the penalties for the violation of the civil service provisions of this charter.

ARTICLE XVII.

Franchises.

113. The general power of the council to grant franchises for the construction and operation of public utilities in the streets and public grounds of the city of San Jose shall be exercised as provided in this article, and not otherwise.

NO FRANCHISE EXCEPT BY ORDINANCE.

114. No franchise shall be granted except by ordinance, specifying, in the case of steam, interurban, or street railways, the streets, or other public grounds to which the same applies.

FRANCHISE ORDINANCE A CONTRACT TO CONTAIN CERTAIN STIPULATIONS.

115. Every franchise ordinance shall be deemed to constitute a contract between the city and the grantee of the franchise, and shall contain the following stipulations on the part of the grantee:

(1) The grantee of the franchise agrees that in accepting the franchise he becomes the agent of the city for supplying to its inhabitants the utility in question, and as such is entitled to no more than a reasonable return upon his actual investment.

(2) That the value of the property and plant of the grantee for the purpose of fixing rates or purchase price on the part of the city of San Jose shall be determined by an appraisement made by the Railroad Commission of the State of California.

(3) That the property and plant of the grantee shall be subject to purchase by the municipality, on one year's notice, at the end of twenty years from the time of granting said franchise or at the end of any five-year period thereafter;

(4) That, in the case of steam, interurban or street railways, or telephone or telegraph companies, the grantee shall, when ordered by the Railroad Commission, permit the city or any other franchise grantee to jointly use all tracks or wires which may be laid on, in, under or above any streets, highway, alley, or other public grounds of the city, upon paying or tendering to the grantee a fair proportion of the cost of construction and maintenance of the track or tracks or wires so used, and also of the costs of maintenance, depreciation, and any other factor which the Railroad Commission of the State of California shall determine as justly due to the original grantee for the joint use of such property. The amount and proportion of such costs shall be determined by the Railroad Commission of the State of California.

(5) That there is reserved to the city the right to adopt and enforce regulations relating to the operation of the utility for the protection of the health, safety and comfort of the people.

(6) That the grantee agrees to replace promptly any pavement or street surface disturbed by it in the exercise of its franchise and put the same into as good condition as the remainder of the street, and that, if the grantee fails to perform this duty, that the city may perform it and the grantee shall pay the cost of the work.

(7) That, in the case of a steam or street railway franchise, the grantee shall construct its tracks, pave, repave, clean, water and keep in repair the space between its tracks and two feet on each side thereof in such manner as the council may direct, and that if the grantee fails to perform this duty the city may do the work and the grantee shall pay the cost of the same.

(8) That for any violation of the terms or the conditions contained in the franchise ordinance the grantee shall forfeit to the city of San Jose the franchise thereunder and all right and title to the tracks, poles, wires, conduits or other of its property situate in, under, or above the streets or public ways of the city.

(9) That if the grantee be a steam, interurban, or street railway it will pay a portion of the cost of erecting or repairing bridges on which its tracks are situated proportioned to the part of the street occupied by its tracks.

(10) That the grantee will complete the construction and begin the operation of the utility within a time to be set forth in the franchise. The franchise ordinance may contain such other conditions, limitations, stipulations or agreements not in conflict with the provisions of this charter as the council may deem expedient.

TERMS OF THE FRANCHISE.

116. The term of no franchise shall exceed fifty years.

REVERSION AT END OF FRANCHISE PERIOD.

117. The franchise ordinance may provide that the whole property and plant of the grantee devoted to the purpose of the franchise, shall revert to the city at a valuation to be determined by the Railroad Commission of the State of California to be paid to the grantee at the expiration of the term of the franchise.

RATES AND SERVICE.

118. The council shall, except where the Railroad Commission of the State of California is vested with the right, have power by ordinance to fix rates, to prescribe the character of the service to be rendered, to require the grantee of any franchise to keep its accounts in a prescribed form, to enter upon the premises of such grantee and to examine into and audit its books and accounts, and to require the grantee to make reports from time to time, and to establish penalties for failure to obey such ordinances.

ORDINANCE IN PLAIN TERMS.

119. No franchise, permit, privilege or license shall be considered as granted by any ordinance except when granted in said ordinance in plain and unambiguous terms, and any and every ambiguity therein shall be construed in favor of the city and against the claimant under such ordinance.

ARTICLE XVIII.

Board of Library Trustees.

120. The public library of the city of San Jose, which shall be forever free to the inhabitants and non-resident taxpayers of the city, and such art galleries, museums or similar institutions as may be from time to time established shall be managed and controlled by the board of library trustees, as constituted at the time

of the adoption of this charter, and their successors to be appointed by the city manager for a term of four years as the terms of such trustees expire. They shall serve without compensation.

POWERS OF THE BOARD.

121. The board of library trustees shall choose its own officers and adopt rules for the conduct of its meetings.

The board of library trustees shall appoint a librarian, who shall be the executive officer of the board, and other employees, fix their compensation and prescribe their duties.

It shall have power to do any or all things not inconsistent with this charter which may be done by boards of library trustees under the laws of the state.

ESTIMATES AND APPROPRIATIONS.

122. At such time as the city manager shall direct, the board shall submit a detailed estimate of the probable expense of conducting the library and other institutions under its control and management, together with a statement of its probable income from all sources other than appropriations by the council. These facts, together with the recommendation of the city manager, shall be included in his estimate of revenue and expenditures for the ensuing year. The council shall appropriate three lump sums for the use of the board of library trustees:

1. For the purchase of books and periodicals and binding.
2. For salaries.
3. For repair and maintenance of buildings, rent and other miscellaneous expenses.

Claims to be paid out of these appropriations must be based on vouchers signed by the librarian and the chairman of the library board.

PURCHASE OF SUPPLIES.

123. The board of library trustees shall purchase all supplies except books, periodicals and special library equipment through the purchasing agent.

ARTICLE XIX.

The School Department.

THE BOARD OF EDUCATION.

124. The board of education shall consist of five persons to be appointed by the city manager. The members of the present board of education shall continue to hold office for the unexpired balance of their terms and as such terms expire their successors shall be appointed for a term of four years. In case of vacancy from whatever cause occurring, the city manager shall appoint a successor for the unexpired balance of the term only. The taking effect of this charter shall not be construed as breaking the continuity of the existence of the board of education in office at the time it goes into effect, and such taking effect shall in no wise alter the status, salary, or tenure of any superintendent, principal, teacher, or other officer or employee of the board.

POWERS OF THE BOARD OF EDUCATION.

125. The board of education shall have entire control and management of the public schools in the city in accordance with the Constitution and laws of the State, and it is hereby charged with all the duties provided by this charter and by the general laws of the state for city boards of education.

The board of education shall determine the time and place for its meeting, and make rules for the conduct of its business. The board of education shall annually elect one of its members to be president. He shall have no other vote than his vote as a member of the board.

SUPERINTENDENT OF SCHOOLS.

126. The board of education shall elect a superintendent of schools and such deputies and assistants as it may deem necessary, and fix their compensation, which salaries shall not be changed during their term of office

The superintendent shall hold office for four years from the date of his appointment unless sooner removed for cause and after a full hearing by the affirmative votes of four members of the board.

The board may designate the superintendent, or a deputy or assistant to act as clerk of the board.

The superintendent shall be an *ex officio* member of the board of education but shall have no power to vote. He shall be the executive officer of the board and shall perform such duties as are required by the laws of the state and the orders of the board.

APPOINTMENT AND REMOVAL OF TEACHERS.

127. The board of education shall elect all teachers, but only from an eligible list to be determined by an examination into the character and fitness of the candidates

conducted by the superintendent and any four principals designated as such examining board by the board of education. The board shall prescribe the nature of the examination and the method of certification by the examining board.

Teachers during the first two years of service in the department and all special teachers shall be subject to annual election.

After two years of service all teachers, other than special teachers, and including deputy or assistant superintendents, shall be classed as permanent teachers and shall hold office until removed for cause upon the recommendation of the superintendent and the vote of a majority of the board, such vote to be by ayes and noes and recorded in the minutes.

No teacher's salary shall be reduced except when there is a corresponding reduction made in all salaries in the same grade.

ANNUAL ESTIMATE OF EXPENSES.

128. The board of education shall annually, on such date as the city manager may fix, submit to the city manager a careful estimate of the whole amount of money to be received from the state and county for the support of the school department; together with a careful estimate of the amounts, specifying in detail the objects thereof, required from the city for the adequate support of such department for the ensuing year. The city manager shall include these estimates in his estimate of revenues and expenditures. The city council shall include in and apportion from the annual tax levy a sum of not less than fifteen cents on each one hundred dollars of assessed valuation, to be paid into the school fund of the city.

ARTICLE XX.

Miscellaneous Provisions.

ONE DAY OFF IN SEVEN.

129. Every paid employee of the city who shall be required to be on duty twenty-four hours each day shall be entitled to one day off in every seven, and every board or commission having supervision of such employees shall make rules and regulations providing for one day off in every seven for such employees. No employee shall be allowed to work more than six consecutive days, except in times of great emergency, and a lack of public funds shall in no event be construed as such an emergency.

ACCIDENT INSURANCE FUND.

130. The council may provide for meeting the liability imposed upon this city by the workman's compensation, insurance and safety act (chapter 176 of the laws of 1913), or any amendment thereof, by appropriating annually a sum sufficient to pay the premium upon a policy of insurance issued by the State of California under the provisions of the above act.

ORDINANCE TO REMAIN IN EFFECT.

131. All lawful ordinances of the city of San Jose, including resolutions and regulations of the several boards and commissions in force and effect at the time this charter takes effect, and not inconsistent therewith, shall remain in force until duly amended or repealed.

GENERAL MISCELLANEOUS PROVISIONS.

132. All moneys in the city treasury at the time this charter takes effect, which have been received from the sale of bonds heretofore issued for the construction, improvement or maintenance of the outfall sewer of the city of San Jose, may be used and employed, with the consent of the city council, in such amount or amounts as may be reasonable for the expense of such preliminary surveys and platting as may be necessary or proper for the purpose of locating or establishing a new or improved route for a location of such outfall sewer. The city council shall pass all ordinances necessary to carry this provision into effect.

133. All fees, fines or other moneys collected by the librarian, shall be paid into the city treasury at least once each week, and all money collected by the superintendent of parks shall likewise be paid into such treasury at least once each week.

134. It shall be the duty of president of the council, the city auditor, and the city attorney to count the money in the city treasury at least one each month, and to see that the amount on hand tallies with the amount that should be in the fund as shown by the books of the city auditor and city treasurer.

135. No officer, board, or member of any board, of this city, shall recommend the appointment of, appoint, vote for or elect, to any office, position, or employment, in any department of the city government, any person related by consanguinity or connected by marriage with such officer or such member, or with any member of such board. A breach of this section shall be cause for removal of any such officer, board, or member of such board.

136. Unless otherwise provided in this charter, the rights and titles of the city in and to its streets, and the land thereunder, its parks, public buildings, water front properties, and all other public places and real property are hereby continued in the

city, and are declared to be inalienable, except when otherwise provided by a majority vote of the people. No franchise, or right to use the streets, waters, or any part of, or lands under said streets or waters shall be granted without reserving to the city the power and right of eminent domain.

137. Except where otherwise provided for by law or this charter, all public offices shall be kept open for business every day except legal holidays from 8:30 o'clock in the forenoon until 5 o'clock in the afternoon, and all books and records of every office and department shall be open to the inspection of any citizen at any time during business hours subject to the proper rules and regulations for the efficient conduct of the business of such department or office.

TAKING EFFECT OF CHARTER.

138. If this charter is approved by the forty-first session of the State Legislature, then for the purpose of nominating and electing candidates for councilmen, city auditor and police judge and for the exercise of the initiative, referendum and recall, this charter shall take effect from the time of its approval by said Legislature. For all other purposes it shall take effect on the first day of July, 1916.

If said charter should be approved at any subsequent session of the Legislature, then and in that event, this charter shall take effect immediately thereafter, and it shall be the duty of the officers in office at such time to at once call, conduct, hold and declare the result of elections, as provided in this charter, for the election of seven councilmen, city auditor and police judge, who shall take office as soon as the result of such election is declared.

WHEREAS, The city of San Jose, a city containing a population of more than three thousand five hundred inhabitants, as ascertained by the last preceding census taken under the authority of the Congress of the United States, did on the 4th day of February, 1915, at a special election held in said city, and under and in accordance with the provisions of section 8 of article XI of the Constitution of the State of California, duly choose and elect the undersigned eligible candidates, a board of fifteen freeholders, who thereafter duly qualified in accordance with law.

Be it known: That within one hundred and twenty days after the result of the said election was declared, we, the undersigned duly chosen, qualified and acting board of fifteen freeholders under the said provisions of said constitution, have prepared and do hereby propose the foregoing articles as and for the charter of the city of San Jose.

In witness whereof, we have hereunto set our hands at the city of San Jose, county of Santa Clara, California, this 15th day of February, A.D. 1915.

Elmer E. Chase,
Robert R. Syer,
W. L. Atkinson,
L. E. Petree,
Roy Newberry,
G. M. Fontaine,
John D. Crummey,
W. J. Close,
Walter L. Chrisman,
H. J. B. Wright,
Victor Challen,
Chas. M. O'Brien,
John J. Miller,
Irving L. Ryder,
V. Koch.

Filed this 15th day of February, A.D. 1915.

We hereby request the city council to order publication of this charter, as is provided by law, on the 17th day of February, 1915, and we fix April 19, 1915, as the date for holding a special municipal election to submit this charter to a vote of the people.

Elmer E. Chase,
Robert R. Syer,
W. L. Atkinson,
L. E. Petree,
Roy Newberry,
G. M. Fontaine,
John D. Crummey,
W. J. Close,
Walter L. Chrisman,
H. J. B. Wright,
Victor Challen,
Chas. M. O'Brien,
John J. Miller,
Irving L. Ryder,
V. Koch.

(Endorsed: Filed this 15th day of February, A.D. 1915. Roy E. Walter, City Clerk.)

STATE OF CALIFORNIA, } ss.
City of San Jose. }

I, Roy E. Walter, city clerk of and for the city of San Jose, hereby certify the above and foregoing to be a full, true and correct copy of the proposed charter for the city of San Jose as prepared and proposed by a board of fifteen freeholders thereof and filed in the office of the city clerk of said city, February 15, 1915.

In witness whereof, I have hereunto set my hand and have affixed the seal of said city, this 16th day of February, 1915.

Seal.
City of San Jose.

ROY E. WALTER,
City Clerk of the City of San Jose.

In witness whereof, we have hereunto set our hands and caused the seal of said city to be affixed this 21st day of April, 1915.

[SEAL]

F. R. [illegible],
Mayor of the City of San Jose.
ROY E. WALTER,
City Clerk of the City of San Jose.

AND WHEREAS, Said charter has been submitted to the Legislature of the State of California for approval or rejection as a whole, without alteration or amendment, in accordance with section 8 of article XI of the Constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, a majority of the members elected to each house voting therefor and concurring therein, That said charter as proposed, ratified and adopted by said city of San Jose, and as hereinbefore fully set forth, be and the same is hereby approved as and for the charter of the city of San Jose.

Concurrent resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 21 adopted by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Flint, Gates, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Slater, Strobridge, Thompson, Tyrrell and Wolfe—27.

NOES—None.

Concurrent resolution ordered to engrossment and transmitted to the Assembly.

Senate Bill No. 132—An Act to amend section 750 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 132 passed by the following vote:

AYES—Senators Ballard, Benedict, Breed, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Flint, Gates, Irwin, Jones, Kehoe, Luce, Maddux, Owens, Slater, Strobridge, Thompson, and Wolfe—22.

NOES—Senators Beban, and King—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 388—An Act to appropriate money for repairs and improvements at the San Diego State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 388 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Breed, Butler, Campbell, Carr, Cohn, Crowley, Flaherty, Flint, Gates, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Slater, Strobridge, Thompson, and Wolfe—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 389—An Act to appropriate money for furniture and equipment at the San Diego Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 389 passed by the following vote:

AYES—Senators Ballard, Benedict, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Slater, Strobridge, Thompson, and Wolfe—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 444—An Act to appropriate money to pay the expenses of street improvements fronting the property of the San Jose State Normal School in the city of San Jose.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 444 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Shearer, Slater, Strobridge, Thompson, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 466—An Act to appropriate money for repairs and improvements at the California School for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 466 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Shearer, Slater, Strobridge, Thompson, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 467—An Act to appropriate money to install new electric wiring in the institution of the California School for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 467 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, Lute, Maddux, Owens, Shearer, Slater, Strobridge, Thompson, and Wolfe—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 468—An Act to appropriate money to provide the manual arts building of the California School for the Deaf and the Blind with fire escape equipment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 468 passed by the following vote:

Ayes—Senators Ballard, Beban, Benedict, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—26.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 469—An Act to appropriate money to develop and equip artesian wells and to connect the same with the water system of the California School for the Deaf and the Blind at the California School for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 469 passed by the following vote:

Ayes—Senators Ballard, Beban, Benedict, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Shearer, Slater, Thompson, Tyrrell, and Wolfe—25.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 907—An Act to add a new section to the Political Code to be numbered 664*a*, relating to the powers and duties of the State Board of Control as regards claims against the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 907 passed by the following vote:

Ayes—Senators Ballard, Benedict, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Shearer, Slater, Thompson, Tyrrell, and Wolfe—24.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1084—An Act to provide for the appointment of a State Capital Planning Commission to formulate plans for the capital city of the State and to confer with the City Planning Commission of the state capital city.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1084 passed by the following vote:

Ayes—Senators Ballard, Benedict, Breed, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Shearer, Slater, Thompson, and Wolfe—22.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1256—An Act to appropriate money for the purchase and installation of heating system at the California School for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1256 passed by the following vote:

Ayes—Senators Ballard, Behan, Benedict, Breed, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Thompson, Tyrrell, and Wolfe—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 496—An Act to appropriate money for repairs and improvements at the California School for the Deaf and the Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 496 passed by the following vote:

Ayes—Senators Ballard, Behan, Benedict, Breed, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Shearer, Slater, Thompson, Tyrrell, and Wolfe—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 883—An Act to appropriate money for the erection of additional buildings for the use of the naval reserves of San Diego, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 883 passed by the following vote:

Ayes—Senators Ballard, Benedict, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Owens, Shearer, Slater, Thompson, Tyrrell, and Wolfe—24.

Noes—None.

AMENDMENT TO TITLE.

Senator Luce moved to amend the title of Senate Bill No. 883 as follows:

Strike out of title the words "Naval Reserves of" and insert in lieu thereof the words "Naval Militia of the State of California at".

Motion caried.

Title as amended, read and approved.

Bill ordered to print, and reengrossment, and transmitted to the Assembly.

CONSIDERATION OF MOTIONS TO RECONSIDER—(POSTPONED).

On motion of Senator Kehoe, the consideration of the motion to reconsider the vote whereby Senate Bill No. 29 was refused passage was continued until the next legislative day.

On motion of Senator Purkitt, the consideration of the motion to reconsider the vote whereby Assembly Bill No. 444 was passed was continued until the next legislative day.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 628—An Act declaring kelp beds to be the property of the State of California and providing for the control and leasing of said beds.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 628 passed by the following vote:

AYES—Senators Ballard, Behan, Benedict, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Jones, Kehoe, King, Luce, Maddux, Owens, Shearer, Slater, Thompson, Tyrrell, and Wolfe—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Bill read third time previously.

Senator Jones moved to refer to Senator Benson as a Committee of One to amend Senate Bill No. 720, as follows:

AMENDMENT NUMBER ONE.

On page 10, line 20, strike out the word "forty" and insert in lieu thereof the word "sixty" and strike out the figures "40" and insert in lieu thereof the figures "60".

AMENDMENT NUMBER TWO.

On page 10, line 22, strike out the words "in civil and criminal cases".

AMENDMENT NUMBER THREE.

On page 10, line 23, strike out the words "For all other" and strike out all of lines 24 and 25.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 720, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Committee.

Report read and, on motion of Senator Jones, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 1180—An Act to amend sections 2, 3, and 6 of an Act entitled "An Act to provide for the division of municipalities into sewer districts and for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911.

On motion of Senator Benedict, Senate Bill No. 1180 was passed on file.

SECOND READING OF SENATE BILL.

Senate Bill No. 768—An Act to amend section 628 of the Penal Code of the State of California, relating to the protection of fish.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER FOUR.

In line 28, page 3 of the printed bill, after the comma insert the following: "and in water further than twenty-five miles from the international boundary line between the United States and Mexico extended westerly into the Pacific Ocean,".

Amendment lost.

AMENDMENT NUMBER FIVE.

On page 3, line 32 of the printed bill, strike out "(*Panulirus interruptus*)".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 34 of the printed bill, strike out "(*Panulirus interruptus*)".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 37 of the printed bill, strike out all of said line after the word "any;" also, on page 4, strike out all of lines 1 and 2 and the words "inclusive of the head" in line 3, and insert in lieu thereof the following: "catfish between the 15th day of May and the 14th day of August, inclusive, of any year, or who at any time has in his possession for sale, or sells, or offers for sale, any dressed catfish which shall measure less than seven inches in length, exclusive of any part of the head, or who at any time has in his possession, for sale, or sells, or offers for sale, any undressed catfish less than nine inches in length".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, after the period in line 5 of the printed bill, add the following: "Section 628*a* of the Penal Code, relating to abalones, is hereby repealed."

Amendment adopted.

AMENDMENT FROM FLOOR.

The following amendment from the floor was offered and its adoption moved by Senator Luce:

SUBSTITUTE FOR COMMITTEE AMENDMENT NUMBER FOUR.

On line 28, page 3, of the printed bill, after the comma insert: "When said spiny lobsters are not caught in waters lying south for a distance of ten miles from the international boundary line between the United States and Mexico, extended westerly in the Pacific Ocean,".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this evening was unanimously extended to Mr. F. B. Loomis of Oakland.

CONSIDERATION OF ASSEMBLY BILL—(OUT OF ORDER).

Senator Slater asked for and was granted unanimous consent to take up at this time, out of the regular order, Assembly Bill No. 701 for the purpose of amendment.

Assembly Bill No. 701—An Act to amend an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, an appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911, by amending section 29 in subdivisions 1 and 6 and section 30, and by adding thereto two new sections, to be numbered 30*a* and 30*b*, relating to the enforcement of uniform standards and rules to be observed by all persons, firms, or corporations dealing with handling or transporting milk or cream bottles, cans and (or) other containers, and by amending the title to this Act; to repeal all Acts or parts of Acts inconsistent with this Act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Slater moved to refer to Senator Shearer as a Special Committee of One to amend Assembly Bill No. 701 as follows:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, line 7 of the title, strike out the words "and oleomargine" and insert in lieu thereof the following: "oleomargarine; and ice cream;".

AMENDMENT NUMBER TWO.

On page 1, of the printed bill, line 11 of the title, after the semicolon, insert the following: "and ice cream;".

AMENDMENT NUMBER THREE.

On page 2, line 6, of the title, strike out the words "milk and cream" and insert in lieu thereof the following: "dairy products which may resemble milk, cream or ice cream".

AMENDMENT NUMBER FOUR.

On page 4, of the printed bill, strike out all the lines 35 to 37, inclusive, and on page 5 all of lines 1 to 17, inclusive, and insert in lieu thereof the following:

"SEC. 30c. Persons producing or marketing assembled dairy products must conform to the following rules. All the ingredients used in the process of assembling must be fresh, clean and pure and must have been produced under the same sanitary conditions and regulations required for the production of milk and cream where such products are sold, and such products must be labeled as herein provided for assembled products in imitation of milk, cream and ice cream. All assembled dairy products to which has been added any condensed or evaporated milk, or any condensed or evaporated skimmed milk, or any dry milk or milk powder or any skimmed milk or skimmed powder or any butter or sweet butter or dairy products that have been produced by the mechanical assembling of any of the natural ingredients of milk or cream, shall be so labeled on each container thereof with the words 'assembled from milk, butter, milk powder, skim milk or other milk products' as the case may be, correctly naming on the label, bill of sale, invoice and bill of fare, all the ingredients used in such assembled goods, in plain letters of the English language at least one-eighth of an inch in height; and no other names or prefixes shall be used than those by which such ingredients are separately known to the commercial trade.

"Whenever such goods are sold or exchanged or offered or exposed for sale or exchange, a placard at least two feet square shall be publicly displayed stating such fact in letters not less than one and a half inches in length and one-half inch in stroke."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 701, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHEARER, Committee.

Report read and, on motion of Senator Slater, adopted.

Bill ordered to print.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from committees on this legislative day.

Senate Bill No. 1223—An Act to provide for the organization and government of conservation and flood control districts and to provide for the acquisition or construction thereby of works for the irrigation, reclamation and drainage of the lands embraced within such districts, and also to provide for the storage of water for irrigation and to provide for the reclamation of lands subject to overflow.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 649—An Act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, strike out of line 11 the words "according to", and insert in lieu thereof the words "in accordance with".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, strike out lines 3 to 37, inclusive, and lines 1 to 9, inclusive, on page 3, and insert in lieu thereof the following: "the property to be sold, and by delivering a notice in writing, not less than three weeks before said sale to the person in possession of said property, if said property be occupied. After making such sale the trustee shall deliver to the purchaser a certificate of sale and file a duplicate thereof for record in the office of the county recorder of the county in which the property sold is situated, which certificate must show, among other things, the time and place of such sale, a particular description of the property sold, the price at which each lot or parcel sold, and the name of the purchaser of each lot or parcel; together with a declaration that unless said property or each parcel thereof sold separately be redeemed from said sale within four calendar months after the date of the recording of said certificate of sale the trustee will, in conformity with law, execute a deed for the property so sold. The owner of any parcel of said property sold separately, or his successor in interest, may redeem such parcel from said sale within four calendar months after the date of the recording of said certificate of sale by paying to the trustee the amount of the purchase price, together with interest thereon at the rate of one per cent per month from date of such sale, and thereupon the effect of the sale of said property shall be terminated and the owner restored to his estate. Upon such redemption the trustee shall pay the redemption money, less the fees and costs of the trustee, to the purchaser at the sale, or his successor in interest; shall execute a reconveyance of the property so redeemed to the person entitled thereto, and shall also execute a certificate of redemption of said property which shall be recorded in the office of the county recorder in which said property is situated and the recording of such certificate of redemption shall remove the lien created by said deed of trust and such certificate of sale thereunder from the property so redeemed. In the event of such redemption the recorder must note upon the margin of the certificate of sale a reference to the record of the certificate of redemption. If such property or any parcel thereof is not so redeemed, the trustee shall execute a deed to the purchaser or his successor in interest, which deed shall pass the title to such property; *provided, however,* that the right of redemption herein provided for shall not apply or extend to any sale under a trust deed executed prior to the taking effect of this Act.

"The provisions of this section shall not apply to trust deeds executed by any public utility corporation with the approval of the Railroad Commission and in conformity with the requirements of the "Public Utilities Act" or any amendment, re-enactment or revision thereof, but payment of the indebtedness secured by any such trust deed may, notwithstanding the provisions of this section, be enforced in any manner set forth and provided in the trust deed itself.

"SEC. 2. This Act shall take effect on the first day of January, 1916."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1125—An Act to amend section 1269 of the Code of Civil Procedure, relating to escheated property and the procedure in relation thereto.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill strike out all of lines 4 to 16 inclusive, and all of page 2, and insert in lieu thereof the following:

"1269. At any time after two years after the death of any decedent, dying intestate and leaving property to which the State is entitled [illegible] escheated to the State, the Attorney General shall commence an action on behalf of the State in the Superior Court of Sacramento County to have it adjudged that the State is so entitled. Such action shall be commenced by filing a petition which shall be treated as the information [illegible]. There shall be set forth in such petition a description of the property, the name of the person last possessed thereof, the name of the person, if any, claiming such property, or any portion thereof, and the facts and circumstances by virtue of which it is claimed the property has escheated. Upon the filing of such petition, the court must make an order requiring all persons interested in the estate to appear and show cause, if any they have, [illegible] why such estate should not vest in the State. Such order must be published at least once a week for four successive weeks in a newspaper published in [illegible] Sacramento, the last publication to be at least ten days prior to the date set for the hearing. If proceedings for the administration of such estate have been commenced, a copy of such order must also be served upon all persons who have appeared therein, if any, and a copy must also be filed with the papers in such estate in the office of the county clerk of the county where such proceedings were had. If proceedings for the administration of any estate of any such decedent have been instituted and none of the persons entitled to succeed thereto have appeared and made claim to such property, or any portion thereof, before the decree of final distribution therein is made, or before the commencement of such action by the Attorney General, or if the court shall find that such persons as have appeared are not entitled to the property of such estate, or any portion thereof, the court shall, upon final settlement of the proceedings for the administration of such estate, after the payment of all debts and expenses of administration, distribute all moneys and other property remaining to the State of California. When proceedings for the administration of any estate have not been commenced within six months from the death of any decedent the Attorney General may direct the public administrator to commence the same forthwith."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1248—An Act to amend section 631 of the Code of Civil Procedure, providing when and how trial by jury may be waived.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, after the word "required", strike out the words "and to"; also, all of line 12 and down to and including the comma after the letters "ance" in line 13, and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 16 and 17, after the comma following the word "session", strike out the words "after the first day,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

CONSIDERATION OF SENATE BILLS—(OUT OF ORDER).

Senator Benson asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, Senate Bills Nos. 162 and 722.

Senate Bill No. 162—An Act to amend section 4300*a* of the Political Code, relating to the fees of county clerks.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 162 passed by the following vote:

Ayes—Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Maddux, Scott, Slater, Stuckenbruck, Thompson Tyrrell, and Wolfe—29.

Noes—Senators Irwin, and Owens—2.

Title read and approved.

Bill ordered transmitted to Assembly.

Senate Bill No. 722—An Act to amend sections 1, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16½, 17 and 18 of an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributatries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, as amended by an Act approved May 26, 1913, and to add thirteen new sections to said Act to be numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31, relating to the organization, powers and duties of said reclamation board, and creating a revolving fund and appropriating money therefor.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benson moved to refer to Senator Jones as a Special Committee of One to amend Senate Bill No. 722 as follows:

AMENDMENT NUMBER ONE.

In line 18 of the title of the amended bill, strike out the word "thirteen," and insert in lieu thereof the word "twelve".

AMENDMENT NUMBER TWO.

On page 5, in line 11, of the amended bill, after the word "board", insert the word "and".

AMENDMENT NUMBER THREE.

On page 7, in lines 10 and 11, of the amended bill, after the comma after the word "California", strike out all of said line 10 and in line 11 down to and including the word "Sacramento".

AMENDMENT NUMBER FOUR.

On page 7, in lines 21 and 22, of the amended bill, strike out all in line 21 after the word "rivers" down to and including "lake" in line 22.

AMENDMENT NUMBER FIVE.

On page 10, line 19, of the amended bill, after the word "and", insert the word "it".

AMENDMENT NUMBER SIX.

On page 13, line 21, of the amended bill, after the word "board", insert the word "assessment".

AMENDMENT NUMBER SEVEN.

On page 21, line 24, of the amended bill, strike out the word "[illegible]" and insert in lieu thereof the word "matter".

AMENDMENT NUMBER EIGHT.

On page 21, line 29, of the amended bill, strike out the word "assessments", and insert the word "assessment".

AMENDMENT NUMBER NINE.

On page 23, line 39, of the amended bill, strike out the word "said" and insert in lieu thereof the word "such".

AMENDMENT NUMBER TEN.

On page 26, line 35, of the amended bill, strike out the word "benefits" and insert in lieu thereof the word "benefit".

AMENDMENT NUMBER ELEVEN.

On page 28, between lines 19 and 20, insert a new paragraph to read as follows:

"The Reclamation Board may from time to time draw from the state treasury out of such revolving fund not to exceed the sum of one thousand dollars as shall be approved by the Board of Control, which sum may be drawn without the submission of estimates, receipts, vouchers or itemized statements, to be used as a special cash contingent fund out of which may be advanced any proper expenses for charges in and about the conduct of its business, requiring prompt payment in cash. All charges and expenses so advanced out of such cash contingent fund must be accounted for and proper vouchers therefor rendered to the Board of Control, and when approved by the Board of Control the amount thereof shall be paid out of said revolving fund and returned to said cash contingent fund. Said special cash contingent fund must be accounted for by the said State Reclamation Board at any time upon demand by the Controller or State Board of Control and refunded to the state revolving fund."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 722, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read and, on motion of Senator Benson, adopted.

Bill ordered to print, and re-engrossment.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 1193—An Act to amend section 1624 of the Civil Code, and repealing article II of chapter III of title IV of division second of the Civil Code, and repealing sections 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3353, 3354, 3355, 1739 and 1740 of the Civil Code, chapter II of title I of part IV of division third of the Civil Code, chapter III of title I of part IV of division third of the Civil Code, chapter IV of title I of part IV of division third of the Civil Code, and to add chapters II, III, IV, V, VI and VII of title I of part IV of division third of said Civil Code in place thereof, relating to the sale of personal property.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 138—An Act to amend section 1920 of the Civil Code of the State of California, relating to interest on judgments.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, after the words "rate of" strike out the word "twelve" and insert in lieu thereof the word "ten".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 775—An Act making an appropriation for the entertainment of the delegates to the convention of the National Guard Association of the United States, at its meeting in the city of San Francisco, California, during the year 1915.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the title, after the figures "1915", strike out the period and insert the following: ", and the reception and entertainment of visiting military bodies, organizations, and delegations to the State of California upon the occasion of the Panama-Pacific International Exposition."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, strike out the period after the word "fifteen" and insert the following: ", and the reception and entertainment of the visiting military bodies, organizations, and delegations, to the State of California upon the occasion of the Panama-Pacific International Exposition."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committee were received and read, out of the regular order:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 27, 1915

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 775—An Act to amend section 1595 of the Political Code of the State of

California, relating to the calling of an election of [illegible] has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BENSON, Chairman.

Assembly Bill No. 775 ordered on file for second reading.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1285—An Act to amend section 1104 of the Political Code, relating to the registration of voters;

Also: Assembly Bill No. 1422—An Act to amend sections [illegible] of the Political Code and to add a new section thereto to be numbered section [illegible], relating to the preparation, printing and distribution of pamphlets containing proposed constitutional amendments, and to the printing and distribution of such proposed constitutional amendments and propositions [illegible] to be submitted to the vote of the electors;

Has had the same under consideration and respectfully reports the same back with amendments and recommends that they do pass as amended.

BENSON, Chairman.

Assembly Bills Nos. 1285 and 1422 ordered on file for second reading.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 783—An Act to amend section 1210 of the Political Code, relating to sample ballots;

Also: Assembly Bill No. 1007—An Act to amend section 1282 of the Political Code by adding thereto a new paragraph to be numbered subdivision 6, relating to the disregarding of votes cast at elections where persons receive less than one per cent of the votes cast for election to office;

Also: Assembly Bill No. 1286—An Act to amend section 1105 of the Political Code, relating to the cancellation of registrations;

Also: Assembly Bill No. 1289—An Act to amend section 1284 of the Political Code relating to certificates of election;

Also: Assembly Bill No. 1291—An Act to amend section 1188 of the Political Code relating to the nomination of candidates otherwise than by primary elections;

Also: Assembly Bill No. 1293—An Act to amend the Political Code of the State of California by adding a new section thereto to be numbered section [illegible] and by repealing section 1191 thereof, both relating to the preservation and subsequent destruction of nomination papers;

Also: Assembly Bill No. 1295—An Act to amend sections 1120 and 1121 of the Political Code, both relating to qualifications of voters and the registers to be used at certain elections;

Also: Assembly Bill No. 1296—An Act to amend section 1149 of the Political Code relating to posting at polling places of copies of index to affidavits of registration;

Also: Assembly Bill No. 1297—An Act to amend section 1211 of the Political Code relating to the marking of election ballots.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BENSON, Chairman.

Assembly Bills Nos. 783, 1007, 1286, 1289, 1291, 1293, 1295, 1296, and 1297 ordered on file for second reading.

SECOND READING OF BILLS—RESUMED.

Senate Bill No. 128—An Act appropriating money to pay the claim of Grocer's Building Company against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 254—An Act appropriating money to pay the claim of Charles W. Williams against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 281—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 282—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read second time, ordered engrossed, and on file for third reading

Senate Bill No. 283—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read second time, ordered engrossed, and on file for third reading

Senate Bill No. 284—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read second time, ordered engrossed, and on file for third reading

Senate Bill No. 513—An Act appropriating money to pay the claim of Peter F. Macdonald against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 514—An Act appropriating money to pay the claim of William La Haye against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 546—An Act appropriating money to pay the claim of the Lake Tahoe Railway and Transportation Company against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 678—An Act to appropriate money to pay the claim of Martha O. Ullner against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 864—An Act to reimburse Russell T. Joy for money paid by him to the State of California in the purchase of certain certificates of indemnity or scrip, on account of his becoming subsequently disqualified to purchase State lands by reason of removal from the State of California, and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 835—An Act to authorize the repayment to Mary Ann Bath, Carrie F. Stone, Alice B. Walker and John Thaddeus Bath, as heirs at law of John F. Bath, deceased, of moneys paid by said deceased in his lifetime to the State of California, for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of six hundred forty dollars, and for such purpose authorizing the State Register to issue a certificate to said heirs of John F. Bath, deceased, for the amount so paid for said indemnity certificates, and authorizing the State Controller to draw his warrant on the State Treasurer for said sum, and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 896—An Act to appropriate money to pay the claim of W. E. Gerber against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 947—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1087—An Act appropriating money to pay the claim of Fred H. Figel against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1167—An Act appropriating money to pay the claim of R. A. Sarle against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1251—An Act to amend section 1 of an Act entitled "An Act to amend section 1 of an Act entitled 'An Act amending an Act making an appropriation for the establishment of a permanent fund for the purchase of jute to be manufactured at the state prison at San Quentin, approved March 9, 1885,' approved March 16, 1889, and to provide for the disposition and use of the surplus money received from the sale of jute goods and not needed for the 'Revolving Fund' provided for in said Act," approved March 24, 1911.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1249—An Act to amend section 778 of the Political Code relating to contract for the publishing of Supreme and District Courts of Appeal reports.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 167—An Act appropriating money for repairs and improvements to buildings and equipment at the California Polytechnic School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 358—An Act to appropriate money for repairs and improvements to the Chico State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 97—An Act to amend sections 2, 3 and 6 of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an Act approved December 18, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 184—An Act to appropriate money for repairs and alterations to main buildings, Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 185—An Act to appropriate money to pay the expense of improving the grounds of the Santa Barbara State Normal School of Manual Arts and Home Economics, including grading, installation of sewer, gas and water mains and conduits.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 273—An Act to appropriate money to construct an addition to the manual training building of the Los Angeles State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 272—An Act to appropriate money to purchase additional equipment for the industrial training departments of the Los Angeles State Normal School..

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 271—An Act to appropriate money to complete and furnish the Los Angeles Normal School buildings.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. [illegible]—An Act increasing the number of judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1214—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Stanislaus, to provide for the appointment of an additional judge and for his compensation. •

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 782—An Act to provide two additional judges of the Superior Court of the county of Alameda.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. [illegible]—An Act to appropriate money to pay the expenses of furnishing and equipping a new normal school building at the Fresno State Normal School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 246—An Act to appropriate money for the construction and furnishing of a cottage for men patients at the Napa State Hospital.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of title, strike out the words "and furnishing".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the words "and furnishing".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 247—An Act to appropriate money for the construction and furnishing of a cottage for women patients at the Napa State Hospital.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2, of the title, strike out the words "and furnishing".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 3, of printed bill, strike out the words "and furnishing".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 248—An Act to appropriate money for the construction and equipment of a building or buildings as a home for workingmen on what is known as the South Brown ranch, belonging to the Napa State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 249—An Act to appropriate money for remodeling South Pay Cottage at the Napa State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 263—An Act to appropriate money for the development of water including the installation of pumping station and mains at the Southern California State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 294—An Act to appropriate money for the purchase and installation of three electric elevators at the Mendocino State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 296—An Act to appropriate money for plumbing repairs at the Mendocino State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 925—An Act appropriating money to pay the claim of the Southern Pacific Company, a corporation, against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1254—An Act reappropriating the money appropriated to carry out the provisions of the Water Commission Act, approved June 16, 1913, and making the same available for the purpose of said Act during the sixty-seventh and sixty-eighth fiscal years.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1261—An Act to appropriate money to pay the claims of corporations, arising from exemptions under the provisions of section 14 of article XIII of the Constitution, for the return of corporation license tax erroneously collected.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1253—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-second session of the legislature concerning the adoption of a system of social insurance and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 95—An Act to amend section 2982 of the Political Code, relating to the secretary and assistant to the secretary of the State Board of Health.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In section 1, line 4, strike out the word "five" and insert the word "four".

Amendment adopted.

AMENDMENT NUMBER TWO.

In section 1, line 4, after the word "thousand" insert the words "five hundred"

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 136—An Act to appropriate money for improving the grounds at the Fresno State Normal School.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the word "fifteen" and insert in lieu thereof the word "nine".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 213—An Act appropriating money for the construction of a machinery building at the Santa Barbara State Normal School of Manual Arts and Home Economics.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1, amend the title by adding the words "and equipment" after the word "construction".

Amendment adopted.

AMENDMENT NUMBER TWO.

In section 1, line 1, strike out the word "ten" and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER THREE.

In section 1, line 3, after the word "construction" insert the words "and equipment".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 262—An Act to appropriate money for the construction and furnishing of two patient cottages at the Southern California State Hospital.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the word "twenty-five" and insert in lieu thereof the word "fifty".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 295—An Act to appropriate money for the replacement of the main pipe line and connections thereto at the Mendocino State Hospital.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the word "twenty-five" and insert in lieu thereof the word "fifteen".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 375—An Act to appropriate money for improvement to grounds at the Los Angeles State Normal School.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the word "six" and insert in lieu thereof the word "twelve".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 394—An Act to appropriate money for the support and maintenance and erection of additional buildings at the State Hospital at Norwalk, Los Angeles County, California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, after the word "hundred" insert the word "twenty-five".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 984—An Act to amend sections 9 and 10 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, strike out all after the word "remain" in line 4 to and including the words "Los Angeles" in line 6 and insert in lieu thereof the following: "two deputies who shall have the same power as said Commissioner".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, strike out all after the word "be" in said line, and on page 2, of the printed bill, strike out all of lines 1 to 7, inclusive, to and including the word "annum" in line 7, and insert in lieu thereof the following: "four thousand dollars per annum; the salary of each deputy commissioner shall be twenty-four hundred dollars per annum; the salary of the assistant deputy shall be twenty-one hundred dollars per annum; the salary of the statistician shall be twenty-one hundred dollars per annum; the salary of the stenographer shall be twelve hundred dollars per annum".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading

Senate Bill No. 1225—An Act making an appropriation to pay the claim of J. V. Stanton against the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE

In section 1, line 3, strike out the words "five thousand dollars" and insert in lieu thereof the words "one thousand three hundred thirty dollars and fifty-four cents".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading

Senate Bill No. 1242—An Act making an appropriation to pay the claim of C. S. Baldwin against the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the words "three hundred fifty dollars" and insert in lieu thereof the words "thirty-nine dollars and eighty-five cents".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 943—An Act to amend section 1756 of the Political Code of the State of California, relating to the estimate of tax for maintenance of high school.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, strike out all of lines 14, 15 and 16 and insert in lieu thereof the following: "salaries; (*b*) current expenses; (*c*) books, magazines and apparatus; (*d*) sites, buildings and furniture; (*e*) other miscellaneous".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, beginning with the word "It" in line 20, strike out all of lines 20 to 36, inclusive, down to and including the period in line 36.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 869—An Act to amend section 1617*c* of the Political Code, relating to kindergartens.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 7, after the word "before" insert the following: "the first day of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, strike out of line 11 the word "twenty" and insert in lieu thereof the word "ten".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 810—An Act to add a new section to the Political Code to be numbered 1838, relating to the powers and duties of the governing boards of school districts in levying taxes for building purposes.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following: "Section 1. A new section is hereby added to the Political Code, to be numbered 1838, and to read as follows:

"1838. The board of education of any city, city and county, or the board of school trustees of any school district, or the high school board of any high school district in this state, may, at".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, insert in line 12 after the comma following the word "required", a comma and the following: "in that district, during the ensuing school year,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, strike out lines 5 to 25, inclusive, and insert in lieu thereof the following: "improving school grounds or for liquidating any indebtedness already incurred for any of said purposes.

"The county superintendent of schools shall thereupon examine said estimate and may approve the same for an amount not exceeding the maximum tax herein provided. He shall submit copies of said estimate with his approval or disapproval endorsed thereon to the board of supervisors and to the county auditor at the time he submits to them his estimate for the county school tax for the ensuing school year. If the county superintendent of schools approves said estimate, the board of supervisors may, at the time and in the manner of levying other taxes, levy and cause to be collected in each of the several school districts for which an estimate has been approved and submitted as herein provided, the amount so approved and submitted. The fund so levied and collected, shall be known as the Special Building Fund of ______ School District (as the case may be), and shall be available for any or all of the purposes hereinbefore enumerated, and the moneys drawn from such fund shall be paid in the same manner as are moneys from the building funds of school districts; *provided*, that the maximum rate of taxation which may be levied under the provisions of this section shall not exceed fifteen cents on the hundred dollars."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 819—An Act to add a new section to the Political Code of the State of California to be numbered 1764, relating to the County High School Fund, and repealing sections 1758 and 1759 of the Political Code.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend page 1, beginning with the word "This" in line 12, strike out all of lines 12, 13 and 14, on page 1, and all of lines 1, 2, 3, and 4 down to the semicolon in line 4, on page 2, and insert in lieu thereof the following: "This amount he shall estimate in the following manner: he shall allow sixty dollars for each pupil residing in his county, in average daily attendance upon a duly established high school of his county or an adjoining county; *provided*, that he shall not include in such estimate the average daily attendance of any pupil attending high school in an adjoining county, unless such pupil resides in a joint union high school district, or unless the attendance of such pupil has been approved in writing by the superintendent of schools of the county in which he resides. To the amount thus estimated he shall add an amount sufficient to reimburse all the high school districts of his county, for money actually expended by them for transportation of pupils living in territory in the county not included in any high school district, and attending the high schools of the county; *provided*, that the high school board of each high school district educating such pupils shall, on or before August fifteenth, file with the superintendent of schools a statement showing the names, and total number of months' attendance of all such pupils, and the total amount expended for their transportation; *and provided, further*, that the superintendent of schools shall not include in such estimate, an amount for transportation exceeding five dollars per month for each pupil so attending.

Amendment adopted.

AMENDMENT NUMBER TWO.

Amend line 11, of page 2, by inserting after the period after the word "year" the following: "Whenever a new high school district has been formed between the first day of May and the fifteenth day of August next preceding the date of the filing of said estimate, from territory lying wholly or partly within the county, the county superintendent of schools in making such estimate, shall include on account of such new high school district, the sum of one thousand dollars or such proportion thereof as the assessed valuation of property in his county and in such new high school district, bears to the total assessed valuation of such high school district".

Amendment adopted.

AMENDMENT NUMBER THREE.

Amend page 2, by inserting after line 19, the following paragraph:

"Before apportioning any of the county high school fund to the high school districts of his county, the county superintendent of schools shall draw an order on the county auditor against such fund in favor of the superintendent of schools of any adjoining county in which pupils from his county are attending high school, for an amount computed at sixty dollars per pupil in average daily attendance for all such pupils; *provided*, that, the superintendent of schools of such adjoining county shall file with the county superintendent of schools, on or before the fifteenth day of August, a report showing the names of pupils residing in the county and attending high school in such adjoining county, and the total average daily attendance of all such pupils during the preceding school year. The county auditor of said county shall draw his warrant as directed by the superintendent of schools and the county treasurer shall pay the same. A superintendent of schools in whose favor such order is drawn shall pay the amount of said money into the county treasury to the credit of the high school or high schools educating the children from the county paying such money. The superintendent of schools shall then apportion to each high school district within his county, an amount sufficient to reimburse said high school district for money actually expended for transportation of pupils residing in territory in the county not included in any high school district, and attending such high school during the preceding school year; *provided*, such amount shall not exceed five dollars per month for each pupil so attending.".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 20, insert after the word "fund" the following: "or money remaining after payments or apportionments hereinbefore required have been made".

Amendment adopted.

AMENDMENT NUMBER FIVE.

Amend page 2, line 23, by inserting after the word "apportion" the following: "to each new high school district as hereinbefore defined, one thousand dollars and".

Amendment adopted.

AMENDMENT NUMBER SIX.

Amend page 2, line 23, by inserting after the first word, "district," the following: "established previous to the first day of May next preceding".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

Amend page 2, line 26, by inserting after the word "twenty" the following: the word "five".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, beginning with the word 'two,' in line 33 strike out all of lines 33 and 34.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 35, strike out the word "four" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 36, strike out the word "four" and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, insert after the period in line 15 the following: "As provided elsewhere in this code, the high school board of any high school district [illegible] the board of supervisors an estimate of the amount of money, in excess of state and county moneys, required for building and maintenance of the high school of such district for the current school year. No charge for tuition shall be made in any high school district of this State."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 689—An Act to amend section 443 of the Political Code, in regard to the State School Fund.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out lines 3 to 11, inclusive, on page 1 of the printed bill and insert in lieu thereof the following:

"443. On or before the 31st day of December, in the year 1915, and on or before the 30th day of June, in the year 1916, and on or before the 30th day of June and the 31st day of December in each succeeding year, the State Controller shall transfer from the General Fund of the State, to the State School Fund, such sums as will be equivalent to fifteen dollars per annum for each pupil in average daily attendance in the elementary schools of the State as reported by the Superintendent of Public Instruction for the school year ending June 30th preceding. The money so transferred shall be in addition to the funds provided by the Constitution for the support of the common schools and any other funds paid into the State School Fund from other sources or made available by any provision of law for the support of the elementary schools of the State, and the provisions of this section shall not apply to nor effect the Acts under which said additional sums are appropriated or made available for such use."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1145—An Act to create a commission for the purpose of making a survey of local historical material in the State of California; defining the power and duties of said Commission; and making an appropriation therefor.

Bill read second time, ordered engrossed and on file for third reading.

Senate Bill No. 745—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27th, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board and defining its powers," approved December 24th, 1911, (as heretofore amended by an Act approved May 26, 1913) by amending section 4 of said Act, altering and extending the boundaries of the Sacramento and San Joaquin Drainage District.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 7, line 17 of the printed bill, after the word "corner" strike out the word "of" and insert in lieu thereof the word "on".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 10, line 13 of the printed bill, strike out the words "townships 18 North".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 10, line 14 of the printed bill, after the word "west" insert a comma.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 15, line 22 of the printed bill, after the word "county" strike out the period and insert the following: "in Book 1 of Patents at page 1, on the 30th day of September, 1857".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 18, line 25 of the printed bill, after the period, after the word "east" insert the following: "Thence, following legal subdivision lines and quarter-quarter section lines through township 7 north, range 5 east, east 1¼ miles; thence south 1¾ miles; thence west ½ mile; thence south ½ mile; thence west ¼ mile; thence south ¾ mile to the center of section 30; thence west ¼ mile; thence south ½ mile to the south line of section 30; thence east ¼ mile to the quarter section corner on the south line of said section 30; thence south 1 mile to the quarter section corner on the north line of section 6, township 6 north, range 5 east."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 22, line 14 of the printed bill, after the word "west" strike out all of said lines 14 to 20, inclusive, and insert in lieu thereof the following: "1 mile to southwest corner of section 3, township 1 south, range 8 east; thence south 1 mile, thence west 1 mile; thence south 1 mile, thence west 3½ miles more or less to road leading from French Camp to Atlanta; thence southeasterly along the center line of said road to the east line of right of way of the Western Pacific Railroad; thence southwesterly along said right of way line to a point 800 feet measured at right angles northeasterly from said French Camp road; thence along a line parallel with the lower French road running from Stockton to Atlanta and 800 feet northeasterly measured at right angles therefrom to the intersection of said parallel line with the west line of right of way of the Southern Pacific Railroad."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 22, line 30 of the printed bill, after the semicolon after the word "east" strike out the word "thence".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 24, line 37 of the printed bill, strike out the word "northeast" and insert in lieu thereof the word "northwest".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 26, of the printed bill, commencing with the word "east" in line 14, strike out all of lines 14 to 37, inclusive, and all of pages 27, 28, 29, 30, 31 and lines 1, 2 and 3, inclusive, on page 32 and insert in lieu thereof the following: "east 1 mile; thence south ½ mile; thence east 6 miles; thence north ½ mile to the northwest corner of section 4, township 14 south, range 15 east. Thence".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 32, line 29 of the printed bill, after the word "thence" strike out the word "northeast", and insert in lieu thereof the word "northwest".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 32, line 29 of the printed bill, after the word "east" strike out the word "northeast" and insert in lieu thereof the word "northwest".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 32, in line 30 of the printed bill, after the word "thence" strike out the word "northeast", and insert in lieu thereof the word "northwest".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 33, line 10 of the printed bill, strike out the word "lines", and insert in lieu thereof the word "line".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 19—An Act to amend section 4245 of the Political Code of the State of California relating to the salaries, fees, and expenses of officers in counties of the sixteenth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 8 of printed bill, strike out all words beginning with the figure "1" in said line to and including the word "traveled" on page 2, line 22, and insert in lieu thereof the following:

"1. The county clerk, three thousand two hundred and fifty dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the county clerk the following clerks, deputies and employees who shall be appointed by the county clerk and shall be paid salaries as follows:

"One chief deputy at a salary of one hundred twenty-five dollars per month; two courtroom deputies at a salary of one hundred fifteen dollars each per month; one office deputy at a salary of one hundred dollars per month; one stenographer at a salary of eighty-five dollars per month; one copyist at such times as in the judgment of the county clerk is necessary, at a salary of fifty dollars per month; *provided, further*, that in any year that the compilation of a registration of voters is required by law, or supplements to be made thereto, the county clerk shall receive as expense for compiling such registration of voters and making supplements thereto, and work incident to elections, the sum of five cents for each name registered, to be paid upon the filing and presentation of duly verified claims therefor, by the county clerk with the board of supervisors of said county; *and provided, further*, that in any year when a registration of voters is required by law or supplements to be made thereto, the said county clerk may appoint such number of registration deputies as may be necessary for the registration of voters in their respective precincts, each of said deputies to receive the sum of ten cents per name for each elector registered by him; said registration deputies to be paid for their services on the presentation and filing with the board of supervisors of said county, a duly verified claim therefor on the general fund of said county, after proper allowance of said claim by said board of supervisors; the salaries of the deputies, clerks and employees herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the county clerk is paid; *provided, further*, that the compensation for registration of electors and compilation of the registration of voters and supplements thereto as herein provided for, shall not be paid in monthly installments but shall be paid after proper allowance of such claims by the board of supervisors of said county.

"2. The sheriff, five thousand dollars per annum. All mileage for service of papers in civil actions arising either inside or outside of the county. All fees for service of papers in civil actions. All expenses incurred in criminal cases and mileage in criminal cases, for each mile actually and necessarily traveled by automobile fifteen cents per mile. The sum of $.37½ per day for feeding each prisoner committed to his custody; *provided*, that in counties of this class there shall be and there hereby is allowed to the sheriff, the following deputies, clerks and employees, who shall be appointed by the sheriff, and shall be paid salaries as follows: One chief deputy sheriff at a salary of one hundred fifty dollars per month; one deputy sheriff for the office at a salary of one hundred twenty five dollars per month; one deputy sheriff to act as jailer at a salary of one hundred dollars per month; two deputy sheriffs to act as bailiffs, at a salary of one hundred dollars per month each, and a stenographer to the sheriff at a salary of one hundred dollars per month. The salaries of the deputies, clerks and employees herein provided for shall be paid by the county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the sheriff is paid.

"3. The recorder, three thousand two hundred and fifty dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the recorder the following deputies, clerks and employees, who shall be appointed by the county recorder, and shall be paid salaries as follows. One chief deputy, at a salary of fifteen hundred dollars per annum; one deputy, at a salary of twelve hundred dollars per annum; two index clerks, at a salary of seven hundred and twenty dollars each per annum; three copyists, at a salary of seven hundred and twenty dollars per annum, and one copyist, at such times as in the judgment of the county recorder is necessary, at a salary of fifty dollars per month. The salaries of the deputies, clerks and employees herein provided for shall be paid by the county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the county recorder is paid.

"4. The auditor, three thousand two hundred and fifty dollars per annum; *provided*, that in counties of this class, there shall be and there hereby is allowed to the auditor the following clerks and employees, who shall be appointed by the county auditor, and shall be paid salaries as follows: one deputy auditor at a salary of one hundred and ten dollars per month and a sum not to exceed nine hundred dollars in any one year for such additional clerk hire as may be necessary, said clerks not to secure a greater amount than three dollars per day each. The salaries of the clerks and employees herein provided for shall be paid by the county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the county auditor is paid.

"5. The treasurer, three thousand two hundred and fifty dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the treasurer, one clerk, who shall be appointed by the treasurer and who shall receive a salary of seventy-five dollars per month, said salary to be paid in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the treasurer is paid; *provided, however*, that the bond of the treasurer shall be executed with a reliable bonding and surety company and that the cost of said bond, when duly approved, shall be a charge against the county and payable out of the general fund.

"6. The tax collector, three thousand two hundred and fifty dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the tax collector the following clerks, deputies and employees, who shall be appointed by the tax collector, and shall be paid salaries as follows: one deputy tax collector at a salary of one hundred and twenty-five dollars per month; one stenographer to the tax collector at a salary of seventy-five dollars per month; and such copyists as the tax collector may appoint at a salary of not to exceed two dollars per day each; *provided, however*, that the total amount of salary and compensation paid to such copyists shall not exceed the sum of eight hundred dollars per annum; one index clerk to be paid not to exceed one cent for each separate assessment appearing on the rolls each year; such copyists and index clerk to be paid for their services on the presentation and filing with the board of supervisors of said county a duly verified claim therefor. The salaries of the deputies, clerks and employees herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid; *provided, however*, that the compensation of said copyists and said index clerk shall be paid on the presentation and filing of claims with the board of supervisors as hereinbefore provided.

"7. The district attorney, three thousand two hundred and fifty dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the district attorney the following deputies, clerks and employees, who shall be appointed by the district attorney, who shall hold office at the pleasure of the district attorney and shall be paid salaries as follows: one chief deputy district attorney at a salary of two hundred dollars per month; one deputy district attorney at a salary of one hundred and twenty-five dollars per month; and one stenographer to the district attorney at a salary of sixty dollars per month. The salaries of the deputies, clerks and employees herein provided for shall be paid by said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the district attorney is paid. The district attorney shall be allowed fifteen cents per mile without any constructive mileage for his expenses for traveling necessarily done by him in his county, and his actual traveling expenses when he travels by rail.

"8. The superintendent of schools, three thousand two hundred and fifty dollars per annum, which shall include his actual traveling expenses when visiting the schools of his county; *provided*, that in counties of this class there shall be and there hereby is allowed to the superintendent of schools one deputy superintendent of schools, who shall be appointed by the superintendent of schools, and shall be paid a salary of one hundred dollars per month. The salary of the deputy herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the superintendent of schools is paid.

"9. The assessor, five thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the assessor the following clerks, deputies and employees, who shall be appointed by the assessor, and shall be paid salaries as follows: One chief deputy assessor at a salary of one hundred and twenty-five dollars per month; one office deputy assessor at a salary of one hundred and twenty-five dollars per month; three field deputy assessors to hold office during not to exceed five months each in any one year at a salary of one hundred and twenty-five dollars per month each; one field deputy assessor to hold office not to exceed five months in any one year at a salary of one hundred dollars per month; one copyist at a salary of seventy-five dollars per month. And such additional deputy assessors and clerks as the assessor may appoint at a salary not to exceed five dollars per day, each; *provided, however*, that the total amount of salary and compensation paid to such additional deputies and clerks, at a salary not to exceed five dollars per day, shall not exceed the sum of two thousand dollars per annum, and a sum not to exceed four hundred dollars per year for traveling expenses for field work, said additional deputies and clerks, at a salary not to exceed five dollars per day each, to be paid for their services on the presentation and filing with the board of supervisors of said county a duly verified claim therefor. The salaries of the deputies, clerks and employees herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the assessor is paid; *provided, however*, that the compensation of said additional deputy assessors, at a salary of not to exceed five dollars per day, shall be paid on the presentation and filing of claims with the board of supervisors as hereinbefore provided; *provided, however*, that in counties of this class the assessor shall receive no compensation or commission for the collection of personal property taxes, nor shall such assessor receive any compensation or commission for making out the military roll of persons returned by him as subject to military duty as provided by section 1901 of the Political Code.

"10. The coroner, such fees as are now or may hereafter be allowed by law; *provided, however*, that in counties of this class there shall be and there hereby is allowed to the county coroner one stenographer to the coroner to be appointed by him at a salary of seventy-five dollars per month. The salary of the stenographer herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the county officers are paid. All subpenas or processes issued by said coroner may be served by any peace officer and fees for such service shall be paid as provided by law.

"11. The public administrator, such fees as are now or may be hereafter allowed by law.

"12. The surveyor, ten dollars per day for all work performed for the county, and, in addition thereto, all necessary expenses and transportation for work performed in the field, which per diem and expenses shall be in lieu of all fees and per diem heretofore allowed by law.

"13. Justices of the peace receive the following monthly salaries to be paid each month as the salaries of county officers are paid which shall be in full for all services rendered by them in criminal cases: (1) In townships having a population of ten thousand or more, one hundred and seventy-five dollars per month; (2) In townships having a population of three thousand or more, one hundred dollars a month; (3) In townships having a population of twenty five hundred and less than three thousand, fifty dollars a month; (4) In townships having a population of two thousand and less than twenty-five hundred, forty-five dollars a month; (5) In townships having a population of twelve hundred and less than two thousand, forty dollars a month; (6) In townships having a population of one thousand and less than twelve hundred, twenty dollars a month; (7) In townships having a population of four hundred and fifty and less than one thousand, fifteen dollars a month; (8) In townships having a population of less than four hundred and fifty, five dollars per month. Each justice must pay into the county once a month, all fines and fees collected by him in criminal and civil cases, and the auditor must withhold warrants for salary until a certified statement has been filed with him of all criminal and civil cases tried or filed and fines and fees collected and paid into the county treasury. In addition to the monthly salary allowed herein, each justice may receive as expenses for maintaining his office such sum as may be necessary not to exceed twenty per cent. of the amount allowed him as salary.

"14. Constables shall receive the following salaries to be paid each month as salaries of county officers are paid, which shall be in full for all services rendered by them in criminal cases: (1) In townships having a population of three thousand or more, one hundred twenty-five dollars a month; (2) In townships having a population of twenty-five hundred and less than three thousand, eighty dollars a month; (3) In townships having a population of two thousand and less than twenty-five hundred, seventy-five and one half dollars a month; (4) In townships having a population of twelve hundred and less than two thousand, seventy-five dollars a month; (5) In townships having a population of one thousand and less than twelve hundred, thirty-five dollars a month; (6) In townships having a population of four hundred and fifty and less than one thousand, twenty five dollars a month; (7) In townships having a population of less than four hundred and fifty, five dollars a month; *provided, further*, that in addition to the salary herein allowed, each Constable shall be paid out of the treasury of the county for traveling expenses outside of his own township, for service of a warrant of arrest or any other paper in a criminal case, such fees as are now or may be hereafter allowed by law. For serving a coroner's subpœna the same fees and mileage as are now or may hereafter be allowed by law for the service of a subpœna issued out of a justice's court. For summoning a coroner's jury the same fees as are now or may be hereafter allowed for summoning a jury in a civil action in the justice's court. For transporting prisoners to the county jail, the expenses of such transportation. In addition to the monthly salaries allowed him herein, each constable may receive for his own use in civil cases the fees allowed by law. For transporting prisoners to the county jail, the actual expenses of such transportation. In addition to the monthly salaries allowed him herein, each constable may receive for his own use in civil cases the fees allowed by law.

"15. The population of the several judicial townships, for the purpose of fixing the compensation of township officers, shall be ascertained and declared by the board of supervisors in the month of July, 1915, and in the month of July every four years thereafter.

"16. Each member of the board of supervisors nine hundred dollars per annum, and as road commissioner three hundred dollars per annum and expenses, as supervisor and road commissioner not to exceed twenty cents per mile each way for traveling to and from his residence while engaged in the performance of the duties of supervision of public road as road commissioner, or other business of the county, said expenses not to exceed fifty dollars in any one month."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 974—An Act to amend sections 1 and 2 of section 631*d* of the Penal Code of the State of California, relating to the domestication of wild game.

Senate Bill No. 974 ordered re-referred to Committee on Fish and Game.

Senate Bill No. 1192—An Act to repeal article III of chapter III of title VII of part IV of the Civil Code of the State of California, and to enact a new article III of chapter III of title VII of part IV of the Civil Code of the State of California, relating to bills of lading.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 8, line 26, beginning with the words "The carrier" [illegible] down to and including the period in line [illegible] "All carriers must issue to shippers of carload freight [illegible] bill of lading at the request of the shipper [illegible] practice of noting on bill of lading [illegible] shipper of carload freight from a [illegible] to check the loading and [illegible] transportation of men to and from point of loading [illegible] to be borne by the shipper."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 18, line 10, strike out the [illegible] after the word "[illegible]" and insert in lieu thereof a comma and the following: "[illegible] contained herein shall be construed [illegible] Commission under the Public Utilities Act [illegible] ment thereof".

Amendment adopted.

AMENDMENTS FROM FLOOR.

The following amendments were offered and their adoption moved by Senator Benedict:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, after the enacting clause, insert the following: "SECTION 1. A new article [illegible] article III, chapter III, title VII, of part IV, [illegible]

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 18, strike out all of lines 9 and 10 [illegible] following:

"SEC. 2. Article III, of chapter III, of title VII, of part IV, of the Civil Code is hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1194—An Act to repeal title XV of part IV of division third of the Civil Code of the State of California, and to add a new title XV of part IV of division third of said Code in place thereof, relating to negotiable instruments, and to make the law of negotiable instruments in the State of California uniform with the law of other states.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 17, strike out the [illegible] line of the [illegible], as follows:

"Section 3168. Rule where instrument payable at bank".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 19, lines 32, 33 and 34, strike out the following:
"3108. Where the instrument is made payable at a bank it is equivalent to an order to the bank to pay the same for the account of the principal debtor thereon".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Assembly Bill No. 816—An Act providing for a two platoon system in the fire departments of cities having paid fire departments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 105—An Act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered 1690; providing for the granting of letters of administration upon the estates of persons, presumed to be dead, by reason of absence from the State for seven years; and for the administration of the estates of such absent persons.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, in line 5, after the comma, insert the following: "or from the place of his last domicile therein".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, strike out the words "in this State" and insert in lieu thereof the following: "for a period of seven consecutive years".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 270—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending sections 85 and 97 thereof, relating to Justices' Courts and justices of the peace in cities and counties of over four hundred thousand inhabitants.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1576—An Act to amend section 1577 of the Code of Civil Procedure of the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1000—An Act to amend section 1955 of the Civil Code of the State of California, relating to the letting and hiring of personal property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1563—An Act validating the acts of county auditors and county treasurers when they pay out moneys according to a statutory law, should that law afterward be declared unconstitutional.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 203—An Act to amend section 103½ of the Code of Civil Procedure, said amendment relating to clerks of justices' courts in cities or towns of the second and one-half class and third class, and appointments, salaries and duties of same.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 574—An Act to amend section 10 of an Act entitled "An Act relating to immigrants and immigration, creating a Commission of Immigration and Housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913. Statutes of California of 1913, page 608.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 885—An Act to amend section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of Legislature; of reports of Supreme Court.

Bill read second time, and ordered on file for third reading.

Assembly Bill No 1511—An Act to amend an Act entitled "An Act to establish police courts in cities of the first and one half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts, and to fix the compensation of certain officers thereof, and to repeal an Act entitled 'An Act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof,' which became a law under the provisions of the Constitution of the State of California without the Governor's approval, on the 5th day of March, 1901, and all Acts amendatory of said Act or supplementary thereto," approved June 6, 1913, by adding a new section thereto to be numbered 9½, relating to probation officers of said courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No 380—An Act amending section 413 of the Code of Civil Procedure, relating to the service of summons.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 937—An Act to amend section 1791 of the Political Code of the State of California relating to the powers and duties of city, or city and county, boards of examination.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1227—An Act to amend section 1593 of the Political Code, relating to the election of school trustees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1559—An Act to add a new section to the Political Code to be numbered and designated 1617*d*, providing that the American flag shall be raised over public schools with ceremonies.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 739—An Act to amend sections 17 and 18 of an Act entitled "An Act to provide for the payment of retirement salaries to public schools teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 9 to 11, of the title of the printed bill as amended in the Assembly April 17, 1915, strike out all of said lines 9 to 11, inclusive, of the title and insert in lieu thereof the following: "Amend said Act by adding thereto two new sections, to be numbered 8a and 15a, relating to retirement salaries".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 8, of the bill, strike out the word "fifteen," and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER THREE

On page 1, line 9, strike out the word "certificate" and insert in lieu thereof the following: "legal certificate to teach in the schools of this State."

Amendment adopted.

AMENDMENT NUMBER FOUR

On page 1, lines 8 and 9, of the printed bill, between said lines 8 and 9, insert the following:

"Sec. 8a. The surviving husband or wife, or the guardian of the estate of any insane or incompetent husband or wife, of any deceased public school teacher, or if no husband or wife is living, then the children or the guardian of the estate of any minor or insane or incompetent child of said decedent, and if no children are living, then the father or mother or guardian of the estate of any insane or incompetent father or mother of such decedent, and if neither father nor mother is living, then the brothers and sisters, or the guardian of the estate of the minor, or insane or incompetent brothers and sisters, of such deceased teacher, without procuring letters of administration, may collect from the State any sum due said teacher as a retirement salary at the time of his or her death; provided, that proof of said death, and of the right of the applicant so to collect the amount, shall be made to the satisfaction of the Public School Teachers' Retirement Salary Fund Board. Upon such [illegible] a receipt [illegible] by the relative collecting said retirement salary shall be sufficient discharge for the payment of said sum.

"Sec. 2. A new section is hereby added to said Act to be numbered 15a and to read as follows: ".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 7, strike out the figure "2" and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 21, strike out the figure "3" and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 32, strike out the word "certificates" and insert in lieu thereof the following: "legal certificates to teach in the schools of this State".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1722—An Act to amend sections 4041 and 4088 of the Political Code of the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, after the word "land", insert ", or other property".

Amendment adopted

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, after the comma following the words "public ways", insert the following: "and for the conservation or control of flood waters, and to improve, develop and connect harbors, bays, inlets and other arms of the sea,".

Amendment adopted

AMENDMENT NUMBER THREE.

On page 2, line 12, of the printed bill, after the words "public ways", strike out the word "and", also all of line 13 and up to and including the word "use" in line 14, and insert in lieu thereof the following: "and all works constructed or property acquired for the conservation or control of flood waters."

Amendment adopted

AMENDMENT NUMBER FOUR.

On page 2, line 27, of the printed bill, after the word "ways", change the period to a comma, and insert thereafter the following: "and all works constructed or property acquired for conservation or control of flood waters."

Amendment adopted

AMENDMENT NUMBER FIVE.

On page 2, after line 37, of the printed bill insert a new paragraph as follows:

"5a. Any county road [illegible] counties."

Amendment adopted

AMENDMENT NUMBER SIX.

On page 4, in line 23, of the printed bill, strike out the word "that" and the remainder of the line, and all of lines 24 to 37, inclusive, and lines 1 to 8, inclusive, on page 5, and in lieu thereof insert the following: "However, that if the board shall by a unanimous vote determine that any bridge or public building may be constructed, or repairs thereon done, at less cost by day labor and the purchase of necessary materials through the purchasing agent, if any there be, in the open market, or if the furnishings of any building can be secured at less cost by purchase through the purchasing agent than by contract, and the board shall by a four-fifths vote so determine, it shall not be necessary to adopt plans and specifications, strain sheets or working details, or to give notice for bids to let contracts; but upon the publication of the intention of said board so to do for a period of at least five days prior thereto, by at least one insertion in a newspaper of general circulation published in the county, the work may be done by day labor under the direction of the board and the supervision of the county surveyor or the county road commissioner, and all supplies purchased through the purchasing agent, if any there be; provided, that the cost of constructing, repairing, or furnishing or reconstructing any such bridge or public building shall not exceed the sum of five thousand ($5,000.00) dollars; provided, further, that in case of great emergency, caused by flood, fire, earthquake or act of God, by the unanimous consent of the whole board they may proceed at once to replace or repair any and all bridges or structures without adopting plans and specifications, strain sheets or working details or giving notice for bids to let contracts; the work to be done by day labor under the direction of the board or by contract, or by combination of the two; *provided, further*, that if after bids have been received for the performance of any such work or construction of any such structure, the board shall be advised by the county surveyor or the county road commissioner that the work can be done or such structures built for a less sum than the lowest responsible bid, it shall then be the privilege of the said board to reject all bids, and to order the work done by day labor, and in like manner as in the foregoing instances where bids are dispensed with."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

In line 17, page 5, of the printed bill, insert the following after the word "plant": ", singly or jointly with any county or municipality within the State or with the State of California".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 7, line 7, of the printed bill, insert the word "county" after the word "other."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 7, line 25, of the printed bill, strike out the word "furnish" and in lieu thereof insert the word "furniture" and a comma.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 7, line 26, of the printed bill, after the comma following the word "supplies" insert the following "and all clothing, bedding, provisions and supplies to be used in the county jails, all of".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 9, line 11, of the printed bill, strike out the words "property or poll" and the words "or both".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 9 between the lines 21 and 22 of the printed bill, insert a new paragraph as follows:

"32*a*. To levy a special conservation or flood control tax not to exceed ten cents on the one hundred dollars of assessed valuation of all taxable property within the county, in addition to all taxes provided for, the funds so created to be expended for the purpose of saving and conserving storm flood or snow waters for beneficial and useful purposes, and for the purpose of protecting land and highways within the county from damage from storm waters and from the water of innavigable streams, watercourses, canyons or washes".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 12, strike out all of lines 11, 12, 13 and 14, of the printed bill, and in lieu thereof insert the following:

"41. Whenever any county shall have adopted a freeholders' charter, ratified and approved in accordance with the Constitution of the State of California, the board of supervisors may, if such county charter so provides, appoint an executive committee, selected from its members who shall be known as the executive board. When such executive board is appointed it shall have and perform all of the administrative powers and duties herein provided for boards of supervisors, including the filling of appointments. Such executive board may, if the county charter so provides, delegate, by a unanimous vote, to a county director or county manager any of its administrative powers and authority. The executive board shall have and perform such other powers and duties, not inconsistent herewith, as may from time to time be delegated to it by the board of supervisors.

"42. To do and perform all other acts and things required by law not in this title enumerated, or which may be necessary to the full discharge of the duties of the legislative authority of the county government."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 12, line 21 of the printed bill, strike out the word "purpose" and insert in lieu thereof the word "purposes".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 12, line 25 of the printed bill strike out the word "or" and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 13, line 3 of the printed bill, insert a "," after the word "called".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN

On page 13, line 5 of the printed bill, after the word "[illegible]" insert the word "as"

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN

On page 13, line 31 of the printed bill after the word "provided", insert a comma.

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 13, line 33 of the printed bill, hyphenate the words "[illegible] book"

Amendment adopted.

AMENDMENT NUMBER TWENTY

On page 13, line 37 of the printed bill, strike out the word "such" and insert in lieu thereof the word "said".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE

On page 14, line 12 of the printed bill, strike out the word "[illegible]" where it appears the second time.

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO

On page 14, line 13 of the printed bill, hyphenate the words "bond holder".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE

On page 14, line 20 of the printed bill, strike out the hyphen in the word "facsimile".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 14, line 21 of the printed bill, strike out the comma where it appears after the word "amounts".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE

On page 14, line 24 of the printed bill, strike out the comma where it appears after the word "levy".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX

On page 14, line 27 of the printed bill, strike out the comma where it appears after the word "purpose".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 15, line 2 of the printed bill, strike out the comma where it appears after the word "bonds".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT

On page 15, line 5 of the printed bill, insert a comma after the word "supervisors".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 15, line 6 of the printed bill, insert a comma after the word "bonds".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 15, line 12 of the printed bill, insert a comma after the word "board".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 15, line 19 of the printed bill, strike out the word "State" and insert in lieu thereof the word "States".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 15, line 20 of the printed bill, strike out the words "State of California" and insert in lieu thereof the words "County of ------------------" (followed by [illegible]).

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 15, line 21 of the printed bill, strike out "No.   " and also strike out "$---------------" and insert in said line the words "State of California".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 15, line 22 of the printed bill, strike out the words "County of --------" and insert in lieu thereof the word "No. -------------- $---------------".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 15, line 27, of the printed bill, insert a comma after the word "Date" where it appears the first time.

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 16, line 19 of the printed bill, strike out the word "hereunto" and insert in lieu thereof the word "hereto".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 16, line 31 of the printed bill, insert a comma after the blank line therein

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 770—An Act to amend section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907 and April 21, 1909.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, after word "of", strike out the words "two and one-half" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 67—An Act to protect any child or person enrolled or in attendance upon any public or private school, or other educational institution, within the State of California, from compulsory vaccination; and to prevent vaccination being made a condition precedent or a prerequisite to admission to or attendance upon any of the public or private schools or other educational institutions within the State of California; making violations thereof a misdemeanor; providing penalties; making exceptions as to private educational institutions; and repealing an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An Act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1889," approved March 7, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 206—An Act to amend section 626 of the Penal Code of the State of California, relating to the protection of fish and game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, strike out the words "in all" and insert in lieu thereof the following: "in any one year".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 8, of the printed bill, after the word "State", insert the following: "between August 1st and December 31st, both dates inclusive".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 20, of the printed bill, after the word "clerk" insert the following: "or his chief deputy".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 32, of the printed bill, after the word "clerk" insert the following: "or his chief deputy".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 33, of the printed bill, strike out the word "ten" and insert in lieu thereof the word "twenty five".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 1, of the printed bill, after the period, insert the following: "Any person other than a county clerk, member of the board of fish and game commissioner who has in his possession more than two tags in any one year which are not attached to deer hides, is guilty of a misdemeanor".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 5, of the printed bill, after the period, insert the following: "Every tanner or manufacturer who receives hides and does not immediately upon receiving the same at his tannery or factory mark the attached tags by punching two holes in the same, is guilty of a misdemeanor. Every person who attaches a tag which has been so punched to a hide other than the one to which it was originally attached, is guilty of a misdemeanor".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 9, of the printed bill, after the period, insert the following: "Every person violating any of the provisions of this Act shall be punished by a fine of not less than $25.00 or more than $500.00, or by imprisonment in the county jail of the county in which the conviction shall be had not less than ten days or more than one hundred and fifty days, or by both such fine and imprisonment. All fines and forfeitures imposed and collected for any violation of this Act must be paid into the State treasury to the credit of the Fish and Game Preservation Fund".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 166—An Act to restrict fishing within three miles of the shore line of the county of Los Angeles, State of California.

Bill read second time, and ordered on file for third reading.

ADJOURNMENT.

At ten o'clock and forty minutes p.m., on motion of Senator Birdsall, the President pro tem., declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Thursday, April 29, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

By invitation of the President pro tem., prayer was offered by Rev. C. E. Woodman, of Newman Hall, Berkeley.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 28, 1915, the further reading was dispensed with, on motion of Senator Gerdes.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 223—An Act to amend section 791 of the Political Code relating to notaries public;

Also: Assembly Bill No. 383—An Act providing an alternative system for the nomination and election of officers of cities of the fifth and sixth class and providing for the preferential system of voting at such elections;

Also: Assembly Bill No. 749—An Act to provide for the care, management and protection of state highways and providing penalties for violations of the provisions of the Act;

Also: Assembly Bill No. 882—An Act to amend section 2153 of the Political Code relating to superintendents of state hospitals.

Also: Assembly Bill No. 1372—An Act to create a commission for the purpose of making a survey of historical material in the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 223 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 383 read first time, and referred to Committee on Elections.

Assembly Bill No. 749 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 882 read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 1372 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1418—An Act to amend sections 717 and 718 of the Civil Code relating to the leasing of agricultural lands, and to the leasing of lands for agricultural and horticultural purposes, and to the leasing of property of a municipality, a minor or incompetent person, and to the leasing of city or town lots;

Also: Assembly Bill No. 1587—An Act to amend section 4237 of the Political Code relating to the salaries and fees of officers in counties of the eighth class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1418 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1587 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1578—An Act to amend sections 5, 6 and 7 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and by an Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the 'Inheritance Tax Act,' to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder,' to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder'', to repeal an Act entitled 'An Act to establish a tax on collateral inheritances, bequests and devises, to provide for the collection and to direct the disposition of its proceeds,'' approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act, approved March 20, 1905, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act,' approved April 7, 1911," approved June 16, 1913.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1578 read first time, and referred to Committee on Revenue and Taxation.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 102—An Act providing for the admission of humane officers to places where scientific experiments are performed upon living animals, for investigating such experimentation and securing evidence of violation of law; for prohibiting certain experiments on living animals in any elementary or secondary schools in this State; and prescribing penalties for the violation of the provisions hereof;

Also: Senate Bill No. 1222—An Act to regulate the sale of agricultural lime, and to provide penalties for the infraction thereof, and means for the enforcement of the Act;

Also: Senate Bill No. 750—An Act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof.

L. B. MALLORY, Chief Clerk of Assembly.

Senate Bills Nos. 102, 1222 and 750 ordered to enrollment.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Hartwell Alvord of Montana.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 758—An Act to prevent blindness from ophthalmia neonatorum; to vest certain powers and duties in the State Board of Health and health officers; to impose certain duties upon physicians, midwives, nurses, and other persons; and to provide for the enforcement of this Act, and to repeal chapter XIV, Statutes of 1897, entitled "An Act to regulate medical practice, to prevent blindness in infants," and other Acts in conflict herewith—and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 971—An Act to amend section 626*d* of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 1122—An Act to amend an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California; specifying the work, fixing the payments to be made by counties for moneys expended therein, providing for the issuance and sale of state bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, 1910, A. D., by amending section 8 thereof, relative to the reimbursement to the State by the several counties thereof of sums equal to the interest upon certain outstanding bonds, and the proceeds of sale thereof, sold and applied as in said Act provided, and providing for the submission of this Act to a vote of the people;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Acts or Acts in conflict with this Act.

On motion of Senator Thompson, Senate Bill No. 1078 was passed on file.

Senate Bill No. 595—An Act to amend section 4014 of the Political Code of the State of California.

On motion of Senator Irwin, Senate Bill No. 595 was passed on file.

WITHDRAWAL OF BILL.

Senator Breed asked for and was granted unanimous consent to withdraw Senate Bill No. 889.

Senate Bill No. 889 ordered withdrawn, and stricken from the file.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams, and the protecting of the banks thereof, and to provide for the means of payment thereof.

On motion of Senator Thompson, Senate Bill No. 1049 was passed on file.

Senate Bill No. 130—An Act to amend section 1365 of the Code of Civil Procedure relating to the order of persons entitled to administer upon estates.

On motion of Senator Thompson, Senate Bill No. 130 was passed on file.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 1127—An Act to amend the Civil Code of California by adding thereto a new section to be numbered and known as section 1771*a*, relating to the sale of live stock.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1127 refused passage by the following vote:

AYES—Senators Beban, Benson, Campbell, Carr, Crowley, Kehoe, Lyon, Maddux, Scott, and Wolfe—10.

NOES—Senators Anderson, Ballard, [illegible], Birdsall, Breed, [illegible], Cogswell, Cohn, Finn, Flaherty, Flint, Gerdes, Irwin, King, Mott, Owens, Purkitt, Strobridge, and Tyrrell—19.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 1259 heretofore set as a special order for this time, the same was taken up for consideration.

Senate Bill No. 1258—An Act to prevent waste in the production and in the storage of crude oil or petroleum, and to confer upon the Railroad Commission certain powers and duties in connection therewith.

Bill read third time.

SENATOR LUCE IN THE CHAIR.

At twelve o'clock and twenty-five minutes p.m., Senator Luce of the Fortieth District, in the chair.

CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTY-EIGHT—(RESUMED).

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Wolfe, the hour of recess was extended until twelve o'clock and forty-five minutes p.m.

CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTY-EIGHT—(RESUMED).

SPECIAL ORDER.

Senator Carr moved that further consideration of Senate Bill No. 1259 be made a special order for this day, immediately after the consideration of Assembly bills.

Motion carried.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 59—An Act to add a new section to the Civil Code to be numbered 2290, relating to the appointment of trustees, and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 892—An Act authorizing the construction, improvement, maintenance and control of the uncompleted portions of the system of state highways prescribed and contemplated by an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California; specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of state bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D., 1910, and known and cited as the "State Highways Act," specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of state bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said system; creating a revolving fund to be used by the State Department of Engineering for the purposes of this Act; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people;

Also: Senate Bill No. 916—An Act establishing and creating a Department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the Act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this Act;

Also: Senate Bill No. 113—An Act appropriating money for the construction and equipment of buildings on the property of Humboldt State Normal School;

Also: Senate Bill No. 359—An Act to appropriate money for remodeling the buildings at the San Francisco State Normal School;

Also: Senate Bill No. 360—An Act to appropriate money for repairs and furnishings at the San Francisco State Normal School;

Also: Senate Bill No. 464—An Act to appropriate money for repairs and improvements at the Industrial Home for the Adult Blind.

Also: Senate Bill No. 465—An Act to appropriate money for furniture for the new dormitory building at the Industrial Home for the Adult Blind;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

RESOLUTION—(OUT OF ORDER).

By consent of the Senate the following resolution was offered by Senator Wolfe, out of the regular order:

Relative to the commutation of sentence of Leo M. Frank.

Resolution referred to Committee on Rules.

RECESS.

At twelve o'clock and forty-five minutes p.m., the Acting President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1567—An Act to take title to and thereafter maintain as a State highway, the toll road in Tuolumne and Mariposa counties known as the Big Oak Flat and Yosemite Road, has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BIRDSALL, Chairman.

Assembly Bill No. 1567 ordered on file for second reading.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 48—An Act declaring the wagon road from McKinney's to the west end of Donner Lake a state highway, has had the same under consideration, and respectfully reports the same back and recommends that the same do pass.

BIRDSALL, Chairman.

Senate Bill No. 48 ordered on file for second reading.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1477—An Act to provide for work in and upon highways, streets, avenues, lanes, alleys, courts, places and sidewalks in counties, and upon property and rights of way owned by counties, and for establishing and changing the grade of the same, and providing for the issuance and payment of improvement bonds to represent certain assessments for the cost thereof, has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Judiciary.

BIRDSALL, Chairman.

Assembly Bill No. 1477 ordered re-referred to Committee on Judiciary.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 205—An Act to provide for the establishment of state parks in the counties of California, providing for the issuance of county and of state bonds in aid of the establishment of such parks, and submission of such bond issues to a vote, providing a method of acquiring such parks with or without condemnation proceedings, and providing for the government of such parks—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

COGSWELL, Chairman.

Senate Bill No. 205 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 15—Relative to making a national forest of the Pinnacles Forest Reserve and certain vacant land lying contiguous thereto—has had the same under consideration, and respectfully recommends that it be adopted.

RUSH, Chairman.

Senate Joint Resolution No. 15 ordered on file.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1455—An Act authorizing any city, city and county, town, municipality or other political subdivision to acquire certain liens on property offered for sale for the non-payment of certain assessments—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

TYRRELL, Chairman.

Assembly Bill No. 1455 ordered on file for second reading.

Also:

SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1187—An Act to amend an Act entitled "An Act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of way in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessment for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, by amending sections 3, 4, 8, 24 and 25 of said Act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 1187 ordered on file for second reading.

CONSIDERATION OF ASSEMBLY BILL—(OUT OF ORDER).

Senator Birdsall asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, for the purpose of amendment, Assembly Bill No. 1516—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of, motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act; and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this Act, and to make appropriations therefor; and to repeal all Acts or parts of Acts in conflict with this Act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Birdsall moved to refer to Senator Cogswell as a Special Committee of One, to amend Assembly Bill No. 1516 as follows:

AMENDMENT NUMBER ONE.

On page 7 of the printed bill as amended in the Senate April 26, 1915, in line 3, strike out the word "five".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1516, with instructions to amend, respectfully reports the same back, amended as per instructions.

COGSWELL, Committee.

Report read, and on motion of Senator Birdsall, adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Flaherty as a Special Committee of One, to amend Assembly Bill No. 1516 as follows:

AMENDMENT NUMBER ONE.

On page 7 of the printed bill as amended in the Senate April 26, 1915, strike out line 29 and insert in lieu thereof the following: "[illegible] for the original license of every chauffeur, two dollars, and for each annual renewal thereof, one dollar;".

AMENDMENT NUMBER TWO.

On page 8, line 1, of the printed bill, after the word "vehicle" insert the words "or for an original chauffeur's license".

AMENDMENT NUMBER THREE.

On page 21, line 23, of the printed bill, strike out all after the word "for" and the word "issue" in line 24 and insert in lieu thereof the following: "the calendar year in which issued".

AMENDMENT NUMBER FOUR.

On page 21, line 34, of the printed bill, strike out all after the word "for" down to and including the period in line 35 and insert in lieu thereof the following: "the calendar year in which issued".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1516, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLAHERTY, Committee.

Report read and, on motion of Senator Finn, adopted.

Bill ordered to print.

REPORTS OF STANDING COMMITTEE—(RESUMED).

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 62—An Act creating a reclamation district to be called and known as "Big Valley Reclamation District"; providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Big Valley Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Big Valley Reclamation District;

Also: Assembly Bill No. 220—An Act creating a reclamation district to be called and known as "Upper Lake Reclamation District", providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Upper Lake Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Upper Lake Reclamation District;

Also: Assembly Bill No. 221—An Act creating a reclamation district to be called and known as "Tule Lake Reclamation District"; providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Tule Lake Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Tule Lake Reclamation district;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

MINORITY REPORT.

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: We, the undersigned, the minority of your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 62—An Act creating a reclamation district to be called and known as "Big Valley Reclamation District"; providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Big Valley Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Big Valley Reclamation District;

Also: Assembly Bill No. 220—An Act creating a reclamation district to be called and known as "Upper Lake Reclamation District"; providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Upper Lake Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Upper Lake Reclamation District;

Also: Assembly Bill No. 221—An Act creating a reclamation district to be called and known as "Tule Lake Reclamation District"; providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Tule Lake Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Tule Lake Reclamation District;

Has had the same under consideration, and respectfully reports the same back and recommends that they do not pass.

STUCKENBRUCK.
CHANDLER.

Assembly Bills Nos. 62, 220 and 221 ordered on file for second reading.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 910—An Act to create a reclamation district to be called "Reclamation District No. 1660," and providing for the control and management thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

CHANDLER, Chairman.

Also:

MINORITY REPORT

We, the undersigned members of the Committee on Drainage, Swamp and Overflowed Lands, to whom was referred Senate Bill No. 910—An Act to create a reclamation district to be called Reclamation District No. 1650, and providing for the control and management thereof, respectfully recommend that the same do not pass.

CHANDLER
DUNCAN
STUCKENBRUCK

April 29, 1915.

Senate Bill No. 910 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to whom was referred Senate Bill No. 1268—An Act to amend section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants and employees, and prescribing their duties and powers, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

FLINT, Chairman.

Senate Bill No. 1268 ordered on file for second reading.

CONSIDERATION OF SENATE BILL—(OUT OF ORDER).

Senator Scott asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, for the purpose of amendment, Senate Bill No. 221—An Act to amend section 171 of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Scott moved to refer to Senator Luce as a Special Committee of One, to amend Senate Bill No. 221 as follows:

AMENDMENT NUMBER ONE.

In line 12 of page 1 of the printed bill strike out all after the word "[illegible]", also line 13 to the period, and insert the following: ", succession, or gift, except when they by gift from the husband, after marriage".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 221, with instructions to amend, respectfully reports the same back amended as per instructions.

LUCE, Committee.

Report read and, on motion of Senator Scott, adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF ASSEMBLY BILL—(OUT OF ORDER).

Senator Butler asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, for purpose of amendment, Assembly Bill No. 1235—An Act to amend the Political Code by adding a new section thereto to be numbered 1618*a*, providing the establishment of separate school for the instruction of the mentally deficient.

Bill read third time previously.

MOTION TO REFER TO A SPECIAL COMMITTEE OF ONE.

Senator Butler moved to refer to Senator Kehoe as a Special Committee of One, to amend Assembly Bill No. 1235 as follows:

AMENDMENT NUMBER ONE.

In line 4 of title, after the word "separate" strike out the words "schools for the" and also strike out all of line 5 and insert in lieu thereof the following: "classes for the instruction of pupils who from any cause are deficient in their studies."

AMENDMENT NUMBER TWO.

On page 1, line 6, of the amended bill, strike out the words "mentally deficient".

AMENDMENT NUMBER THREE.

On page 1, line 7, of the amended bill, after the comma following the word "years" insert the following: "who from any cause are deficient in their studies,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1235, with instructions to amend, respectfully reports the same back, amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Butler, adopted.

Bill ordered to print.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 589—An Act to amend section 7 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

On motion of Senator Crawley, Senate Bill No. 589 was passed on file to retain its place.

Assembly Bill No. 728—An Act to amend section 4246 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 728 passed by the following vote:

AYES—Senators Ballard, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR KEHOE IN THE CHAIR.

At two o'clock and thirty-five minutes p.m., Senator Kehoe, of the First District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 368—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes, approved March 31, 1897," by amending sections 1, 5, 28, 57, 61, 72, 90 and 91, and by adding new sections to be known as sections 41*a* and 61*a*.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 368 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Sample, Scott, Shearer, Stuckenbruck, Thompson, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly

Assembly Bill No. 1283—An Act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities to be a public nuisance creating a lien upon the property fronting upon such streets.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1283 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Duncan, Finn, [illegible], Flint, Gerdes, Irwin, Jones, Kehoe, Lyon, Maddux, Owens, Purkitt, Rush, Sample, Slater, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 747—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered section 588*b*, concerning the breaking down, removal, injury or destruction of barriers or obstructions, the tearing down, removal or destruction of notices, or the extinguishment, removal, injury or destruction of warning lights or lanterns on a state road or highway, and prescribing a penalty for the violation of such section.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 747 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, Lyon, Maddux, Owens, Purkitt, Rush, Sample, Scott, Stuckenbruck, Thompson, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 816—An Act providing for a two platoon system in the fire departments of cities having paid fire departments.

On motion of Senator Lyon, Assembly Bill No. 816 was passed on file.

Assembly Bill No. 270—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending sections 85 and 97 thereof, relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 270 passed by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Owens, Rush, Slater, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1576—An Act to amend section 1577 of the Code of Civil Procedure of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1576 passed by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Duncan, Finn, Flaherty, Gerdes, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1000—An Act to amend section 1955 of the Civil Code of the State of California, relating to the letting and hiring of personal property.

On motion of Senator Ballard, Senate Bill No. 1000 was passed on file.

Assembly Bill No. 1563—An Act validating the acts of county auditors and county treasurers when they pay out moneys according to a statutory law, should that law afterward be declared unconstitutional.

On motion of Senator Thompson, Senate Bill No. 1563 was passed on file.

Assembly Bill No. 203—An Act to amend section 103½ of the Code of Civil Procedure said amendment relating to clerks of justices' courts in cities or towns of the second and one-half class and third class, and appointments, salaries and duties of same.

Bill read third time.

On motion of Senator Finn, Senate Bill No. 203 was passed on file.

Assembly Bill No. 574—An Act to amend section 10 of an Act entitled "An Act relating to immigrants and immigration, creating a Commission of Immigration and Housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, Statutes of California of 1913, page 608.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 574 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 885—An Act to amend section 410 of the Political Code, relating to the distribution of the laws, resolutions and journals of the Legislature, of reports of Supreme Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 885 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Campbell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1511—An Act to amend an Act entitled "An Act to establish police courts in the cities of the first and one-half class, to fix the jurisdiction of said courts and to provide for the officers thereof, to prescribe the powers and duties of the officers of said courts and to fix the compensation of certain officers thereof, and to repeal an Act entitled 'An Act to establish police courts in cities of the first and one-half class, to fix their jurisdiction and provide for officers of said courts and fix the compensation of certain officers thereof,'" etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1511 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 937—An Act to amend section 1791 of the Political Code of the State of California, relating to the powers and duties of city, or city and county, boards of examination.

By order of the Acting President, Assembly Bill No. 937 was passed on file.

Assembly Bill No. 1227—An Act to amend section 1593 of the Political Code, relating to the election of school trustees.

By order of the Acting President, Assembly Bill No. 1227 was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At three o'clock and fifteen minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1559—An Act providing that the American flag shall be raised over public schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Scott moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

Time, three o'clock and twenty-nine minutes p.m.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Scott.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No 1559 passed by the following vote:

Ayes—Senators Behan, Benson, Breed, Brown, Cohn, Crowley, Duncan, Finn, Flaherty, Gates, Jones, King, Luce, Lyon, Mott, Owens, Purkitt, Scott, Shearer, Sharkey, and Walker—21.

Noes—Senators Anderson, Ballard, Birdsall, Butler, Campbell, Carr, Cogswell, Flint, Irwin, Kehoe, Maddux, Rush, Strobridge, Stuckenbruck, Thompson, and Tyrrell—16.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR MOTT IN THE CHAIR.

At three o'clock and thirty five minutes p.m., Senator Mott of the Twenty-fifth District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 67—An Act to protect any child or person enrolled or in attendance upon any public or private school, or other educational institution, within the State of California, from compulsory vaccination; and to prevent vaccination being made a condition precedent or a prerequisite to admission to or attendance upon any of the public or private schools or other educational institutions within the State of California; making violations thereof a misdemeanor; providing penalties; making exceptions as to private educational institutions; and repealing an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An Act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1889," approved March 7, 1911.

On motion of Senator Anderson, Assembly Bill No. 67 was passed on file.

Assembly Bill No. 166—An Act to restrict fishing within three miles of the shore line of the county of Los Angeles, State of California.

By order of the Acting President, Assembly Bill No. 166, was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At three o'clock and forty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

RECALL OF BILLS FROM COMMITTEE.

Senator Campbell moved that Assembly Bill No. 1496 be recalled from Committee on Municipal Corporations, and be re-referred to Committee on Irrigation.

Motion carried.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Bill No. 1418—An Act to amend sections 717 and 718 of the Civil Code, relating to the leasing of agricultural lands, and to the leasing of lands for agricultural and horticultural purposes, and to the leasing of property of a municipality, a minor or incompetent person, and to the leasing of city or town lots—has had the same under consideration, and respectfully reports the same back and recommends that it do pass and be re-referred to the Committee on Judiciary.

KING, Chairman.

Assembly Bill No. 1418 ordered re-referred to Committee on Judiciary.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1587—An Act to amend section 4237 of the Political Code, relating to the salaries and fees of officers in counties of the eighth class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Assembly Bill No. 1587 ordered on file for second reading.

SECOND READING OF SENATE BILL—(OUT OF ORDER).

Senator Tyrrell asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, for second reading, Senate Bill No. 445.

Senate Bill No. 445—An Act to amend section 1465*a* of the Code of Civil Procedure of the State of California, relative to notices of petitions to set aside exempt property for use of family.

During second reading of the bill, the following amendment was offered and its adoption moved by Senator Tyrrell:

AMENDMENT NUMBER ONE.

Insert in line 1, on page 1, before the word "Section", the words "SECTION 1."

Bill read second time, and ordered to print, engrossment, and third reading.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Strobridge, the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 273—An Act to amend section 1207 of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, 1915;

Also: Senate Bill No. 1166—An Act to amend sections 1, 2, 5, 6, 7, 9, 10, 13, 14, 15, 16, 24, 25 and 26 of an Act entitled "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor" (approved June 16, 1913);

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 273 and 1166.

Senate Bill No. 273—An Act to amend section 1207 of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, 1915.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWO HUNDRED SEVENTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 4 of the printed bill, after the comma, following the word "property", insert the following: "including any instrument executed by a married woman on or after the first day of July, 1891,".

The question being "Shall the Senate concur in Assembly amendment to Senate Bill No. 273?"

The roll was called, and Assembly amendment to Senate Bill No. 273 was concurred in by the following vote:

AYES—Senators Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Thompson, and Tyrrell—30.

NOES—None.

Senate Bill No. 273 ordered to enrollment.

Also:

Senate Bill No. 1166—An Act to amend sections 1, 2, 5, 6, 7, 9, 10, 13, 14, 15, 16, 24, 25 and 26 of an Act entitled "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under State authority and in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor" (approved June 16, 1913).

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED SIXTY SIX

AMENDMENT NUMBER ONE.

Amend the title of the printed bill as amended April 5, 1915, by inserting after the word "amend" in the first line the following: "Sections 1, 2, 5, 6, 7, 9, 10, 13, 14, 15, 16, 24, 25 and 26 of".

AMENDMENT NUMBER TWO.

On page 3, line 11, strike out all beginning with "Sec. 3" down to and including the words "official use" on page 4, line 3.

AMENDMENT NUMBER THREE.

On page 4, line 4, strike out the numeral "5", and insert in lieu thereof "3".

AMENDMENT NUMBER FOUR.

On page 5, line 28, strike out all from and including the word "fourth" down to and including the words "the commission" on page 6, line 31.

AMENDMENT NUMBER FIVE.

On page 6, line 32, strike out the numeral "5", and insert in lieu thereof "4".

AMENDMENT NUMBER SIX.

On page 7, line 6, strike out the numeral "7", and insert in lieu thereof "5".

AMENDMENT NUMBER SEVEN.

On page 8, strike out from and including line 7 down to and including line 16 and insert in lieu thereof the following:

"*Ninth*—Persons employed by the University of California and the state normal schools, and the teaching force of the elementary, secondary, trades and technical schools.

"*Tenth*—Persons engaged in work done by coöperation between the state and federal governments.

"*Eleventh*—The State Librarian, the chief deputy or Assistant State Librarian and also one person holding a position having a confidential relation to the State Librarian, and appointees under provisions for county, law, teachers', school libraries, unless specially included by statute.

"*Twelfth*—The employees of the State Board of Control.

"*Thirteenth*—The employees of the State Railroad Commission.

"*Fourteenth*—Superintendents, chiefs, and heads of departments.

"Any vacancy in any position in any of the above specified positions or excepted classes may be filled at any time by the appointing power in the manner provided by this Act, in which case the person appointed shall hold, during the term of office of said appointing power, such position under the terms of good behavior and subject to the provisions of this Act as if that position had not been so excepted but upon such appointee ceasing to hold such position that position shall be open as in such excepted class. Upon such appointee ceasing to hold such office by reason of the termination of the tenure of office of said appointing power, said appointee shall be restored to place upon the eligible lists in accordance with such rules and regulations as the commission may prescribe in that behalf. Any position subject to the provisions of this Act may be declared exempted by resolution passed by concurrence of the three commissioners. Such resolution shall state separately the reasons for each exemption. Not more than one appointment shall be made to or under any position covered by such resolution unless permission to appoint a different number is given therein. Any exception thus made may be terminated at any time by resolution of the commission. Appointments to exempted positions shall be reported immediately to the commission. The names of each exempted position and the names of the incumbent and the reason for each exemption shall be stated in the biennial reports of the commission.

AMENDMENT NUMBER EIGHT.

On page 8, line 17, strike out the numeral "9", and insert in lieu thereof "6".

AMENDMENT NUMBER NINE.

On page 9, line 3, after the period, add the following words: "In the case of temporary employment not to exceed two months, the commission may certify, in the manner herein provided, the name or names of those living in the vicinity of the place of employment."

AMENDMENT NUMBER TEN.

On page 9, line 23, strike out the numeral "10" and insert in lieu thereof "7".

AMENDMENT NUMBER ELEVEN.

On page 11, lines 12 and 13, strike out the following words: "and except there be no eligible list from which to fill such position."

AMENDMENT NUMBER TWELVE.

On page 11, strike out from and including line 16 down to and including line 35.

AMENDMENT NUMBER THIRTEEN.

On page 11, line 36, strike out the numeral "13" and insert in lieu thereof "8".

AMENDMENT NUMBER FOURTEEN.

On page 12, line 22, strike out the numeral "14" and insert in lieu thereof "9".

AMENDMENT NUMBER FIFTEEN.

On page 13, line 4, strike out the numeral "15", and insert in lieu thereof "10".

AMENDMENT NUMBER SIXTEEN.

On page 13, line 8, strike out the numeral "16", and insert in lieu thereof "11".

AMENDMENT NUMBER SEVENTEEN.

On page 14, beginning with and including line 4, strike out all the rest of page 14, strike out all of page 15, strike out all of page 16, and strike out all of page 17 down to and including line 24.

AMENDMENT NUMBER EIGHTEEN.

On page 17, line 25, strike out the numeral "24" and insert in lieu thereof "12".

AMENDMENT NUMBER NINETEEN.

On page 17, line 29, strike out the numeral "25" and insert in lieu thereof "13".

AMENDMENT NUMBER TWENTY.

On page 17, line 34, strike out the numeral "26" and insert in lieu thereof "14".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1166?"

The roll was called, and Assembly amendments to Senate Bill No. 1166 were concurred in by the following vote:

AYES—Senators Ballard, Behan, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Strobridge, Stuckenbruck, and Thompson—28.

NOES—None.

Senate Bill No. 1166 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 850—An Act to amend the Penal Code by adding thereto two new sections to be known and numbered as section 349b and section 349c, relating to labor unions and requests that your honorable body recede therefrom.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

REFUSAL TO RECEDE.

Senator Lyon moved that the Senate refuse to recede from Senate amendments to Assembly Bill No. 850.

The question being "Shall the Senate recede from Senate amendments to Assembly Bill No. 850?"

The roll was called, and the Senate refused to recede from the Senate amendments to Assembly Bill No. 850 by the following vote:

AYES—None.

NOES—Senators Beban, Benson, Birdsall, Boyd, Brown, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, [illegible], Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Thompson, Tyrrell, and Wolfe—27.

MESSAGE FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 329—An Act to amend section [illegible] of the Penal Code, relating to the [illegible].

Also: Assembly Bill No. 927—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911, as amended by an Act approved May 24, 1913, by amending sections 2 and 3 of said Act.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STEEN, Assistant Clerk.

Assembly Bill No. 329 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 927 read first time, and referred to Committee on Public Utilities.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1592—An Act making an appropriation to pay the claim of Mater Misericordiae Hospital, a corporation, against the State of California.

Also: Assembly Bill No. 1513—An Act appropriating money for the purchase of a power launch to be used by the State Fish and Game Commission in districts numbers nineteen and twenty.

Also: Assembly Bill No. 1092—An Act making appropriations for the support of the government of the State of California for the sixty-seventh and sixty-eighth fiscal years.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STEEN, Assistant Clerk.

Assembly Bills Nos. 1592 and 1092 read first time, and referred to Committee on Finance.

Assembly Bill No. 1513 read first time, and referred to Committee on Fish and Game.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 602—An Act to appropriate money to meet additional expense for the support of orphans, half-orphans and abandoned children for the sixty-fifth and sixty-sixth fiscal years.

Also: Assembly Bill No. 471—An Act to appropriate money to pay the deficiency in the appropriation for printing and distributing constitutional amendments for the sixty-fifth and sixty-sixth fiscal years.

Also: Assembly Bill No. 1148—An Act appropriating money to supplement and be added to the cash revolving fund provided for the use of the State Engineer by chapter 108 of the Statutes of 1913, approved May 8, 1913.

Also: Assembly Bill No. 1571—An Act to add a new section to the Political Code to be numbered 4041½, authorizing boards of supervisors to appoint an advisory board to cooperate with the county assessor in appraising taxable property in the county.

Also: Assembly Bill No. 211—An Act appropriating money to pay claim of Bryant & May, Limited, against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STEEN, Assistant Clerk.

Assembly Bills Nos. 602, 471, 1148 and 211 read first time, and referred to Committee on Finance.

Assembly Bill No. 1571 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 514—An Act appropriating money to pay the claim of the Lake Tahoe Railway and Transportation Company against the State of California;

Also: Assembly Bill No. 711—An Act to appropriate money to pay the claim of Mrs. S. L. Bee against the State of California for interest on Indian war bonds;

Also: Assembly Bill No. 782—An Act to appropriate money to pay the claim of Martha O. Ullner against the State of California;

Also: Assembly Bill No. 1059—An Act to appropriate money to pay the claim of Ralph S. Roberts against the State of California;

Also: Assembly Bill No. 1061—An Act to appropriate money to pay the claim of the Pacific Telephone and Telegraph Company against the State of California;

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 514, 711, 782, 1059 and 1061 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1062—An Act to appropriate money to pay the claim of the Great Western Power Company against the State of California;

Also: Assembly Bill No. 1063—An Act to appropriate money to pay the claim of the Union Home Telephone and Telegraph Corporation against the State of California;

Also: Assembly Bill No. 1064—An Act to appropriate money to pay the claim of the Economic Gas Company against the State of California;

Also: Assembly Bill No. 1065—An Act to appropriate money to pay the claim of the Coast Counties Gas and Electric Company against the State of California;

Also: Assembly Bill No. 1066—An Act to appropriate money to pay the claim of the San Diego Home Telephone Company against the State of California;

Also: Assembly Bill No. 1067—An Act to appropriate money to pay the claim of the San Francisco-Oakland Terminal Railways against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1062, 1063, 1064, 1065, 1066 and 1067 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1072—An Act to appropriate money to pay the claim of the Frank Lyman Company against the State of California;

Also: Assembly Bill No. 1340—An Act to appropriate money to pay the claim of the Long Beach Consolidated Gas Company against the State of California;

Also: Assembly Bill No. 1341—An Act to appropriate money to pay the claim of the Southern California Edison Company against the State of California;

Also: Assembly Bill No. 1343—An Act to appropriate money to pay the claim of the Santa Barbara Gas and Electric Company against the State of California;

Also: Assembly Bill No. 1101—An Act to reimburse Russell T. Joy for money paid by him to the State of California in the purchase of certain certificates of indemnity or scrip, on account of his becoming subsequently disqualified to purchase State lands by reason of removal from the State of California, and making an appropriation therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1072, 1340, 1341, 1343 and 1101 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1102—An Act appropriating money to pay the claim of Saint Francis Hospital, a corporation, against the State of California;

Also: Assembly Bill No. 1104—An Act appropriating money to pay the claim of the Southern Pacific Company, a corporation, against the State of California;

Also: Assembly Bill No. 1528—An Act making an appropriation to pay the claim of Charles A. Tuttle against the State of California;

Also: Assembly Bill No. 1585—An Act to authorize the payment of the claim of Addie Zschockelt against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 598—An Act to appropriate money to pay the claim of Los Angeles County against the State of California for the support of orphans, half orphans and abandoned children in the sixty-second fiscal year;

Also: Assembly Bill No. 649—An Act to appropriate money to pay the claim of the Des Moines Bridge and Iron Company against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1102, 1104, 1528, 1585, 598 and 649 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 712—An Act to appropriate money to pay the claim of Fred H. Figel against the State of California;

Also: Assembly Bill No. 725—An Act appropriating money to pay the claim of the San Joaquin Light and Power Corporation against the State of California;

Also: Assembly Bill No. 829—An Act to appropriate money to pay the claim of Benjamin Walters against the State of California;

Also: Assembly Bill No. 92—An Act appropriating money to pay the claim of R. A. Sarle against the State of California;

Also: Assembly Bill No. 382—An Act appropriating money to pay the claim of Frank D. Scott against the State of California;

Also: Assembly Bill No. 475—An Act appropriating money to pay the claim ofa Charles W. Williams against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 712, 725, 829, 92, 382 and 475 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 667—An Act to amend section 4268 of the Political Code, relating to counties of the thirty-ninth class;

Also: Assembly Bill No. 1094—An Act to add a new section to the Civil Code of the State of California to be numbered 1410c, relating to acts to be done to maintain the flow of water in a natural stream to the intake of any canal diverting water for sale, rental or distribution to the public;

Also: Assembly Bill No. 1485—An Act to amend section 4131 of the Political Code of the State of California, relating to what is to be recorded by county recorders;

Also: Assembly Bill No. 931—An Act to amend section 4249 of the Political Code, relating to county officers, and their salaries and deputies, to township officers and their compensation, and to the compensation of jurors and grand jurors in counties of the twentieth class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 169—An Act to amend an Act entitled "An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays," approved March 23, 1901, and to exempt certain counties from provisions thereof;

Also: Assembly Bill No. 637—An Act to amend section 2 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under constitutional provision without Governor's approval February 25, 1901, as subsequently amended, by amending section 2 and section 3 thereof, relating to the proceedings for the calling of an election therefor and by adding a new section thereto to be numbered section 12¾, relating to the consolidation of elections;

Also: Assembly Bill No. 638—An Act to amend section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President pro tem. announced the appointment of Senators Crowley, Benson, and Carr as a Committee on Conference to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 850.

SECRETARY EDWIN F. SMITH AT THE DESK.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 1052—An Act to appropriate money for equipment for the State Treasurer's office;

Also: Senate Bill No. 450—An Act assenting to the provisions and requirements of the Act of the Congress of the United States entitled "An Act to provide for co-operative agricultural extension work between the agricultural colleges in the several states receiving the benefits of the Act of Congress approved July 2, 1862, and of Acts supplementary thereto, and the United States Department of Agriculture," approved by the President of the United States May 8, 1914, and authorizing and empowering the Regents of the University of California to receive the grants of money appropriated under said Act, and to organize and conduct agricultural extension work in accordance with the terms and conditions expressed in said Act, and making an appropriation for the purposes thereof;

Also: Senate Bill No. 275—An Act appropriating the sum of four thousand dollars for the construction of buildings on the lands of the Agricultural Experiment Station of the University of California in the county of Imperial;

Also: Senate Bill No. 182—An Act to appropriate money for the construction and furnishing of a building for male epileptics at the Sonoma State Home;

Also: Senate Bill No. 398—An Act to appropriate money for the erection and furnishing of cottages at the Whittier State School;

Also: Senate Bill No. 417—An Act to appropriate money for the construction of farm buildings and improvements at the California School for Girls located near Ventura;

Also: Senate Bill No. 418—An Act to appropriate money for the construction and furnishing of a cottage for males at the California School for Girls located near Ventura;

Also: Senate Bill No. 368—An Act to appropriate money for the purchase of live stock at the State prison at San Quentin;

Also: Senate Bill No. 363—An Act to appropriate money for repairs and improvements at the State prison at San Quentin;

Also: Senate Bill No. 298—An Act to amend sections 1 and 4 of an Act approved April 25, 1911, and entitled "An Act to carry into effect the provisions of subdivision (c) of section 14 of article XIII of the Constitution of the State of California as the said article was amended on the eighth day of November in the year one thousand nine hundred and ten, in so far as the same relates to the State University; and also to provide for the permanent support and improvement of the University of California; and to that end making a continuing appropriation and creating an annual fund therefor; and repealing an Act entitled 'An Act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and to repeal an Act approved February 14, 1887, entitled 'An Act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an Act approved February 27, 1897, entitled, 'An Act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California, by the levy of a rate of taxation and the creation of a fund [illegible]," approved March [illegible], [illegible];

Also: Senate Bill No. 265—An Act appropriating the sum of forty thousand dollars for the support and maintenance of University extension work by the University of California;

Also: Senate Bill No. 241—An Act to appropriate money for the construction and equipping of a new hospital building at the Veterans' Home of California;

Also: Senate Bill No. 242—An Act to appropriate money for repairs and improvements to the buildings at the Veterans' Home of California;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 1052, 450, 275, 182, 398, 417, 418, 368, 303, 298, 265, 241 and 242 ordered on file for second reading.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 1086—An Act appropriating money to pay the expenses of the [illegible] Inquiry Committee in the investigation and [illegible] of the [illegible] matter, has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

STROBRIDGE, Chairman.

Senate Bill No. 1086 ordered on file for second reading.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 592—An Act to make an appropriation for the [illegible] State highway from the [illegible] of the [illegible] Road in Siskiyou County to the [illegible] of the Humboldt County Road at [illegible] at the mouth of the [illegible] River;

Also: Senate Bill No. 243—An Act to appropriate money for construction and equipment of bath [illegible] at the Veterans' Home;

Also: Senate Bill No. 244—An Act to appropriate money for [illegible] and repairs to [illegible] at the Veterans' Home of California;

Also: Senate Bill No. 245—An Act to appropriate money for wiring for electricity at the Veterans' Home of California;

Also: Senate Bill No. [illegible]—An Act to appropriate money for the purchase of additions to the dairy herd at the Stockton State Hospital;

Also: Senate Bill No. [illegible]—An Act to appropriate money for the construction and furnishing of a convalescent building for [illegible] of the Stockton State Hospital;

Also: Senate Bill No. 191—An Act to appropriate money for the purchase and expense of installation of a [illegible] at the Stockton State Hospital;

Also: Senate Bill No. [illegible]—An Act to appropriate money for the purchase of additional land at the Napa State Hospital;

Also: Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, relating to the salaries of the Board of State Harbor Commissioners and employees, said [illegible] relating to the salary of the [illegible] of the board and the [illegible], and the fund out of which the said salaries and the compensation of employees of the board shall be payable;

Also: Senate Bill No. 613—An Act making an appropriation to pay for a motor truck and equipment [illegible] for the State Printing Office;

Also: Senate Bill No. 182—An Act to amend section 1 of an Act entitled "An Act to create the office of State Printing Superintendent, prescribing his duties, fixing the manner of appointment, salary and term of office, and to make an appropriation for the expenses of his office," approved April 16, [illegible];

Also: Senate Bill No. 183—An Act to appropriate money for the improvement of grounds and roads at the Sonoma State Home;

Also: Senate Bill No. 296—An Act to appropriate money for repairs, improvements and equipment at the Whittier State School;

Also: Senate Bill No. [illegible]—An Act to appropriate money for the construction of surface drains and to in other ways care for storm water at the California School for Girls located near Ventura;

Also: Senate Bill No. [illegible]—An Act to appropriate money for the construction of a commissary building and equipment at the California School for Girls located near Ventura;

Also: Senate Bill No. 362—An Act to appropriate money for the purchase of machinery and equipment for the manufacturing department at the state prison at San Quentin;

Also: Senate Bill No. 367—An Act to appropriate money for the development of the water supply and pumping plant at the state prison at San Quentin;

Also: Senate Bill No. 380—An Act to appropriate money for furnishing and decorating the Warden's residence at the state prison at Folsom;

Also: Senate Bill No. 381—An Act to appropriate money for the expense of changing from coal to oil burners at the state prison at Folsom;

Also: Senate Bill No. 382—An Act to appropriate money for the purchase of live stock for the state prison at Folsom;

Also: Senate Bill No. 383—An Act to appropriate money for reconstruction of electrical equipment connected with the power house at the state prison at Folsom;

Also: Senate Bill No. 384—An Act to appropriate money for repairs and improvements at the state prison at Folsom;

Also: Senate Bill No. 385—An Act to appropriate money for the purchase and installation of refrigerating plant at the state prison at Folsom;

Also: Senate Bill No. 386—An Act to appropriate money for the construction of farm buildings at the state prison at Folsom;

Also: Senate Bill No. 387—An Act to appropriate money for the expense of purchasing and installing new bake oven at the state prison at Folsom;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 592, 243, 244, 245, 190, 192, 194, 250, 406, 613, 482, 183, 396, 1038, 416, 362, 367, 380, 381, 382, 383, 384, 385, 386 and 387 ordered on file for second reading.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Insurance to which was referred Assembly Bill No. 1024—An Act to repeal section 7 of an Act entitled "An Act providing for the organization and management of mutual workmen's compensation insurance companies and defining the same and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California," approved May 26, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BENEDICT, Chairman.

Assembly Bill No. 1024 ordered on file for second reading.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(OUT OF ORDER).

On motion of Senator Lyon the Senate took up for consideration, out of the regular order, Assembly amendments to Senate Bill No. 986.

Senate Bill No. 986—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913, by adding thereto three new sections to be numbered 12*a*, 12*b* and 12*c*, respectively, relating to the fees of employment agencies and to applications for help or laborers.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED EIGHTY-SIX.

AMENDMENT NUMBER ONE.

On page 1, lines 12 and 13 of the title of the printed bill, as amended in the Senate April 16, 1915, strike out both of said lines and insert in lieu thereof the following: "this Act,' approved June 3, 1913, by adding thereto three new sections to be numbered 12*a*, 12*b* and 12*c*, respectively, relating to the fees of employment agencies and to applications for help or laborers."

AMENDMENT NUMBER TWO.

On page 2, line 26 of the printed bill, as amended in the Senate April 16, 1915, after said line 26 add the following:

"SEC. 2. Said Act is hereby amended by adding a new section thereto, to be numbered 12*b* and to read as follows:

"'12b. No person shall apply to any employment agency for help or laborers unless said person shall have a position or positions for the help or laborers so applied for.'

"SEC. 3. Said Act is hereby amended by adding a new section thereto, to be numbered 12c and to read as follows:

"'12c. Any person who makes application to any employment agency for any help or laborer and who has no position or positions for such help or laborer, or who, having applied for such help or laborer, refuses without good reason to employ any help or laborer furnished by an employment agency in accordance with the terms of the application therefor made, shall be liable at the suit of such employment agency for any and all losses sustained by the latter.'"

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 986?"

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 986 by the following vote:

AYES—None.

NOES—Senators Anderson, Ballard, Beban, Benedict, Brown, Birdsall, Breed, Butler, Campbell, Carr, Crowley, Flaherty, Gates, Jones, Kehoe, Luce, Lyon, Mott, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—26.

SECOND READING OF ASSEMBLY BILLS—CONTINUED.

Assembly Bill No. 775—An Act to amend section 1595 of the Political Code of the State of California, relating to the calling of an election of trustees.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1288—An Act to amend section 1104 of the Political Code, relating to the registration of voters.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 8 of the printed bill, omit the words "at a date not less than ten days" and insert in lieu thereof the words "at any time".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1422—An Act to amend sections 1195 and 1195a of the Political Code and to add a new section thereto to be designated section 1195b relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments, etc.

COMMITTEE AMENDMENTS.

During second reading of bill the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 16 of the printed bill, omit the words "ballot respective" and insert in lieu thereof "respective ballot".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 19 of the printed bill, omit the words "sheets and".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 22 of the printed bill, omit the words "sheets and".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 783—An Act to amend section 1210 of the Political Code, relating to sample ballots.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1097—An Act to amend section 1282 of the Political Code by adding thereto a new paragraph to be numbered 6, relating to the disregarding of votes, etc.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1286—An Act to amend section 1165 of the Political Code, relating to the cancellation of registrations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1289—An Act to amend section 1244 of the Political Code, relating to certificates of election.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1290—An Act to amend sections 1188 and 1192 of the Political Code of the State of California, relating to the nomination of candidates otherwise than by primary election, and to the filing of nomination papers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1293—An Act to amend the Political Code of the State of California by adding a new section thereto to be designated section 1193 and by repealing section 1191 thereof, both relating to the preservation and subsequent destruction of nomination papers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1295—An Act to amend section 1120 and 1121 of the Political Code, both relating to qualifications of voters and the registers to be used at certain elections.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1296—An Act to amend section 1149 of the Political Code, relating to posting at polling places of copies of index to affidavits of registration.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1297—An Act to amend section 1211 of the Political Code, relating to the marking of election ballots.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF BILLS OUT OF ORDER.

Senator Purkitt asked for and was granted unanimous consent for the consideration at this time of Assembly Bills Nos. 1082 and 1080, out of the regular order.

Assembly Bill No. 1082—An Act approving, confirming and declaring valid the creation, formation and organization of Reclamation District No. 108, created by that certain Act of the Legislature of the State of California, entitled "An Act legalizing the consolidation and reorganization of Reclamation District No. 729 with Reclamation District No. 108, in the counties of Yolo and Colusa, etc."

Bill read third time.

On motion of Senator Purkitt, Assembly Bill No. 1082 was passed to the file of Unfinished Business.

Assembly Bill No. 1080—An Act to amend an Act entitled "An Act to create a drainage district to be called Knight's Landing Ridge Drainage district; to promote drainage therein by the making of a cut through Knight's Landing Ridge, and the construction of a canal leading therefrom; to provide for the election and appointment of officers of said drainage district, defining the powers, duties and compensation of such officers, and providing for levying and collecting assessments upon the lands within said drainage district, the issuance of bonds by said drainage district and testing the validity of the levy of said assessments and the issuance of such bonds," approved April 29, 1913, by amending section 1 of said Act, and making the description more certain, amending section 6 of said Act in reference to the certifying and depositing of a certified copy of assessment, amending section 7 of said Act in reference to the lien of said assessment, and also amending the said section 7 in regard to the collection of the assessments, issuance of warrants and the payment of all moneys that may be collected into the county treasury of Yolo County.

On motion of Senator Parker, Assembly Bill No. 1080 was passed to the file of Unfinished Business.

SENATOR CAMPBELL IN THE CHAIR.

At four o'clock and ten minutes p.m., Senator Campbell, of the Seventeenth District, in the chair.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Rules to which was referred the resolution offered by Senator Wolfe relating to the case of Leo M. Frank under sentence of death in the state of Georgia on the charge of murder, has had the same under consideration and respectfully reports the same back and recommends that the author be given permission to withdraw the same, preparatory to the introduction of a substitute resolution approved by this committee.

THOMPSON, Chairman.

Report read and, on motion of Senator Wolfe, adopted.

RESOLUTION WITHDRAWN.

Senator Wolfe asked for and was granted unanimous consent to withdraw his resolution, offered previously this legislative day, in accordance with the above report.

RESOLUTION.

The following resolution was offered:

By Senator Wolfe:

WHEREAS, An appeal has been made to this Senate to take such action as would aid the cause of justice and humanity in the case of Leo M. Frank of Atlanta, Georgia, who was convicted of the murder of a fourteen-year-old girl largely on the testimony of a colored witness who [illegible] himself came under suspicion as real culprit in the case; and

WHEREAS, All technical legal rights of said Frank have been exhausted save by an appeal to the Supreme Court of the United States, and therefore, unless executive clemency be shown, he will suffer the death penalty; and

WHEREAS, There is in the minds of many persons a reasonable doubt as to the guilt of said Frank and there all over the nation men, women and organizations representing all classes and creeds are sending petitions to the Honorable John M. Slaton, Governor of the State of Georgia, asking his Excellency to commute the sentence of said Leo M. Frank to imprisonment for life or for a definite term, under the firm conviction that ultimately the truth will be revealed, the man's innocence proved and the identity of the real culprit be disclosed; therefore, be it

Resolved, That the President of the Senate be, and he is hereby directed for and in behalf of the Senate of the State of California to respectfully petition the Governor of the State of Georgia, by wire, in the cause of justice and humanity to commute the sentence of said Leo M. Frank, and to that end that the whole or so much of this preamble and resolution, as to the President of the Senate may seem meet and proper, be wired to the Governor of the State of Georgia.

Resolution read and, on motion of Senator Wolfe, adopted.

SPECIAL ORDER—RESUMED.

CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED FIFTY-EIGHT.

Senate Bill No. 1258—An Act to prevent waste in the production and in the storage of crude oil or petroleum, and to confer upon the Railroad Commission certain powers and duties in connection therewith.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No 1258 refused passage by the following vote:

AYES—Senators Benedict, Beeson, Birdsall, Brown, Butler, Carr, Jones, Kehoe, King, Luce, Mott, and Thompson—12.

NOES—Senators Anderson, Ballard, Bohnett, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—21.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 21—Approving a charter for the city of San Jose, ratified by the qualified voters of said city at a special municipal election held therein on the 19th day of April, 1915;

Also: Senate Bill No. 1225—An Act to provide for the organization and government of conservation and flood control districts and to provide for the acquisition or construction thereby of works for the irrigation, reclamation and drainage of the lands embraced within such districts, and also to provide for the storage of water for irrigation and to provide for the reclamation of lands subject to overflow;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1301—An Act to add a new chapter to title V of part III of the Political Code to be known as chapter IVc, relating to the establishment of a county mosquito extermination commission, and to define their powers and duties—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BUTLER, Chairman.

Assembly Bill No. 1301 ordered on file for second reading.

RECESS.

At five o'clock and forty-five minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1193—An Act to amend section [illegible] of the Civil Code, and to repeal article II of chapter III of title IV of division [illegible] of the Civil Code, and repealing sections 2298, 2309, 2310, 2311, [illegible] and 1740 of the Civil Code, chapter II of title I of part IV of division third of the Civil Code, chapter III of title I of part IV of division third of the Civil Code, chapters [illegible] of title I of part IV of division third of the Civil Code, and to add chapters II, III, IV, V, VI and VII of title I of part IV of division third of said Civil Code in place thereof, relating to the sale of personal property;

Also, Senate Bill No. 128—An Act appropriating money to pay the claim of Grocer's Building Co. against the State of California;

Also, Senate Bill No. 254—An Act appropriating money to pay the claim of Charles W. Williams against the State of California;

Also, Senate Bill No. 281—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California;

Also, Senate Bill No. 282—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California;

Also, Senate Bill No. 283—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California;

Also, Senate Bill No. 284—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California;

Also: Senate Bill No. 513—An Act appropriating money to pay the claim of Peter F. Macdonald against the State of California;

Also, Senate Bill No. 514—An Act appropriating money to pay the claim of William La Haye against the State of California;

Also, Senate Bill No. 546—An Act appropriating money to pay the claim of the Lake Tahoe Railway and Transportation Company against the State of California;

Also, Senate Bill No. 678—An Act appropriating money to pay the claim of Martha O. [illegible] against the State of California;

Also, Senate Bill No. 801—An Act to reimburse Edward P. [illegible] for the money paid by him to the State of California in the purchase of certain certificates of indemnity or scrip, on account of his becoming permanently disqualified to purchase State lands by reason of removal from the State of California, and making an appropriation therefor;

Also, Senate Bill No. 877—An Act to authorize the repayment to Mary Ann Bath, Carrie F. Stone, Alice B. Walker and John [illegible] Bath as heirs at law of John F. Bath, deceased, of moneys paid by said deceased in his life time to the State of California, for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of six hundred forty dollars, and for such purpose authorizing the State Register to issue a certificate to said heirs of John F. Bath, deceased, for the amount so paid for said indemnity certificates and authorizing the State Controller to draw his warrant on the State Treasurer for said sum, and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund;

Also: Senate Bill No. 896—An Act to appropriate money to pay the claim of W. E. Gerber against the State of California;

Also: Senate Bill No. 947—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California;

Also: Senate Bill No. 1087—An Act appropriating money to pay the claim of Fred H. Figel against the State of California;

Also: Senate Bill No. 1167—An Act appropriating money to pay the claim of R. A. Sarle against the State of California;

Also: Senate Bill No. 1251—An Act to amend section 1 of an Act entitled "An Act to amend section 1 of an Act entitled 'An Act amending an Act making an appropriation for the establishment of a permanent fund for the purchase of jute to be manufactured at the state prison at San Quentin, approved March 9, 1885,' approved March 16, 1889, and to provide for the disposition and use of the surplus money received from the sale of jute goods and not needed for the 'Revolving Fund' provided for in said Act," approved March 24, 1911;

Also: Senate Bill No. 1249—An Act to amend section 778 of the Political Code, relating to contract for the publishing of Supreme and District Courts of Appeal reports;

Also: Senate Bill No. 167—An Act appropriating money for repairs and improvements to buildings and equipment at the California Polytechnic School;

Also: Senate Bill No. 378—An Act to appropriate money for repairs and improvements to the Chico State Normal School;

Also: Senate Bill No. 97—An Act to amend sections 2, 3 and 6 of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an Act approved December 18, 1911, relating to the powers and duties of the Building and Loan Commissioner;

Also: Senate Bill No. 184—An Act to appropriate money for repairs and alterations to main buildings, Santa Barbara State Normal School of Manual Arts and Home Economics;

Also: Senate Bill No. 185—An Act to appropriate money to pay the expense of improving the grounds of the Santa Barbara State Normal School of Manual Arts and Home Economics, including grading, installation of sewer, gas and water mains and conduits;

Also: Senate Bill No. 373—An Act to appropriate money to construct an addition to the Manual Training Building of the Los Angeles State Normal School;

Also: Senate Bill No. 372—An Act to appropriate money to purchase additional [illegible] departments of the Los Angeles State Normal School;

Also: Senate Bill No. 371—An Act to appropriate money to complete and furnish the Los Angeles Normal School buildings;

Also: Senate Bill No. 16—An Act increasing the number of judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge;

Also: Senate Bill No. 1214—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of Stanislaus, to provide for the appointment of an additional judge and for his compensation;

Also: Senate Bill No. 782—An Act to provide two additional judges of the Superior Court of the county of Alameda;

Also: Senate Bill No. 135—An Act to appropriate money to pay the expenses of furnishing and equipping a new normal school building at the Fresno State Normal School;

Also: Senate Bill No. 248—An Act to appropriate money for the construction and equipment of a building or buildings as a home for workingmen on what is known as the Smith-Brown ranch belonging to the Napa State Hospital;

Also: Senate Bill No. 249—An Act to appropriate money for remodeling south pavilion of the Napa State Hospital;

Also: Senate Bill No. 263—An Act to appropriate money for the development of water including the installation of pumping station and mains at the Southern California State Hospital;

Also: Senate Bill No. 294—An Act to appropriate money for the purchase and installation of three electric elevators at the Mendocino State Hospital;

Also: Senate Bill No. 296—An Act to appropriate money for plumbing repairs at the Mendocino State Hospital;

Also: Senate Bill No. 925—An Act appropriating money to pay the claim of the Southern Pacific Company, a corporation, against the State of California;

Also: Senate Bill No. 1254—An Act re-appropriating the money appropriated to carry out the provisions of the Water Commission Act, approved June 16, 1913, and making the same available for the purpose of said Act during the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 1261—An Act to appropriate money to pay the claims of corporations, arising from exemptions under the provisions of section 14 of article XIII of the Constitution, for the return of corporation license tax erroneously collected;

Also: Senate Bill No. 1253—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-second session of the Legislature concerning the adoption of a system of social insurance and making an appropriation therefor;

Also: Senate Bill No. 1145—An Act to create a commission for the purpose of making a survey of local historical material in the State of California; defining the power and duties of said commission; and making an appropriation therefor;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from committees on this legislative day.

Senate Bill No. 48—An Act declaring the wagon road from McKinney's to the west end of Donner Lake a state highway.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 205—An Act to provide for the establishment of State parks in the counties of California, providing for the issuance of county and of state bonds in aid of the establishment of such parks, and submission of such bond issues to a vote, providing a method of acquiring such parks with or without condemnation proceedings, and providing for the government of such parks.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill strike out all from lines 13 to 19, both inclusive.

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out of line 3 of the title the words "and of", and out of line 4 the word "State".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1187—An Act to amend an Act entitled "An Act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessment for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, by amending sections 3, 4, 8, 24 and 25 of said Act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, at line 12 of the title, after the word "sections" insert the following: "one,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, at line 13 of the title, after the comma, following the word "eight" insert the following: "twenty-three,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, after the enacting clause, strike out the balance of said bill and insert in lieu thereof the following:

"SECTION 1. Section 1 of an Act entitled 'An Act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessments for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds,' approved June 16, 1913, is hereby amended to read as follows:

" 'Section 1. Whenever the public interest or convenience may require, the legislative body of any city is hereby empowered to establish or change or modify the grade of any public street, lane, alley, court, place, or right of way in said city, or any portion thereof, and in any case where in the opinion of said legislative body any damage to private property would result from the improvement thereof, to order the whole, or any part, either in length or width, of such public street, lane, alley, court, place, or right of way to be improved to conform to such official grade by grading or re-grading, paving or re-paving, planking or re-planking, macadamizing or re-macadamizing, piling or re-piling, capping or re-capping, graveling or re-graveling, oiling or re-oiling, sewering or re-sewering, sidewalking or re-sidewalking, curbing or re-curbing, guttering or re-guttering, or by the building of storm water ditches or tunnels or breakwaters, levees, walls of rock, or of other materials, to protect the same from overflow or injury, or by the construction of manholes, culverts, bridges, cesspools, tunnels, viaducts, conduits, subways, cross-walks, steps, parking or park ways, and the construction or reconstruction in, over or through property or rights of way owned by such city of retaining walls, tunnels, sewers, ditches, drains, conduits, viaducts, subways, and channels for sanitary and drainage purposes, or either, or both thereof, with necessary outlets, cesspools, manholes, catch basins, flush tanks, septic tanks, connecting sewers, ditches, drains, conduits, channels and other appurtenances and breakwaters, levees, bulkheads and walls of rock, or other material, to protect the streets, lanes, alleys, courts, places, public ways, and other property in any such city from overflow or injury by water, or otherwise, or by the doing of any other work which shall be necessary to improve the whole, or any portion of such streets, lanes, alleys, courts, places, or rights of way of such city, under the proceedings provided in this Act, and in accordance with plans and specifications prepared by the city engineer of said city, and approved by the legislative body thereof; *provided, however*, that wherever the official grade of any such public street, lane, alley, court, place, or rights of way has been theretofore established, changed or modified in any manner authorized by law, the legislative body of said city may order the whole, or any part, either in length or width of such public street, lane, alley, court, place, or right of way to be improved under the provisions of this Act, to conform to such official grade as so established, changed or modified, by the doing of any work mentioned in this section in any case where, in the opinion of said legislative body, damage to private property would result from such improvement'.

"SEC. 2. Section 3 of said Act is hereby amended to read as follows:

" 'Sec. 3. Said ordinance or resolution of intention shall be conspicuously posted for two days on or near the chamber door of said legislative body and published by two insertions in a daily or weekly newspaper published and circulated in said city, and designated by said legislative body for the purpose. If no such newspaper be so published and circulated in said city, such posting of said ordinance or resolution of intention shall be sufficient. The superintendent of streets shall thereupon cause to be conspicuously posted along all streets and parts of streets or other public places or rights of way where any work is to be done or improvement made, at not more than 300 feet apart, notices (not less than three in all) of the passage of such ordinance or resolution. Said notices shall be headed "Notice of street work" in letters not less than one inch in length, shall be in legible characters, and shall state the fact and date of the passage of said ordinance or resolution of intention, and the time and place fixed for the hearing of protests, and notify all persons interested to appear at said time and place with their objections to said improvement, if any they have, and briefly describe the proposed improvement, and refer to the ordinance or resolution of intention for further particulars. He shall also cause a notice of similar substance to be published by two insertions in a daily newspaper published and circulated in said city, or, if there is no such daily newspaper, then by two successive insertions in a weekly newspaper so published and circulated. If no such newspaper be so published and circulated in said city such notice shall be also posted on or near the chamber door of the legislative body of said city, and in two other public places in said city. Such posting and publication shall be completed at least ten days before the day set for the hearing of protests. The city clerk shall immediately upon the passage of said ordinance or resolution of intention mail, postage prepaid, to each property owner in the district to be assessed to pay the costs and expenses of the improvement, at his last known address as the same appears on the tax rolls of said city, or, where no address so appears, to the general delivery, a postal card, containing a notice which shall be substantially in the following form (filling blanks):

"'You are hereby notified that on the ______ day of ______, 19__, the legislative body of the city of ______, California, by virtue of the Street Improvement Act of 1913, passed an ordinance (resolution) of intention numbered ____, for the improvement of ______ street between ______ street and ______ street. The time for filing protests will expire on the ______ day of ______, 19__, and protests will be heard on the ______ day of ______, 19__, at the hour of ______ in the council chamber of said city.

"'Your property is within the assessment district for said improvement and will be assessed therefor. For further information you are referred to said ordinance and to the maps, profiles, plans and specifications on file in the office of the city engineer.

______

City Clerk.'

"'If any lots or parcels of land in the assessment district be assessed to 'unknown owners' on the tax rolls of said city, no such postal cards need be mailed to the owners thereof.

"'The city clerk shall immediately upon the completion of the mailing of said cards file in the office of the superintendent of streets an affidavit setting forth the time and manner of his compliance with this requirement; provided, that the failure of the city clerk to address said cards to any of the owners of said property, or to mail said cards, or the failure of the property owners to receive the same, shall in no wise affect the validity of the proceedings, or prevent the legislative body from acquiring jurisdiction to order the work; provided, however, that the legislative body shall not pass any ordinance or resolution ordering the work until such affidavit is made and filed as herein prescribed.'

"SEC. 3. Section 4 of said Act is hereby amended to read as follows:

"'SEC. 4. At or before the time fixed for the hearing, any person interested objecting to the proposed improvement or to the extent of the assessment district described in the ordinance or resolution of intention, may file a written protest with the clerk of said legislative body. Every protest must contain a description of the property in which each signer thereof is interested and set forth the nature of his interest therein and must be accompanied by the affidavit of some one of the signers thereof that each signature thereto is the genuine signature of the person whose name is thereto subscribed, and in case any signature is made by an agent, there must be attached to the protest the affidavit of the agent that he is duly authorized to sign such protest. Any protest not complying with the foregoing requirements shall not be considered by said legislative body. The clerk shall endorse on every such protest the date of its reception by him, and at the time fixed for the hearing or at any other time to which the hearing may be adjourned, he shall present to said legislative body all protests so filed with him. Before the hearing of said protests there shall be filed with such legislative body affidavits showing that the said notices have been posted and published as hereinbefore required and the said legislative body shall thereupon cause to be entered in its minutes an order reciting that notice of said hearing has been posted and published as required by law, and such order shall be prima facie evidence of the truth of the facts therein recited. The legislative body shall hear said protests at said meeting, or at any time to which the hearing thereof may be continued, and pass upon the same, and its decision shall be final and conclusive; *provided, however,* if such protests are against the proposed improvement, and the legislative body finds that such protests are signed by the owners of a majority of the frontage of the property fronting on the streets or parts of streets within the assessment district for such improvement, all further proceedings shall be stayed and barred for six months from and after the filing of such majority protests, unless the owners of a majority of such frontage shall in the meantime petition for the said improvement to be made. If such protests are not signed by a majority of the owners of such property, and such protests are sustained, no further proceedings shall be had under said ordinance or resolution of intention, but a new ordinance or resolution of intention for the same improvement may be passed at any time. If such protests are denied, the proceedings shall continue as if such protests had not been made'.

"SEC. 4. Section 8 of said Act is hereby amended to read as follows:

"'SEC. 8. At or before the time set for the hearing of petitions for damages any person owning property, and claiming that the same will be damaged by said proposed improvement, shall file with the superintendent of streets, who shall transmit the same to the commission, a petition showing the fact of such ownership, a description of the property claimed to be damaged, its market value, and the amount of damages which it is claimed such property will sustain by the proposed improvement, and the post office address of such petitioner, or his agent. Every such petition shall be verified by the oath of the petitioner or his agent. After considering the petitions filed as herein provided, and after hearing the petitioners who may appear, and after viewing the location of the proposed improvement and the property affected thereby, said commission shall proceed to determine the amount of damages, if any, which will be sustained by each such petitioner because of the proposed improvement. Any property owner who fails to file any such petition shall be deemed to have waived his right to a hearing with respect to any damages to any property owned by him, and to object to the amount of such damages as fixed by said commission'.

"SEC. 5. Section 23 of said Act is hereby amended to read as follows:

"'SEC. 23. The legislative body of any city shall have the power, in its discretion, to determine that serial bonds shall be issued in the manner and form hereinafter provided to represent assessments of twenty-five dollars or more for the cost and expenses of any work or improvement authorized by this Act. Said serial bonds shall extend over a period not to exceed twenty-five years from the second day of January next succeeding the issuance of said bonds, and an even annual proportion of the principal sum thereof shall be payable by coupon on the second day of January every year after their date until the whole is paid; *provided*, that if the period over which said bonds are to extend exceeds ten years, one-tenth part of the principal sum thereof shall be payable by coupon on the second day of January of each of the last ten years of said period. The interest on said bonds shall be payable semi-annually by coupon on the second days of January and July, respectively, of each year, at the rate of not to exceed ten per cent. per annum on all sums unpaid, until the whole of said principal and interest is paid. Said bonds and interest thereon shall be paid at the office of the city treasurer of said municipality, who shall keep a fund designated by the name of said bonds, into which he shall receive all sums paid him for the principal of said bonds and the interest thereon, and from which he shall disburse such sums upon the presentation of said coupons; and under no circumstances shall said bonds or the interest thereon be paid out of any other fund. Said city treasurer shall keep a register in his office which shall show the series, number, date, amount, rate of interest, payee and indorsees of each bond, and the number and amount of each coupon of principal or interest paid by him, and shall cancel and file each coupon so paid'.

"SEC. 6. Section 24 of said Act is hereby amended to read as follows:

"'SEC. 24. Whenever the legislative body of any city shall determine that serial bonds shall be issued to represent the cost and expenses of any proposed work or improvement under this Act, it shall so declare in the ordinance or resolution of intention to do said work, and shall specify the rate of interest which they shall bear and the period of time over which they are to run, and said ordinance or resolution shall also state that a bond will issue to represent each assessment of twenty-five dollars or more remaining unpaid at the expiration of thirty days after the first publication or posting of the notice of the recording of the assessment by the superintendent of streets. Whenever it shall have been determined, as provided in section 23 of this Act, that serial bonds shall be issued to represent assessments amounting to twenty-five dollars or over, the superintendent of streets shall, forthwith after the full expiration of thirty days from the date of the first publication of the notice of the recording of the assessment roll, or forthwith after the full expiration of thirty days from the recording of a reassessment in the event that such be made, and after all previous payments have been credited on such re-assessment, make and certify to the city treasurer a complete list of all assessments unpaid, which amount to twenty-five dollars or over upon any assessment or diagram number'.

"SEC. 7. Section 25 of said Act is hereby amended to read as follows:

"'SEC. 25. Upon receiving the list of assessments mentioned in the preceding section, the city treasurer shall thereupon make out and sign a separate bond representing upon each lot or parcel of land upon said list the total amount of the assessments, or re-assessments, as the case may be, as thereon shown. And if said lot or parcel of land is described upon said assessment and diagram by its number or block, or both, upon the official map of said municipality, or upon any map on file in the office of the county recorder of the county in which said municipality is situated, then it shall be in said bond a sufficient description of said lot or parcel of land to designate it by said number or block, or both, as it appears on said official or recorded map. Said bond shall be substantially in the following form:

IMPROVEMENT BOND.

Series ------

$----------- No.-----------

Under and by virtue of and pursuant to the provisions of ------------ (title of Act), I, out of the fund for the above designated improvement bonds, series ______, will pay to bearer the sum of ____________ ($________) dollars with interest at the rate of ______ per cent per annum, as is hereinafter specified, at the office of the city treasurer of the city of ____________, State of California. This bond is issued to represent an assessment for ____________ in the city of ____________, as the same is more fully described in the assessment therefor. Its amount is the amount assessed in said assessment against the lot numbered ______ therein and in the diagram attached thereto, and which now remains unpaid; but until paid, with accrued interest, is a first lien upon the property affected thereby, as the same is described herein, and in said recorded assessment with its diagram, to wit: the lot or parcel of land in the city of ________, county of ________, State of California, described as follows:

____

This bond is payable exclusively from said fund, and neither the city of ________ nor any officer thereof is to be holden otherwise for its principal or interest. The term of this bond is ________ years from January second, 19___, and at the expiration of said time the whole sum then unpaid shall be due and payable; but on the second day of January of each year after the date hereof, an even annual proportion of its principal is due and payable upon presentation of the coupon therefor, until the whole is paid, with accrued interest, at the rate of ______ per cent per annum.

The interest is payable semi-annually, on the second day of January and July in each year hereafter upon presentation of the coupons therefor, the first of which is for the interest from date to the second day of ________, 19___, and thereafter the interest coupons are for the semi-annual interest.

Should default be made in the first, or any succeeding payment of the principal, or in any payment of interest, by the owner of said lot or parcel of land, the holder of this bond is entitled to declare the whole amount unpaid to be due and payable, and to have said lot or parcel of land advertised and sold forthwith, in the manner provided by law.

Dated at said city of ________, this ________ day of ________ in the year one thousand nine hundred and ________.

____

City Treasurer of the city of ________

"'No mistake or error in the description in the bond of the lot assessed shall affect the validity or lien of the bond, unless the property so affected be such that it can not be identified, and in such event the holder of such bond may have the same corrected upon application to the city treasurer and the officer or board who made the assessment to represent which such bond was issued.

"'In case the amount of the unpaid assessment or re-assessment upon any lot or parcel of land shall be less than twenty-five dollars, then the same shall be collected as is provided in this Act. If any person, or his authorized agent, shall at any time before the issuance of the bond for said assessment or re-assessment upon his lot or parcel of land present to the city treasurer his affidavit, made before a competent officer, that he is the owner of a lot or parcel of land assessed, accompanied by the certificate of a searcher of records that he is such owner of record, and shall, with such affidavit and certificate, notify said treasurer in writing that he desires no bond to be issued for the assessment upon said lot or parcel of land, then no such bond shall be issued therefor and the street superintendent shall retain his right for enforcing collection of said assessment or re-assessment as if said lot or parcel of land had not been so listed by the street superintendent. The bonds so issued by said treasurer shall be payable to the bearer, and shall be serial bonds as hereinbefore described, and shall bear interest at the rate specified in the resolution of intention to do said work. They shall have annual coupons attached thereto, payable in numerical order on the second day of January in each year after the date of the bonds until all are paid, or if the term of said bonds be more than six years, then said coupons shall be payable on the second day of January of each of the last [illegible] years of the term of the bonds; and each coupon shall be for an even annual proportion of the principal of the bond. They shall have semi-annual interest coupons thereto attached, the first of which shall be payable upon the second day of January or July, as the case may be, next after its date, and shall be for the interest accrued at that time, and the rest of which shall be for the semi-annual interest accruing from the second day of January or July, as the case may be. The owner of, or any person interested in, any lot or parcel of land upon which a bond has been issued under the terms of this Act, may at any time pay off such bond and discharge his land from the lien of the assessment, by paying to the city treasurer for the holder of such bond the amount then unpaid on the principal sum thereof, and all interest thereon which has accrued and is unpaid, together with the semi-annual installment of interest which will next become due thereafter, and in addition thereto interest for one year at the rate specified in the bond upon the unpaid amount of the principal. The treasurer shall thereupon make an entry upon his bond register that such bond has been paid in full. When all the coupons of principal and interest are paid or the bond is surrendered or canceled, the city treasurer shall report the fact to the street superintendent, who shall forthwith indorse the same on the margin of the record of the assessment to the credit of which the same is paid.'"

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 910—An Act to create a reclamation district to be called "Reclamation District No. 1660," and providing for the control and management thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out all of lines 16 to 37, inclusive, and all of page 4, and lines 1 and 2 on page 5, and insert in lieu thereof the following:

"SEC. 2. The management and control of said reclamation district is hereby made subject to the provisions of the Political Code and other laws of the State of California, relative to reclamation districts formed under the provisions of said Political Code. The management and control of said Reclamation District No. 1660 shall be vested in three trustees, who shall be, within thirty days after this Act takes effect, appointed by the Governor of this State to act until their successors are elected and qualified. An election of three trustees shall be held in said district on the third Tuesday in October, 1919, and on the same date every four years thereafter. In case of any vacancy in the office of trustees of said district, the Governor of this State shall appoint a qualified person as trustee, who shall hold said office until the next election. All the trustees, whether appointed by the Governor of this State or elected as herein provided, shall hold office at his pleasure. The office of said district shall be in the city of Sacramento and in such place as the board of trustees thereof may from time to time fix. The board of supervisors of the county of Sutter shall have jurisdiction of all matters concerning said district to the same extent as if the said district was formed under the provisions of the Political Code of the State of California. All funds of said district shall be deposited in the county treasury of the county of Sutter and shall be disbursed by the treasurer of said county in payment of the warrants of said district".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 3, strike out the figure "4" and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 7, strike out the figure "5" and insert in lieu thereof the figure "4".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1268—An Act to amend section 642 of the Political Code of the State of California, relating to the fish and game commissioners and their assistants and employees, and prescribing their duties and powers.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1052—An Act to appropriate money for equipment for the State Treasurer's office.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "two" and insert in lieu thereof the word "three".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 450—An Act assenting to the provisions and requirements of the Act of the Congress of the United States entitled "An

Act to provide for co-operative agricultural extension work between the agricultural colleges in the several states receiving the benefits of the Act of Congress approved July 2, 1862, and of Acts supplementary thereto, and the United States department of agriculture," approved by the President of the United States May 8, 1914, and authorizing and empowering the regents of the University of California to receive the grants of money appropriated under said Act, and to organize and conduct agricultural extension work in accordance with the terms and conditions expressed in said Act, and making an appropriation for the purposes thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the last line of the title, strike out the words "and making an appropriation for the purposes thereof."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill strike out all of section 3.

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 275—An Act appropriating the sum of four thousand dollars for the construction of buildings on the lands of the agricultural experiment station of the University of California in the county of Imperial.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out all of lines 6, 7, 8, 9, 10, 11 and 12.

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 182—An Act to appropriate money for the construction and furnishing of a building for male epileptics at the Sonoma State Home.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In lines 2 and 3 of the title, strike out the words "a building" and insert in lieu thereof the words "two barracks".

Amendment adopted.

AMENDMENT NUMBER TWO.

In section 1, line 1, strike out the word "twenty-five" and insert the word "twelve".

Amendment adopted.

AMENDMENT NUMBER THREE.

In section 1, line 1, after the word "thousand" insert the words "five hundred".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 4, strike out the words "a building" and insert in lieu thereof the words "two barracks".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 398—An Act to appropriate money for the erection and furnishing of cottages at the Whittier State School.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the word "fifty" and insert in lieu thereof the word "sixty".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 417—An Act to appropriate money for the construction of farm buildings and improvements at the California School for Girls located near Ventura.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the word "twenty-one" and insert in lieu thereof the word "six".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 418—An Act to appropriate money for the construction and furnishing of a cottage for males at the California School for Girls located near Ventura.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered.

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the words "nine thousand five hundred" and insert in lieu thereof the words "six thousand".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 368—An Act to appropriate money for the purchase of live stock at the state prison at San Quentin.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 1, strike out the words "two thousand" and insert in lieu thereof the words "two thousand five hundred".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 263—An Act to appropriate money for repairs and improvements at the state prison at San Quentin.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the word "twenty-five" and insert in lieu thereof the word "thirty-two".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 298—An Act to amend sections 1 and 2 of an Act approved April 25, 1911, and entitled "An Act to carry into effect the provisions of subdivision (a) of section 14 of article XIII of the Constitution of the State of California as the said article was amended on November 8, 1910, in so far as the same relates to the State University, and also to provide for the permanent support and improvement of the University of California, and to that end making a continuing appropriation and creating an annual fund therefor; and repealing an Act entitled 'An Act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and to repeal an Act approved February 14, 1887, entitled 'An Act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an Act approved February 27, 1897, entitled 'An Act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California, by the levy of a rate of taxation, and the creation of a fund therefor,' approved March 20, 1909."

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 7, of the printed bill, strike out the words "sixtieth and seventieth".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 265—An Act appropriating the sum of forty thousand dollars for the support and maintenance of university extension work by the University of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, section 2, strike out the whole of lines 5 and 6 and the first two words of line 7, and making the letter "t" in the third word of line 7 a capital.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 241—An Act to appropriate money for the construction and equipping of a new hospital building for the Veterans' Home of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2, of the title, strike out the words "for the construction and equipping of a" and "new hospital building" in line 3, and insert in lieu thereof the words "for the building and equipping of ten sanitary cottages".

Amendment adopted.

AMENDMENT NUMBER TWO.

In section 1, line 1, strike out the words "one hundred fifty" and insert in lieu thereof "twenty-five".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 4, strike out the words "a new hospital building" and insert in lieu thereof the words "for the construction and equipment of ten sanitary cottages".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 242—An Act to appropriate money for repairs and improvements to the buildings at the Veterans' Home of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Add a new section to be known as section 2, and to read as follows: "The money so appropriated shall be available to pay any expense which has been incurred for said purposes subsequent to the first day of February, 1915".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1086—An Act appropriating money to pay the expenses of the Recreational Inquiry Committee in the preparation and distribution of the report of said committee.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2, of the title, strike out the words "expenses of the recreational", and strike out all of lines 3 and 4, and insert in lieu thereof the following: "claim of James Edward Rogers against the State of California".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1, of the printed bill, after the word "of", insert the following "two hundred fourteen dollars and ninety cents ($214.90)".

Amendment adopted

AMENDMENT NUMBER THREE

In line 2, of the printed bill, strike out the words "expenses of same", and strike out lines 4 and 5, and insert in lieu thereof the following: "claim of James Edward Rogers against the State of California for the expenses of the [illegible] [illegible] Committee in the preparation of the report of said [illegible] [illegible] Committee."

Amendment adopted

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 592—An Act to make an appropriation for the purpose of making a survey for a State highway from the intersection of the State Highway and the Klamath River Road in Siskiyou County to the terminus of the Humboldt County Road at Orleans at the mouth of the Redwood River.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 243—An Act to appropriate money for construction and equipment of bath rooms in the barracks at the Veterans' Home.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 244—An Act to appropriate money for plumbing and repairs to plumbing at the Veterans' Home of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 254—An Act to appropriate money for wiring for electricity at the Veterans' Home of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 190—An Act to appropriate money for the purchase of additions to the dairy herd at the Stockton State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 192—An Act to appropriate money for the construction and furnishing of a convalescent building for females at the Stockton State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 194—An Act to appropriate money for the purchase and expense of installation of a boiler at the Stockton State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 250—An Act to appropriate money for the purchase of additional land at the Napa State Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 482—An Act to amend section 1 of an Act entitled "An Act to create the office of State Dental Surgeon; prescribing his duties, fix his manner of appointment, salary and term of office, and to make an appropriation for the expenses of his office," approved April 16, 1906.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 183—An Act to appropriate money for the improvement of grounds and roads at the Sonoma State Home.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 396—An Act to appropriate money for repairs, improvements and equipment at the Whittier State School.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1038—An Act to appropriate money for the construction of surface drains and to in other ways care for storm water at the California School for Girls located near Ventura.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 410—An Act to appropriate money for the construction of a commissary building and equipment at the California School for Girls located near Ventura.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 362—An Act to appropriate money for the purchase of machinery and equipment for the manufacturing departments at the state prison at San Quentin.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 367—An Act to appropriate money for the development of the water supply and pumping plant at the state prison at San Quentin.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 380—An Act to appropriate money for furnishing and decorating the Warden's residence at the state prison at Folsom.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 381—An Act to appropriate money for the expense of changing from coal to oil burners at the state prison at Folsom.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 382—An Act to appropriate money for the purchase of live stock for the state prison at Folsom.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 383—An Act to appropriate money for reconstruction of electrical equipment connected with the power house at the state prison at Folsom.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 384—An Act to appropriate money for repairs and improvements at the state prison at Folsom.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 385—An Act to appropriate money for the purchase and installation of refrigerating plant at the state prison at Folsom.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 386—An Act to appropriate money for the construction of farm buildings at the state prison at Folsom.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 387—An Act to appropriate money for the expense of purchasing and installing new bake oven at the state prison at Folsom.

Bill read second time, ordered engrossed, and on file for third reading.

Assembly Bill No. 1567—An act to take title to and thereafter maintain as a state highway, the toll road in Tuolumne and Mariposa counties, known as the Big Oak Flat and Yosemite road.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, of the title, add the following words: ", also a section of Tuolumne County road to connect said toll road with the Sonora lateral of the State highway".

Amendment adopted.

AMENDMENT NUMBERED ONE.

By adding:

"SEC. 3. Also, the State Engineer is hereby authorized to [illegible] county of Tuolumne the section of road, approximately 27 miles in length, connecting the western terminus of the Big Oak Flat and Yosemite toll road [illegible] Second Section of the State Highway [illegible]

"Said connecting section of road [illegible] Big Oak Flat [illegible]

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1105—An Act authorizing any city, city and county, county, town, municipality or other political subdivision, to acquire certain liens or property offered for sale for the nonpayment of certain assessments.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBERED ONE.

On page 2, of the printed bill, strike out all of lines 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22, and insert in lieu thereof the following:

"SEC. 2. [illegible] city and county, county, town, municipality or other political subdivision, a sum of [illegible]

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 62—An Act creating a reclamation district to be called and known as "Big Valley Reclamation District"; providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Big Valley Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Big Valley Reclamation District.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 220—An Act creating a reclamation district to be called and known as "Upper Lake Reclamation District"; providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Upper Lake Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Upper Lake Reclamation District.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 221—An Act creating a reclamation district to be called and known as "Tule Lake Reclamation District"; providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Tule Lake Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Tule Lake Reclamation District.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 406—An Act to amend section 2552 of the Political Code relating to the salaries of the Board of State Harbor Commissioners and assistants, said amendment relating to the salary of the president of the board and his duties, and the fund out of which the said salaries and the compensation of employees of the board shall be payable.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 613—An Act making an appropriation to pay for auto truck and equipment therefor for the State Printing Office.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1024—An Act to repeal section 7 of an Act entitled "An Act providing for the organization and management of mutual workmen's compensation insurance companies and defining the same and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California," approved May 26, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1301—An Act to add a new chapter to title V of part III of the Political Code, to be known as chapter IVc, relating to the establishment of a county mosquito extermination commission, and to define their powers and duties.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 7, line 36, strike out the words "the county" and insert in lieu thereof the following: "a".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent to take up Senate Bill No. 654, out of the regular order, for the purpose of amendment.

Senate Bill No. 654—An Act to amend section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, providing for the appointment by the Attorney General of clerks, phonographic reporter, service agent and stenographers, and fixing their salaries.

Bill read third time.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 654—An Act to amend section 475 of the Political Code, providing for the appointment by the Attorney General of clerks, photographic reporter, service agent and stenographers, and fixing their salaries, has had the same under consideration, and respectfully reports the same back and recommends that Senator Cogswell be appointed a Special Committee of One to amend the bill as follows, and that it do pass.

AMENDMENT NUMBER ONE.

On page 1, line 4 of the printed bill, strike out the word "six" and insert in lieu thereof the word "five".

STROBRIDGE, Chairman.

Report adopted.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the President pro tem. appointed Senator Cogswell a Special Committee of One to amend Senate Bill No. 654 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 654, with instructions to amend, respectfully reports the same back amended as per instructions.

COGSWELL, Committee.

Report read, and on motion of Senator Strobridge, adopted.

Bill ordered to print and re-engrossment.

SECRETARY EDWIN F. SMITH AT THE DESK.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Carr asked for and was granted unanimous consent to take up Senate Bill No. 1060, out of the regular order, for the purpose of amendment.

Senate Bill No. 1060—An Act to establish a tax on producers of crude petroleum, to provide for its collection and to direct the disposition of the proceeds therefrom.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Carr moved to refer to Senator Cogswell as a Special Committee of One, to amend Senate Bill No. 1060 as follows:

AMENDMENT NUMBER ONE.

Strike out all of lines 2, 3 and 4 of the title, and in lieu thereof insert the following: "To provide for the establishment, maintenance and development of a petroleum experiment station by the University of California; to impose an annual excise fee upon the producers of crude petroleum for the support of such experiment station; to provide for the collection of such fee; to provide penalties for the nonpayment thereof; and to appropriate the aggregate amount thereof for the purposes aforesaid".

AMENDMENT NUMBER TWO.

Strike out all of section 1, and in lieu thereof insert a new section 1:

"SECTION 1. Not later than August 15, 1916, there shall be established by the Regents of the University of California a petroleum experiment station, which shall thereafter be supported, maintained and developed by the said Board of Regents, in their discretion, out of the revenues to be derived under the provisions of this Act".

AMENDMENT NUMBER THREE.

Strike out all of section 2 and in lieu thereof insert a new section 2, to read as follows:

"SEC. 2. For the support, maintenance and development of such experiment station there is hereby imposed upon every individual, partnership, association, or corporation engaged in the production of crude petroleum in the State of California an annual excise fee which shall be computed and ascertained at the rate of twenty cents upon every one thousand barrels of crude petroleum produced within this State in each year. Such excise fee shall be in addition to all other fees, licenses or taxes of every nature, State, county, municipal or district.

AMENDMENT NUMBER FOUR.

Strike out all of section 3 and in lieu thereof insert a new section 3, to read as follows:

"SEC. 3. Every such individual, partnership, association or corporation shall, on or before the first Monday in March of each year, file with the State Controller a verified report showing the number of barrels of crude petroleum produced during the year ending the 31st day of December last preceding, and shall, simultaneously, or at any time thereafter prior to the first day of July next following, pay to the Controller the fee specified in section 2 hereof. If not paid prior to July first, such fee shall then become delinquent and, as penalties for such delinquency, fifteen per cent. shall be added to the amount thereof, and such delinquent fee, together with the penalty thereon, shall bear interest thereafter at the rate of one per cent. per month until paid, and no producer from whom any fee is delinquent shall be entitled to receive from such experiment station any advice or assistance of any kind or any information other than that which may be contained in such printed reports and bulletins as may be published for distribution or sale to the public".

AMENDMENT NUMBER FIVE.

Strike out all of section 4 and in lieu thereof insert a new section 4, to read as follows:

"SEC. 4. Any person who fails, refuses or neglects to file, annually, the report of production hereinabove provided for, or who fails, neglects or refuses to pay such fee, together with all penalties and interest thereon, on or before the thirty first day of December of the year in which the same became due, shall be guilty of a misdemeanor".

AMENDMENT NUMBER SIX.

Strike out all of section 5 and in lieu thereof insert a new section 5, to read as follows:

"SEC. 5. Any person who makes any false or fraudulent report, with intent to defeat or evade the assessment required by this Act to be made, shall be guilty of a misdemeanor and shall for each such offense be fined not less than three hundred dollars and not more than five thousand dollars, or be imprisoned not exceeding one year in the county jail of the county where said report was verified, or be subject to both said fine and imprisonment at the discretion of the court".

AMENDMENT NUMBER SEVEN.

Strike out all of section 6 and in lieu thereof insert a new section 6 to read as follows:

"SEC. 6. All moneys collected under the provisions of this Act are hereby appropriated to the University of California for the support, maintenance and development of such experiment station, to be expended upon the order of the Board of Regents in the manner provided by law."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1060, with instructions to amend, respectfully reports the same back, amended as per instructions.

COGSWELL, Committee.

Report read and, on motion of Senator Carr, adopted.

Bill ordered to print, and re-engrossment.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Wolfe moved to reconsider the vote whereby Senate Bill No. 352—An Act to amend section 1687 of the Political Code, relating to qualifications of teachers for first grade—was passed.

CONSIDERATION OF MOTION TO RECONSIDER—POSTPONED.

On motion of Senator Wolfe, the consideration of the above motion to reconsider was made a special order for April 30, 1915, at eleven o'clock a.m.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 276—An Act relating to the granting of certificates to practice medicine and surgery by the Board of Medical Examiners of the State of California, to graduates from legally chartered and reputable medical schools in the State of California, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BUTLER, Chairman.

Senate Bill No. 276 ordered on file for second reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Benedict asked for and was granted unanimous consent to take up at this time, out of the regular order, for the purpose of amendment, Senate Bill No. 1193—An Act to amend section 1624 of the Civil Code, and repealing article II of chapter III of title IV of division second of the Civil Code, and repealing sections 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3353, 3354, 3355, 1739 and 1740 of the Civil Code, chapter II of title I of part IV of division third of the Civil Code, chapter III of title I of part IV of division third of the Civil Code, chapter IV of title I of part IV of division third of the Civil Code, and to add chapters II, III, IV, V, VI and VII of title I of part IV of division third of said Civil Code in place thereof, relating to the sale of personal property.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benedict moved to refer to Senator Brown as a Special Committee of One to amend Senate Bill No. 1193 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the title of the printed bill, after the words "title IV" in said line, insert the words "of part IV".

AMENDMENT NUMBER TWO.

On page 2, line 1, of the printed bill, after the comma following the word "California" in said line, insert the following: "article II of chapter III of title IV of part IV of division II of the Civil Code,".

AMENDMENT NUMBER THREE.

On page 35, line 33, of the printed bill, strike out "1801*f*" and insert in lieu thereof the following: "SEC. 3.".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1193, with instructions to amend, respectfully reports the same back, amended as per instructions.

BROWN, Committee.

Report read and, on motion of Senator Benedict, adopted.

Bill ordered to print, and re-engrossment.

THIRD READING OF SENATE BILLS (RESUMED).

Senate Bill No. 218—An Act to revise and amend sections 3, 5, 6 and 12 of an Act known as "The Net Container Act," approved May 24, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 218 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, Maddux, Mott, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 758—An Act to prevent blindness from ophthalmia neonatorum; to vest certain powers and duties in the State Board of Health and health officers; to impose certain duties upon physicians, midwives, nurses, and other persons; and to provide for the enforcement of this Act, and the repeal of chapter XIV statutes of 1897, entitled "An Act to regulate medical practice to prevent blindness in infants," and other Acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 758 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 971—An Act to amend section 626*d* of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 971 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR STROBRIDGE IN THE CHAIR.

At nine o'clock and five minutes p.m., Senator Strobridge, of the Thirteenth District, in the chair.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 1246—An Act to establish the Alpine State road; to define its course; to provide for its supervision, construction, maintenance, improvement and repair and to repeal an Act entitled "An Act to establish the Alpine State highway; to define its course; to provide for its supervision, construction, repair and maintenance, and to make an appropriation therefor," approved April 15, 1911, and an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora, at a point known as Long Barn in Tuolumne County, and running thence across the summit of the Sierra Nevada mountains to Bridgeport, in Mono County, a state highway," approved March 12, 1901.

On motion of Senator Cogswell, Senate Bill No. 1246 was passed on file.

Senate Bill No. 1122—An Act to amend an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California, specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, 1910, A. D., by amending section 8 thereof, relative to the reimbursement to the State by the several counties thereof of sums equal to the interest upon certain outstanding bonds, and the proceeds of sale thereof, sold and applied as in said Act provided, and providing for the submission of this Act to a vote of the people.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1122 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Duncan, Finn, Flaherty, Gates, Irwin, Kehoe, King, Lyon, Maddux, Mott, Rush, Scott, Slater, Strobridge, Thompson, and Wolfe—25.

NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 892—An Act authorizing the construction, improvement, maintenance and control of the uncompleted portions of the system of State highways prescribed and contemplated by an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California, specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of state bonds to create a fund for the construction and acquisition of such system;

creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D. 1910, and known and cited as the "State Highways Act," specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said system; creating a revolving fund to be used by the State Department of Engineering for the purposes of this Act; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people.

On motion of Senator Birdsall, Senate Bill No. 892 was passed on file.

Senate Bill No. 916—An Act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the Act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 916 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 113—An Act appropriating money for the construction and equipment of buildings on the property of the Humboldt State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 113 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 360—An Act to appropriate money for repairs and furnishings at the San Francisco State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 360 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Brand, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 424—An Act to amend section 1543 of the Political Code, relating to the duties of superintendent of schools.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 424 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Brand, Butler, Campbell, Carr, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 464—An Act to appropriate money for repairs and improvements at the Industrial Home for the Adult Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 464 passed by the following vote:

AYES—Senators Anderson, Benedict, Brand, Brown, Campbell, Carr, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, King, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 465—An Act to appropriate money for furniture for the new dormitory building at the Industrial Home for the Adult Blind.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 465 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Brand, Brown, Butler, Campbell, Carr, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 31 of article IV thereof.

relating to the loan by the State of its credit to public or private corporations.

During the reading of the constitutional amendment the following amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 10, after the word "whatever", strike out the following: "; provided," and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, strike out all of lines 11 to 24, inclusive, and insert in lieu thereof the following: "The Legislature shall have power to provide for a system of land colonization and may authorize the establishment of an adequate system of rural credits in aid of the agriculture of the State, including provisions for the issuance of bonds secured by first mortgages on farm real estate. Bonds so issued shall be exempt from taxation and shall be accepted as security for the deposit of public moneys. The Legislature may provide for participation by the State in such system of rural credits by establishing a trust fund and may authorize the trustees of such fund to issue bonds upon the collateral or other securities of such fund, and may guarantee, on behalf of the State, the principal and interest of such bonds, and may authorize said trustees to buy, sell and deal generally in rural credit bonds secured by first mortgages on farm real estate, and may pass all laws that may be necessary to give full force and effect to the provisions of this section, anything in this Constitution to the contrary notwithstanding."

Amendments adopted.

Constitutional amendment ordered to print.

Senate Constitutional Amendment No. 36—A resolution proposing to the people of the State of California to amend section 12 of article XIII of the Constitution of the State of California, relative to poll tax.

On motion of Senator Campbell, Senate Constitutional Amendment No. 36 was passed on file.

Senate Bill No. 1223—An Act to provide for the organization and government of conservation and flood control districts and to provide for the acquisition or construction thereby of works for the irrigation, reclamation and drainage of the lands embraced within such districts, and also to provide for the storage of water for irrigation and to provide for the reclamation of lands subject to overflow.

By order of the Acting President, Senate Bill No. 1223 was passed on file.

Senate Bill No. 128—An Act appropriating money to pay the claim of Grocer's Building Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 128 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 254—An Act appropriating money to pay the claim of Charles W. Williams against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 254 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 281—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 281 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Cogswell, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 282—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 282 passed by the following vote:

AYES—Senators Anderson, Benedict, Breed, Brown, Butler, Campbell, Cogswell, Crowley, Finn, Flaherty, Gerdes, Hans, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 283—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 283 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Brown, Butler, Campbell, Cogswell, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 284—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 284 passed by the following vote:

AYES—Senators Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King,

Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—28.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Senate Bill No. 513—An Act appropriating money to pay the claim of Peter F. Macdonald against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 513 passed by the following vote:

AYES—Senators Benedict, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—26.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Senate Bill No. 514—An Act appropriating money to pay the claim of William LaHaye against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 514 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Flaherty, Gerdes, Irwin, Jones, King, Luce, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—27.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY JOSEPH A. BEEK AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 546—An Act appropriating money to pay the claim of the Lake Tahoe Railway and Transportation Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 546 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Gerdes, Hans, Jones, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—26.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Senate Bill No. 678—An Act to appropriate money to pay the claim of Martha O. Ullner against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 678 passed by the following vote:

AYES—Senators Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Cogswell, Crowley, Duncan, Flaherty, Gates, Hans, Irwin, Jones, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

NOES—None.

Bill ordered transmitted to the Assembly.

Title read and approved.

Senate Bill No. 804—An Act to reimburse Russell T. Joy for money paid by him to the State of California in the purchase of certain certificates of indemnity or scrip, on account of his becoming subsequently disqualified to purchase state lands by reason of removal from the State of California, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 804 passed by the following vote:

AYES—Senators Beban, Benedict, Birdsall, Breed, Brown, Campbell, Carr, Cogswell, Crowley, Duncan, Gates, Hans, Irwin, Jones, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 835—An Act to authorize the repayment to Mary Ann Bath, Carrie F. Stone, Alice B. Wright and John Thaddeus Bath, as heirs at law of John F. Bath, deceased, of moneys paid by said deceased in his life time to the State of California, for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of six hundred forty dollars, and for such purpose authorizing the State Register to issue a certificate to said heirs of John F. Bath, deceased, for the amount so paid for said indemnity certificates, and authorizing the State Controller to draw his warrant on the State Treasury for said sum, and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

By order of the Acting President, Senate Bill No. 835 was passed on file.

Senate Bill No. 896—An Act to appropriate money to pay the claim of W. E. Gerber against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 896 passed by the following vote:

AYES—Senators Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gates, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 947—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 947 passed by the following vote:

Ayes—Senators Anderson, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Cogswell, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1087—An Act appropriating money to pay the claim of Fred H. Figel, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1087 passed by the following vote:

Ayes—Senators Anderson, Beban, Benedict, Birdsall, Breed, Butler, Campbell Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1167—An Act appropriating money to pay the claim of R. A. Sarle against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1167 passed by the following ing vote:

Ayes—Senators Anderson, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1251—An Act to amend section 1 of an Act entitled "An Act to amend section 1 of an Act entitled 'An Act amending an Act making an appropriation for the establishment of a permanent fund for the purchase of jute to be manufactured at the state prison at San Quentin, approved March 9, 1885,' approved March 16, 1889, and to provide for the disposition and use of the surplus money received from the sale of jute goods and not needed for the 'Revolving Fund' provided for in said Act," approved March 24, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1251 passed by the following vote:

Ayes—Senators Anderson, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Crowley, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1249—An Act to amend section 778 of the Political Code, relating to contract for the publishing of Supreme and District Courts of Appeal reports.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1249 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Evans, Flaherty, Gerdes, Hans, Irwin, Jones, King, Luce, Maddux, Mott, Purkitt, Rush, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 167—An Act appropriating money for repairs and improvements to buildings and equipment at the California Polytechnic School.

On motion of Senator Campbell, Senate Bill No. 167 was passed on file.

Senate Bill No. 358—An Act to appropriate money for repairs and improvements to the Chico State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 358 passed by the following vote:

AYES—Senators Ballard, Birdsall, Butler, Carr, Cogswell, Cohn, Crowley, Evans, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Maddux, Mott, Rush, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 97—An Act to amend sections 2, 3 and 6 of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an Act approved December 18, 1911, relating to the powers and duties of the Building and Loan Commissioner.

On motion of Senator Benson, Senate Bill No. 97 was passed on file.

Senate Bill No. 184—An Act to appropriate money for repairs and alterations to main buildings Santa Barbara State Normal School of Manual Arts and Home Economics.

On motion of Senator Mott, Senate Bill No. 184 was passed on file.

Senate Bill No. 185—An Act to appropriate money to pay the expense of improving the grounds of the Santa Barbara State Normal School of Manual Arts and Home Economics, including grading, installation of sewer, gas and water mains and conduits.

On motion of Senator Mott, Senate Bill No. 185 was passed on file.

Senate Bill No. 373—An Act to appropriate money to construct an addition to the manual training building of the Los Angeles State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 373 passed by the following vote:

AYES—Senators Beban, Benedict, Birdsall, Breed, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Maddux, Rush, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 372—An Act to appropriate money to purchase additional equipment for the industrial training departments of the Los Angeles State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 372 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Thompson, Tyrrell and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 371—An Act to appropriate money to complete and furnish the Los Angeles Normal School buildings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 371 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Mott, Purkitt, Rush, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 16—An Act increasing the number of judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 16 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1214—An Act to increase the number of judges of the Superior Court of the State of California in and for the county of Stanislaus to provide for the appointment of an additional judge and for his compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1214 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Gates, [illegible], Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill 752—An Act to provide two additional judges of the superior court of the county of Alameda.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 752 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Gates, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 246—An Act to appropriate money for the construction of a cottage for men patients at the Napa State Hospital.

On motion of Senator Rush, Senate Bill No. 246 was passed on file.

Senate Bill No. 247—An Act to appropriate money for the construction of a cottage for women patients at the Napa State Hospital.

On motion of Senator Rush, Senate Bill No. 247 was passed on file.

Senate Bill No. 248—An Act to appropriate money for the construction and equipment of a building or buildings as a home for workingmen on what is known as the Smith-Brown ranch, belonging to the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 248 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Gates, [illegible], Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Rush, Scott, Strobridge, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 249—An Act to appropriate money for remodeling south pay cottage at the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 249 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Breed, Butler, Campbell, Carr, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Tyrrell, and Wolfe—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 263—An Act to appropriate money for the development of water, including the installation of pumping station and mains at the Southern California State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 263 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Tyrrell, and Wolfe—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 294—An Act to appropriate money for the purchase and installation of three electric elevators at the Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 294 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Butler, Campbell, Carr, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 296—An Act to appropriate money for plumbing repairs at the Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 296 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 925—An Act appropriating money to pay the claim of the Southern Pacific Company, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 925 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boyd, Butler, Campbell, Carr, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lee, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1254—An Act reappropriating the money appropriated to carry out the provisions of the Water Commission Act, approved June 16, 1913, and making the same available for the purpose of said Act during the sixty-seventh and sixty-eighth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1254 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boyd, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lee, Maddux, Mott, Purkitt, Strobridge, Thompson, Tyrrell, and Wolfe—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1261—An Act to appropriate money to pay the claims of corporations, arising from exemptions under the provisions of section 14 of article XIII of the Constitution, for the return of corporation license tax erroneously collected.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1261 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boyd, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Kehoe, King, Lee, Maddux, Mott, Purkitt, Rush, Strobridge, Thompson, and Wolfe—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1253—An Act authorizing the Governor to appoint a commission to investigate and report to the forty-second session of the Legislature concerning the adoption of a system of social insurance and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1253 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Boyd, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Maddux, Mott, Rush, Strobridge, Stuckenbruck, Thompson, and Wolfe—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 95—An Act to amend section 2982 of the Political Code, relating to the secretary and assistant of the secretary of the State Board of Health.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 95 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Carr, Cogswell, Crowley, Finn, Flaherty, Gerdes, Hans, Jones, Kehoe, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

Senate Bill No. 359—An Act to appropriate money for remodeling the buildings at the San Francisco State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 359 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Campbell, Cogswell, Cohn, Crowley, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 619—An Act prescribing a certain kind of water glass for use on steam locomotives; providing a penalty for neglect to use such glass;

Also: Assembly Bill No. 493—An Act to regulate the use of derailing switches or other derailing devices, in the operation of railroads in the State of California; providing for the use of sign boards in connection with such derailing switches or devices for the purpose of designating the location of the same to approaching trains, their engine men and crews; providing penalties for the violation of its provisions; and providing for the enforcement of this Act by the Railroad Commission;

Also: Assembly Bill No. 524—An Act to require employers of labor to furnish, without charge, pure drinking water to their employees during working hours;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CARR, Chairman.

Assembly Bills Nos. 619, 493 and 524 ordered on file for second reading.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1003—An Act to amend sections 1 and 6 of an Act entitled "An Act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts," approved March 22, 1905, as amended by an Act approved March 3, 1909," has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

CARR, Chairman.

Assembly Bill No. 1003 ordered on file for second reading.

CONSIDERATION OF MOTION TO RECONSIDER (POSTPONED).

On motion of Senator Kehoe, the consideration of the motion to reconsider the vote whereby Senate Bill No. 29 was refused passage was continued until the next legislative day.

ADJOURNMENT.

At ten o'clock and forty-five minutes p.m., on motion of Senator Gerdes, the Acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Friday, April 30, 1915.

The Senate met at ten o'clock a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benson, Boyce, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

Quorum present.

PRAYER.

By invitation of the President pro tem., prayer was offered by Rev. C. E. Woodman, of Newman Hall, Berkeley.

LEAVE OF ABSENCE.

Senator Chandler was, on motion of Senator Flint, granted leave of absence for this day.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Purkitt, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. D. A. Shellove, of Willows, and Mr. W. O. Edmands, of Lakeport, Cal.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 29, 1915, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 368—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes, approved March 31, 1897," by amending sections 1, 5, 28, 57, 61, 72, 90 and 91, and by adding new sections, to be known as sections 41*a* and 61*a*—and requests that your honorable body recede therefrom.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

REFUSAL TO RECEDE.

Senator Jones moved that the Senate refuse to recede from Senate amendments to Assembly Bill No. 368.

The question being "Shall the Senate recede from Senate amendments to Assembly Bill No. 368?"

The roll was called, and the Senate refused to recede from the Senate amendments to Assembly Bill No. 368 by the following vote:

AYES—None.

NOES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Rush, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—26.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President pro tem. announced the appointment of Senators Cogswell, Birdsall, and Irwin as a Committee on Conference to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 368.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendments to Assembly Bill No. 1283—An Act authorizing municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same;

Also: Assembly Bill No. 728—An Act to amend section 4246 of the Political Code, relating to salaries and fees of officers in counties of the seventeenth class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1300—An Act to amend section 17 of an Act entitled "An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers and duties of public utilities, their officers, define its powers and duties and the rights, remedies, of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the 'Railroad Commission fund' and appropriating the moneys therein to carry out the provisions of this Act, and repealing the Railroad Commission Act, approved February 10, 1911," and also repealing an An Act entitled "An Act to amend the Railroad Commission Act by amending section 15 thereof, relating to powers and duties of the Railroad Commission of the State of California and to amend section 37 thereof, relating to free and reduced rate transportation for freight and passengers," approved April 6, 1911, and all Acts and parts of Acts inconsistent with the provisions of this Act (approved December 23, 1911).

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1300 read first time and referred to Committee on Public Utilities.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 497—An Act to amend the Political Code by changing the headings of the title to chapter II of title V of part III of said Political Code, also by changing the headings of the title to article I of chapter II of title V of part III of said Political Code, and to repeal section [illegible] of said Political Code, and to amend section 2238, 2239 and 2240 of said Political Code, and to repeal sections 2241 and 2242 of said Political Code, and to [illegible] section 2243 of said Political Code, and to amend said Political Code by changing the headings of the title to article II of chapter II of title V of part III of said Political Code, and to amend sections 2254 and 2255 of said Political Code, and to [illegible] section 2256 of said Political Code, and to amend said Political Code by changing the headings of article III of chapter II of title V of part III of said Political Code, and to amend sections 2267 and 2268 of said Political Code, and to repeal section 2269 of said Political Code, and to amend said Political Code by changing the headings of article IV of chapter II of title V of part III of said Political Code, and to amend section 2280 of said Political Code, and to repeal section [illegible] of said Political Code, all relating to the California School for the Deaf and the Blind;

Also: Senate Bill No. 337—An Act to amend section [illegible] of the Political Code, relating to the compensation of county and township officers and the fees and mileage of grand jurors and of trial jurors in criminal cases in counties of the fifty-third class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 497 and 337 ordered to enrollment.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1240—An Act to establish a conservation, bird and arbor day, and to repeal an Act entitled "An Act to establish a bird and arbor day," approved March 3, 1909;

Also: Senate Bill No. 932—An Act to validate the organization and formation of levee districts;

Also: Senate Bill No. 610—An Act to provide for the establishment, government, and maintenance of city planning commissions within municipalities and prescribing their powers and duties;

Also: Senate Bill No. 1233—An Act to amend section [illegible] of the Political Code, relating to the correction and cancellation of assessments, sales to the State, certificates of sale, or tax deeds to the State.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1240, 932, 610 and 1233 ordered to enrollment.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 118—An Act to amend section 4232 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in counties of the third class;

Also: Senate Bill No. 736—An Act to amend section 1619 of the Political Code, relating to rights and privileges in school districts;

Also: Senate Bill No. 1011—An Act to amend section 1444 of the Code of Civil Procedure of the State of California, relating to appraisers of estates of deceased persons;

Also: Senate Bill No. 1009—An Act to amend section 1723 of the Code of Civil procedure of the State of California, relating to disposition of life estates or homesteads, on owner's death, in certain cases.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 118, 736, 1011 and 1009 ordered to enrollment.

Also:

SACRAMENTO, April 29, 1915.

MR PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 315—An Act to amend section 2192 of the Political Code, relating to the commitment of incompetents other than insane persons;

Also: Senate Bill No. 452—An Act to amend sections 1768 and 1770 of the Political Code of the State of California, relating to the appointment and organization of County Boards of Education;

Also: Senate Bill No. 743—An Act to amend section 626*j* of the Penal Code of the State of California, relating to the protection of game;

Also: Senate Bill No. 474—An Act to amend section 290 of the Civil Code of the State of California, relating to articles of incorporation and what they must set forth;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 315, 452, 743, and 474.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNRDED FIFTEEN.

Adopted April 20, 1915.

AMENDMENT NUMBER ONE.

On page 1, line 3 of the printed bill, strike out the words "any peace officer, or whenever".

AMENDMENT NUMBER TWO.

On page 1, line 9 of the printed bill, strike out the period in said line and insert in lieu thereof a semicolon and the following: "*provided*, that any peace officer may petition said court for an order admitting such a person to such hospital".

Adopted April 27, 1915.

AMENDMENT NUMBER ONE.

On page 2, line 10, strike out "its" and insert in lieu thereof the following: "his".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 315?"

The roll was called, and Assembly amendments to Senate Bill No. 315 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Butler, Campbell, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Senate Bill No. 315 ordered to enrollment.

Senate Bill No. 452—An Act to amend sections 1768 and 1770 of the Political Code of the State of California, relating to the nomination, appointment and organization of county boards of education.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED FIFTY-TWO.

Adopted April 20, 1915.

AMENDMENT NUMBER ONE.

On page 1, line 1, strike out the period and insert in lieu thereof a semicolon and the following: "*provided*, that in counties in which the county superintendent of schools is not required by law to devote full time to the duties of his office, the member appointed by the county superintendent of schools shall not be known and designated as assistant superintendent of schools, nor shall he perform the duties or receive the salary of such position. The assistant superintendent of schools allowed under the provisions of this section shall be in addition to, and not in lieu of, any assistant superintendent of schools or deputy superintendent of schools, allowed under any other section or sections of this Code."

AMENDMENT NUMBER TWO

On page 1, line 5, after the word "education", insert the following: ", the majority of the members of which shall be residents of the territory under the jurisdiction of said board,".

AMENDMENT NUMBER THREE

On page 2, line 2, strike out at the end thereof the period and insert in lieu thereof a semicolon and the following words: "provided, that each assistant appointed by the superintendent of schools shall have had at least five years of experience in teaching or in supervision of teaching in the elementary schools".

AMENDMENT NUMBER FOUR

On page 2, line 37, strike out the words "shall be" and insert in lieu thereof a comma.

AMENDMENT NUMBER FIVE

On page 3, line 1, strike out the words [illegible] and insert in lieu thereof a comma and the following: "[illegible]".

AMENDMENT NUMBER SIX

On page 3, line 2, strike out the words "[illegible]".

AMENDMENT NUMBER SEVEN

On page 3, line 2, strike out the semicolon and insert in lieu thereof the word "and".

AMENDMENT NUMBER EIGHT

On page 3, strike out all of line 3 and the words "[illegible]" in line 4.

Adopted April [illegible], 1915.

AMENDMENT NUMBER ONE

On page 1, line 7, strike out the semicolon and insert in lieu thereof a comma.

AMENDMENT NUMBER TWO

On page 2, line 3, strike out the words "assistant superintendent of schools" and insert in lieu thereof the words "school supervisor".

AMENDMENT NUMBER THREE

On page 2, line 7, strike out the words "assistant superintendent" and insert in lieu thereof the words "school supervisor".

AMENDMENT NUMBER FOUR

On page 2, line 8, strike out the words "of schools".

AMENDMENT NUMBER FIVE

On page 2, line 9, beginning with the word "The" following the period, strike out all of lines 9 to 13, inclusive, down to and including the period in line 13.

AMENDMENT NUMBER SIX

On page 3, line 18, strike out the words "assistant superintendent", and insert in lieu thereof the words "school supervisor".

AMENDMENT NUMBER SEVEN

On page 4, line 14, strike out the words "assistant superintendent", and insert in lieu thereof the words "school supervisor".

AMENDMENT NUMBER EIGHT

On page 4, line 29, strike out the word "assistant", and insert in lieu thereof the words "school supervisor".

AMENDMENT NUMBER NINE

On page 4, line 30, strike out the word "superintendent".

Adopted April [illegible], 1915.

AMENDMENT NUMBER ONE

On page 4, beginning with the word "a" in line 10, strike out all of lines 10, 11 and 12, and all of line 13 down to the period, and insert in lieu thereof the following: "as compensation for the services required of him by law a salary which shall be three-fourths of the salary paid to the county superintendent of schools; *provided*, that no school supervisor shall be paid less than twelve hundred dollars per annum".

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 452?"

The roll was called, and Assembly amendments to Senate Bill No. 452 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Butler, Campbell, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Senate Bill No. 452 ordered to enrollment.

Senate Bill No. 743—An Act to amend section 626*j* of the Penal Code of the State of California, relating to the protection of game.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED FORTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 4 of the printed bill, after the word "person", insert the words "group of persons or hunting party".

AMENDMENT NUMBER TWO.

On page 1, line 5 of the printed bill, strike out the word "wilfully".

AMENDMENT NUMBER THREE.

On page 1, line 8 of the printed bill, strike out the word "wilfully".

AMENDMENT NUMBER FOUR.

On page 2, line 1 of the printed bill, strike out the period and insert in lieu thereof the following: "and shall cause to be posted in the county seat of the county in which said dog or dogs were caught running deer, three notices for a period of ten days, said notices to contain a description of the said dog or dogs".

AMENDMENT NUMBER FIVE.

On page 2, line 4 of the printed bill, after the period, insert the following: "if such dog or dogs are claimed by any person said claimant, upon receiving such dog or dogs, shall pay to the Fish and Game Commission, or their representative, the sum of twenty five dollars for each dog, which money shall be paid into the treasury to the credit of the Fish and Game Fund."

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 743?"

The roll was called, and Assembly amendments to Senate Bill No. 745 were concurred in by the following vote:

AYES—Senators Anderson, Beban, Benson, Butler, Campbell, Cogswell, Cohn, Duncan, Finn, Flaherty, Gerdes, Hans, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—24.

NOES—None.

Senate Bill No. 743 ordered to enrollment.

Senate Bill No. 474—An Act to amend section 290 of the Civil Code of the State of California, relating to articles of incorporation and what they must set forth.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED SEVENTY-FOUR.

AMENDMENT NUMBER ONE.

On page 1, line 13, strike out the words "or to be", also strike out all of lines 14 and 15, on page 1, on page 2 strike out lines 1 to 37, inclusive, and on page 3, strike out lines 1 to 10, inclusive, and insert in lieu thereof the following: "or to be formed for purposes other than profit, may be exercised, conducted, and controlled by a board, consisting of such number of directors as may be in the constitution or by-laws provided; and corporations so formed may, in their constitution or by-laws, provide for the length of time that the directors, or any number thereof, shall act, and may in like manner provide that certain directors, or a certain number of the board of directors, to be selected by the corporation or the board of directors, in the mode and manner provided by the constitution or by-laws, shall act for any specified length of time, or otherwise, as shall be in the constitution or by-laws set forth.

"6. The amount of its capital stock, and the number of shares into which it is divided and the par value thereof; corporations formed for profit, pursuant to the provisions of this Code, may, by their articles of incorporation, provide for the classification of their capital stock into preferred and common stock. In the event that the articles of incorporation shall provide for such classification, the same must contain a statement of the number of shares of stock to which preference is granted, and the number of shares of stock to which no preference is granted. The articles of incorporation shall also state, in clear and distinct language, the nature and extent of the preference granted, and except as so far as otherwise stated, no distinction shall exist between said classes of stock or the holders thereof; *provided, however,* that no preference shall be granted nor shall any distinction be made between the classes of stock either as to voting power or as to the statutory or constitutional liability of the holders thereof to the creditors of the corporation; *and provided, further,* that the preferred and common shares shall be of the same par value.

"7. If there is a capital stock, the amount actually subscribed, and by whom."

The question being "Shall the Senate concur in Assembly amendment to Senate Bill No. 474?"

The roll was called, and Assembly amendment to Senate Bill No. 474 was concurred in by the following vote:

AYES—Senators Ballard, Beban, Boynton, Birdsall, Breed, Butler, Campbell, Cogswell, Crowley, Finn, Flaherty, Grant, Gates, Hans, Irwin, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Slater, Strobridge, Sutherland, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Senate Bill No. 474 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—RESUMED.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 655, An Act to provide for branding on the back of all crabs the name of the place where they were caught, and providing a penalty for the violation thereof.

Also, Senate Bill No. 906—An Act concerning the title of certain State lands.

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 655 and 906.

Senate Bill No. 655—An Act to provide for branding on the back of all crabs the name of the place where they were caught, and providing a penalty for the violation thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED FIFTY-FIVE.

AMENDMENT NUMBER ONE.

In lines 2 and 3 of the title, strike out the words "brought into the State of California", and insert in lieu thereof the word "The".

AMENDMENT NUMBER TWO.

On page 1, lines 1 and 2, strike out the words "No person shall bring into the State of California any crab, whether alive or dead", and insert in lieu thereof the following: "No crab brought into the State of California, and no crab, whether caught within said State or brought into it, shall be offered, or exposed for sale, or sold, exchanged or given away or shall be shipped or offered for shipment".

AMENDMENT NUMBER THREE.

On page 1, lines 14 and 15, strike out the words "any crab caught or taken from any place outside of the State of California" and insert in lieu thereof the following: "or to exchange or give away, or ship or offer for shipment any crab".

AMENDMENT NUMBER FOUR.

On page 2, line 5, following the word "sale", insert the words: "or to exchange or give away or ship or offer for shipment".

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 655?"

The roll was called, and Assembly amendments to Senate Bill No. 655 were concurred in by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Cogswell, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Mott, Purkitt, Rush, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Senate Bill No. 655 ordered to enrollment.

Senate Bill No. 906—An Act providing for the sale of certain State lands.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED SIX.

ADOPTED APRIL 16, 1915.

AMENDMENT NUMBER ONE.

On page 1, lines 7 and 8, strike out the words "at not less than an appraised value,".

ADOPTED APRIL 27, 1915.

AMENDMENT NUMBER ONE.

On page 1, line 8, following the word "general" insert a comma and the following: "under such rules and regulations as may be prescribed by him,".

AMENDMENT NUMBER TWO.

On page 1, line 13, strike out commencing with the comma following the word "control," all down to and including the word "general" in line 15, page 1.

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 906?"

The roll was called, and Assembly amendments to Senate Bill No. 906 were concurred in by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Cogswell, Crowley, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Rush, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

NOES—None.

Senate Bill No. 906 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 336—An Act to amend section 4280 of the Political Code of the State of California, relating to the compensation of officers of counties of the fifty-first class;

Also: Senate Bill No. 839—An Act to amend section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies;

Also: Senate Bill No. 459—An Act to create a flood control district to be called "Los Angeles County Flood Control District"; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters; and for the construction of works and the acquisition of property therefor; in adopting the [illegible] for the issuing, sale and selling of bonds and the levying and collecting of taxes in said district; to provide for the government and control of said district; and to define the powers and duties of the officers thereof.

L. E. MALLORY, Chief Clerk of Assembly.
M. STERN, Assistant Clerk.

Senate Bills Nos. 556, 839 and 459 ordered to enrollment.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed Assemblymen Mott, Harris and Wilson as a Committee of Conference to meet a like Committee from the Senate, to consider amendments to Assembly Bill No. 520—An Act to amend the Penal Code by adding thereto two new sections to be known and numbered as section 1108 and section 1109, relating to labor unions.

L. E. MALLORY, Chief Clerk of Assembly.
M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly April 27th adopted Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the constitution of the State, by amending section 16½ of article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks.

L. E. MALLORY, Chief Clerk of Assembly.
M. STERN, Assistant Clerk.

Senate Constitutional Amendment No. 19 ordered to enrollment.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1495—An Act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of the land thereof from the Sacramento River from flooding onto the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintaining the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district.

Also, Assembly Bill No. 533—An Act to amend section 4023 of the Political Code, relating to changes in supervisorial districts.

L. E. MALLORY, Chief Clerk of Assembly.
M. STERN, Assistant Clerk.

Assembly Bill No. 1495 read first time and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 533 read first time and referred to Committee on County Government.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 882—An Act to amend section 2183 of the Political Code, relating to superintendents of state hospitals.

Also, Assembly Bill No. 1337—An Act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals, the acquisition of property therefor, the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds

thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds:
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CROWLEY, Chairman.

Assembly Bills Nos. 882 and 1337 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations to which was referred Senate Bill No. 203—An Act to authorize the incurring of indebtedness by counties, cities and counties and incorporated cities and towns for public improvements and the acquisition of public utilities, and regulating the procedure of acquiring the same—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Senate Bill No. 203 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

BY THE COMMITTEE ON CONTINGENT EXPENSES.

Resolved, That the State Controller be and is hereby directed to draw his warrant in favor of the Western Union Telegraph Company and The Recorder Printing and Publishing Company for the respective amounts hereinafter named for services rendered and material furnished the Senate during the fortieth session of the California Legislature as per bills attached, and the Treasurer is hereby authorized and directed to pay the same.

Western Union Telegraph Company, toll on message, telegraphing resolution to the President of the United States April 23, 1913, page 1786, Senate Journal 1913	$9 30
The Recorder Printing and Publishing Co., 50 copies "Pending Legislation 1913" as per resolution adopted March 17, 1913, Senate Journal, page 602	50 00

Senator Beban moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—26.

NOES—None.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants; allowing those licensed to treat diseases, injuries, deformities, or other physical or psychopathic conditions of human beings by drugless methods; to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties; making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act.

Bill read third time previously.

During the discussion of Senate Bill No. 310, the further consideration was continued on account of a Special Order.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of the motion of Senator Wolfe to reconsider the vote whereby Senate Bill No. 352 was, on a previous day, passed, heretofore set as a special order for eleven o'clock a.m., the same was taken up for consideration.

Senate Bill No. 352—An Act to amend section 1687 of the Political Code, relating to qualifications of teachers for first grade.

SENATOR MOTT IN THE CHAIR.

At ten o'clock and thirteen minutes a.m., Senator Mott of the twenty-fifth District, in the chair.

CONSIDERATION OF MOTION TO RECONSIDER—(RESUMED).

PRESIDENT IN THE CHAIR.

At eleven o'clock and thirty-five minutes a.m., Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

CONSIDERATION OF MOTION TO RECONSIDER—(RESUMED).

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Strobridge, the hour of recess was extended until twelve o'clock and forty minutes p.m.

The question being on the motion to reconsider the vote whereby Senate Bill No. 352 was, on a previous day, passed.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Senators Beban, Brown, Campbell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Scott, Shearer, Tyrrell, and Wolfe—14.

NOES—Senators Anderson, Ballard, Benedict, [illegible], Birdsall, Breed, Carr, Cogswell, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Slater, Stuckenbruck, and Thompson—20.

RECESS.

At twelve o'clock and forty minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 816—An Act to amend section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said Commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties;

Also: Senate Bill No. 144—An Act to provide for the survey and construction of a State highway through the Pacheco Pass connecting the State highway in Santa Clara County at Gilroy with the State Highway in Madera County at or near Califa, and making an appropriation therefor;

Also: Senate Bill No. 426—An Act to appropriate money to pay the cost of printing, publishing and distributing State textbooks free to the school children of the State in accordance with the provisions of the Constitution;

Also: Senate Bill No. 345—An Act to appropriate money for furnishing, equipping and maintaining the Exposition Building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California;

Also: Senate Bill No. 1149—An Act to appropriate money to pay the claim of Harve Oliver Waterman against the State of California;

Also: Senate Bill No. 44—An Act to make an appropriation for the purpose of purchasing additional rights of way, land and trees on and along the course of the Lake Tahoe Wagon Road;

Also: Senate Bill No. 545—An Act to provide for the appointment of a Board of Pio Pico Mansion Trustees and for the acquisition of the Pio Pico Mansion property; and making an appropriation for the preservation and protection of said property;

Also: Senate Bill No. 148—An Act to provide for the establishment and maintenance of a bureau of tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis; making an appropriation therefor; and repealing certain Acts of the Legislature of the State of California;

Also: Senate Bill No. 18—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the Woman's Building, and making an appropriation therefor;

Also: Senate Bill No. 297—An Act providing for the construction and repairing of live stock barns and sheds on the State Fair Grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor;

Also: Senate Bill No. 35—An Act making an appropriation to make general plans for the improvement of the State Fair Grounds at Agricultural Park in the city of Sacramento and to make surveys, specifications and estimates therefor under the direction of the State Department of Engineering;

Also: Senate Bill No. 47—An Act declaring the county road extending from Auburn, State of California, in an easterly direction to a point near Emigrant Gap, a state highway and making an appropriation for the improvement thereof;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 816, 144, 426, 345, 1149, 44, 545, 148, 18, 297, 35 and 47 ordered on file for second reading.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Finance to which was referred Senate Bill No. 838—An Act to provide for the establishment and maintenance of a department of sanitary engineering under the direction of the State Board of Health and making an appropriation therefor;

Also: Senate Bill No. 1250—An Act to appropriate money to pay the deficiency in the appropriation for the support of the Commission of Immigration and Housing of California for the sixty-sixth fiscal year;

Also: Senate Bill No. 1234—An Act providing an appropriation for painting and exterior repair of the building on the Capital grounds occupied by the state printing plant;

Also: Senate Bill No. 1082—An Act to amend section [illegible] of the Code of Civil Procedure, relating to the [illegible] appointment of [illegible] additional [illegible] Court Judges [illegible] and providing for their compensation.

Also: Senate Bill No. [illegible]—An Act to appropriate money to pay the claim of Miller [illegible] against the State of California.

Also: Senate Bill No. [illegible]—An Act providing for the appointment of a commission to investigate and report [illegible] relative to the [illegible] of a system of road construction [illegible] making an appropriation therefor.

Also: Assembly Bill No. 615—An Act to appropriate the sum of $11,433.82 out of the San Francisco Harbor Improvement Fund [illegible] by the city and county of San Francisco [illegible].

Has had the same under consideration and respectfully reports the same back without amendments and recommends that they do pass.

[illegible], Chairman.

Senate Bills Nos. 858, 1240, 1274, 1082, 1257 and 1063 ordered on file for second reading.

Assembly Bill No. 615 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1018—An Act [illegible] has had the same under consideration and respectfully reports the same back and recommends that same do pass.

BIRDSALL, Chairman.

Assembly Bill No. 1018 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 963—An Act to amend sections 1, 2 and 3 of an Act entitled "An Act to secure the payment of [illegible] by contractors upon State, municipal or other public works," approved [illegible], as amended by an Act approved May 1, 1911, and to add a new section to said Act, to be numbered section 4.

Also: Senate Bill No. 1262—An Act to amend section 170 of the Code of Civil Procedure of the State of California relating to disqualification of [illegible] to sit or act.

Also: Senate Bill No. 1140—An Act to amend section 278 of the Political Code of the State of California, relating to the [illegible] (salaries of officers and attachés of the Senate and Assembly).

Also: Assembly Bill No. 1418—An Act to amend section 718 of the Civil Code relating to [illegible].

Has had the same under consideration and respectfully reports the same back with amendments and recommends that they do pass as amended.

KEHOE, Chairman.

Senate Bills Nos. 963, 1262 and 1140 ordered on file for second reading.

Senate Bill No. 1418 ordered on file for second reading.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 989—An Act to create a State Purchasing Department, to define the authority, powers and duties thereof; to provide for the appointment of and to define the authority, powers and duties and to fix the salaries and terms of the officers and employees thereof; to provide funds for the support and maintenance thereof; to provide for the manner of payment of [illegible]; to create a revolving fund therefor, to provide for the [illegible] thereof, to define the authority, powers and duties of, and to fix the salaries of a State Purchasing Agent, an Assistant State Purchasing Agent, and a State Testing Engineer, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act, has had the same under consideration, and respectfully reports the same back and recommends that it do pass and be re-referred to Committee on Finance.

KEHOE, Chairman.

Assembly Bill No. 989 ordered re-referred to Committee on Finance.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 707—An Act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

KEHOE, Chairman.

Assembly Bill No. 707 ordered on file for second reading.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1263—An Act defining and regulating the sale of cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas, requiring the same to be properly marked as to weight, size and use of fillers or other preparations; and prescribing penalties for violation hereof;

Also: Assembly Bill No. 1333—An Act to amend section 4142*a* of the Political Code relating to the time when contracts, plans and specifications may be returned or destroyed by recorders;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Senate Bill No. 1263 ordered on file for second reading.

Assembly Bill No. 1333 ordered on file for second reading.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Judiciary to which was referred Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to section 6½ of article XI of the Constitution of the State of California, relating to charters of counties and amendments to such charters and to the surrender thereof—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted as amended.

KEHOE, Chairman.

Senate Constitutional Amendment No. 25 ordered on file.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Judiciary to which was referred Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 17 of article VI of said constitution;

Also: Senate Concurrent Resolution No. 22—Relative to the correction of erroneous reports regarding California's experience under woman suffrage;

Has had the same under consideration, and respectfully reports the same back and recommends that they be adopted.

KEHOE, Chairman.

Senate Constitutional Amendment No. 26 ordered on file.

Senate Concurrent Resolution No. 22 ordered on file.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 619—An Act prescribing a certain kind of water-glass for use on steam locomotives; providing a penalty for neglect to use such glass, and prescribing a rule of evidence in civil suits for damages occasioned by such negligence.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 493—An Act to regulate the use of derailing switches or other derailing devices, in the operation of railroads in the State of California; providing for the use of sign boards in connection with such derailing switches or devices for the purpose of designating the location of the same to approaching trains, their engine men and crews; providing penalties for the violation of its provisions, and providing for the enforcement of this Act by the Railroad Commission.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 524—An Act to require employers of labor to furnish, without charge, pure drinking water to their employees during working hours.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1003—An Act to amend section 6 of an Act entitled "An Act to provide for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts," approved March 22, 1905, as amended by an Act approved March 3, 1909.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, strike out the word "sections" and insert in lieu thereof the word "section". Also in the same line strike out [illegible].

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 11, after the period insert the following:

"The grantor may, however, in such franchise, [illegible] terms and conditions not in conflict herewith, whether governmental or contractual in character, as in the judgment of the legislative body thereof are to the public interest".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, between lines 11 and 12, insert the following:

"SEC. 2. Section 6 of said Act is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 29, after the period add the following: "Where any such franchise is other than for a street or interurban railroad, [illegible] in good faith so as to meet and fill the reasonable needs of the inhabitants of the territory for the service of which the franchise is granted."

Amendment adopted.

AMENDMENT NUMBER FIVE.

To the end of the Act add a new section to read as follows:

"SEC. 3. Nothing in this Act contained shall affect any franchise or the conditions thereof heretofore granted under the terms of the Act of which this is amendatory."

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1587—An Act to amend section 4237 of the Political Code, relating to the salaries and fees of officers in counties of the eighth class.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1235—An Act to amend the Political Code by adding a new section thereto to be numbered 1618*a*, providing for the establishment of separate classes for the instruction of pupils who from any cause are deficient in their studies.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Butler moved a call of the Senate.

ROLL CALL ORDERED.

After a viva voce vote was had the chair expressed doubt as to the result and directed the Secretary to call the roll.

The roll was called and the motion was declared carried by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Breed, Brown, Butler, Campbell Cogswell, Cohn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Slater, Stuckenbruck, Thompson, and Wolfe—26.

NOES—None.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—32.

The Secretary announced the absentees.

Time, two o'clock and twenty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At two o'clock and thirty-five minutes p.m., Senators Duncan, Rush, Hans, Tyrrell and Beban were brought to the bar of the Senate, and, on motion of Senator Gerdes, excused for absence from the Senate Chamber

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Butler.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 1235 refused passage by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall Brown, Carr, Cogswell, Crowley, Finn, Kehoe, King, Luce, Lyon, Thompson, and Wolfe—16.

NOES—Senators Benson, Breed, Butler, Campbell, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Tyrrell—21.

NOTICE OF MOTION TO RECONSIDER.

Senator Butler gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1235 was refused passage.

LEAVE OF ABSENCE.

Senator Owens was, on motion of Senator Campbell, granted leave of absence for the balance of this legislative day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 18—An Act declaring the wagon road from McKinney's to the west end of Donner Lake a state highway.

Also, Senate Bill No. 1265—An Act to amend section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners and their assistants and employees, and prescribing their duties and powers.

Also, Senate Bill No. 592—An Act to make an appropriation for the purpose of making a survey for a state highway from the intersection of the state highway and the Klamath River road in Siskiyou County to the terminus of the Humboldt County road at Orleans at the mouth of the [illegible] River.

Also, Senate Bill No. 243—An Act to appropriate money for construction and equipment of bathrooms in the barracks at the Veterans' Home.

Also, Senate Bill No. 244—An Act to appropriate money for plumbing and repairs to plumbing at the Veterans' Home of California.

Also, Senate Bill No. 245—An Act to appropriate money for wiring for electricity at the Veterans' Home of California.

Also, Senate Bill No. 190—An Act to appropriate money for the purchase of additions to the dairy herd at the Stockton State Hospital.

Also, Senate Bill No. 192—An Act to appropriate money for the construction and furnishing of a convalescent building for females at the Stockton State Hospital.

Also, Senate Bill No. 194—An Act to appropriate money for the purchase and expense of installation of a boiler at the Stockton State Hospital.

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Conference concerning Assembly Bill No. 850—An Act to amend the Penal Code by adding thereto two new sections, to be known and numbered as section 349[illegible] and section 349[illegible], relating to labor unions—reports that it has met a like committee of the Assembly, consisting of Assemblymen Phelps, Meek and Harris, and reports that the Conference Committee has been unable to agree, and recommends that a Committee on Free Conference on said bill be appointed.

CROWLEY,
BENSON,
CARR.

Report read and, on motion of Senator Crowley, adopted, and the committee discharged.

RESOLUTION—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent for the consideration at this time under suspension of the rules of the following resolution without reference to committee:

WHEREAS, It is necessary to continue certain statutory legislative employees of the Superintendent of Capitol Building and Grounds during the present session of the Legislature on and after April 30, 1915, to properly accommodate said latter body, and also to do certain necessary repair and general clean-up work of the legislative chamber and committee rooms after adjournment; and

WHEREAS, The statutory provision for the salaries of said legislative employees expires April 30, 1915; now, therefore, be it

Resolved, That the State Controller be and he is hereby directed and authorized to draw his warrant upon the contingent fund of the Senate in favor of George G.

Radcliff, and the State Treasurer is hereby directed to pay the same, for the sum of five hundred dollars ($500.00), said amount being in payment of said services.

Resolution read.

Senator Strobridge moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Irwin, Kehoe, Luce, Lyon, Maddux, Mott, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—29.

NOES—None.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill 1190—An Act to provide for the protection of stockholders, investors and creditors by requiring certain copartnerships, joint stock companies and corporations to cause to be issued certified balance sheets and statements of income, profit and loss, and providing for adequate penalties for the violation of the provisions hereof—has had the same under consideration, and respectfully recommends that it do pass as amended.

JONES, Chairman.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: The undersigned present and file this as a minority report of the Committee on Corporations on Senate Bill No. 1190, entitled "An Act to provide for the protection of stockholders, investors and creditors by requiring certain co-partnerships, joint stock companies and corporations to cause to be issued certified balance sheets and statements of income, profit and loss, and providing for adequate penalties for the violation of the provisions hereof—and respectfully recommend that the same do not pass.

JONES.
CARR.

Senate Bill No. 1190 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations to which was referred Assembly Bill No. 1125—An Act to authorize municipal corporations, with the consent of original dedicators, to abandon parks and sell and convey the land embraced therein, and reinvest the proceeds from the sale thereof in the purchase of other public grounds—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Assembly Bill No. 1125 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Fish and Game to which was referred Assembly Bill No. 726—An Act to amend section 4 of an Act entitled "An Act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom, for fish preservation and restoration," approved June 16, 1913;

Also, Assembly Bill No. 727—An Act to amend section 4 of an Act entitled "An Act to regulate and license the hunting of wild birds and animals, etc.";

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that they do pass as amended.

FLINT, Chairman.

Assembly Bills Nos. 726 and 727 ordered on file for second reading

THIRD READING OF ASSEMBLY BILLS—[RESUMED.

Assembly Bill No. 589—An Act to amend section 7 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Irwin moved to refer to Senator Lyon as a Special Committee of One, to amend Assembly Bill No. 589 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 30, after the word "viz" strike out the [illegible]

AMENDMENT NUMBER TWO.

On page 2, line 30 after the [illegible] insert the following new paragraph:

"Glauber salts, vaseline, turpentine, [illegible] [illegible], cream of [illegible], [illegible] of soda, bay rum, essence of Jamaica ginger, [illegible] of [illegible], ammonia, [illegible], castor oil, bicarbonate of soda, [illegible] of lime, glycerine, [illegible], borax, sulphur, bluestone, [illegible], [illegible] [illegible], fly paper, bug poison, [illegible] poison, and gopher poison and [illegible] [illegible] [illegible] when prepared and sold only in original and [illegible] packages and labeled with the official poison labels as provided in and by section 19 of an Act entitled 'An Act to regulate the practice of pharmacy in the State of California,' approved March 20, 1905, as said Act was amended March 21, 1907, and as said Act was amended April 21, 1909, known as the 'Pharmacy Act,' it being the intention and purpose of this Act that its provisions shall be in conformity and harmony with the provisions of said Pharmacy Act".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 589, with instructions to amend, respectfully reports the same back amended as per instructions.

LYON, Committee.

Report read and, on motion of Senator Irwin, adopted.

Bill ordered to print.

Assembly Bill No. 816—An Act providing for a two-platoon system in the fire departments of cities having paid fire departments.

By order of the President pro tem. Assembly Bill No. 816 was passed on file.

Assembly Bill No. 1000—An Act to amend section 1955 of the Civil Code of the State of California, relating to the letting and hiring of personal property.

On motion of Senator Ballard, Senate Bill No. 1000 was passed on file.

Assembly Bill No. 105—An Act to amend the Code of Civil Procedure of the State of California, by adding thereto a new section, to be numbered 1690, providing for the granting of letters of administration upon the estates of persons, presumed to be dead, by reason of absence from the State for seven years; and for the administration of the estates of such absent persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 105 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, Luce, Lyon, Mott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President pro tem. announced the appointment of Senators Lyon, Flaherty, and Irwin as a Committee on Free Conference to meet with a like committee from the Assembly for the consideration of Senate Bill No. 850.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1563—An Act validating the acts of county auditors and county treasurers when they pay out moneys according to a statutory law, should that law afterward be declared unconstitutional.

On motion of Senator Kehoe, Assembly Bill No. 1563 was ordered re-referred to Committee on Judiciary.

Assembly Bill No. 203—An Act to amend section 103½ of the Code of Civil Procedure, said amendment relating to clerks of justices' courts in cities or towns of the second and one-half class and third class, and appointments, salaries and duties of same.

On motion of Senator Tyrrell, Assembly Bill No. 203 was passed on file.

Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; creating a liability on the part of the employers to pay damages in certain cases; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Lyon moved to refer to Senator Luce, as a Special Committee of One, to amend Assembly Bill No. 487 as follows:

AMENDMENT NUMBER ONE.

Strike out all of section 5 on page 2 of the printed bill, and insert in lieu thereof the following:

"SEC. 5. Every person, or any agent of any person, co-partnership, association or corporation, who, having the ability to pay, shall wilfully refuse to pay the wages due and payable when demanded, as herein provided, or falsely deny the amount or validity thereof, or that the same is due, with intent to secure, for himself or any other person, any discount upon such indebtedness, or with intent to annoy, or harass, or oppress, or hinder, or delay, or defraud the person to whom such indebtedness is due, shall be guilty of a misdemeanor".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 487, with instructions to amend, respectfully reports the same back, amended as per instructions.

LUCE, Committee.

Report read, and on motion of Senator Lyon, adopted.

Bill ordered to print.

THIRD READING OF ASSEMBLY BILLS—RESUMED

Assembly Bill No. 937—An Act to amend section 1791 of the Political Code of the State of California, relating to the powers and duties of city, or city and county boards of examination.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 937 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Thompson, and Wolfe—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1227—An Act to amend section 1593 of the Political Code, relating to the election of school trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1227 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Slater, Thompson, and Wolfe—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 770—An Act to amend section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

Bill read third time.

The question being on the passage of the bill

SENATOR COHN IN THE CHAIR

At three o'clock and five minutes p.m. Senator Cohn of the seventh District, in the chair.

The roll was called, and Assembly Bill No. 770 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Thompson, and Wolfe—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER

Senator Kehoe gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 770 was passed.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 67—An Act to protect any child or person enrolled or in attendance upon any public or private school, or other educational institution, within the State of California, from compulsory vaccination; and to prevent vaccination being made a condition precedent or a prerequisite to admission to or attendance upon any of the public or private schools or other educational institutions within the State of California; making violations thereof a misdemeanor; providing penalties; making exceptions as to private educational institutions; and repealing an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An Act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1889," approved March 7, 1911.

By order of the Acting President, Assembly Bill No. 67 was passed on file.

Assembly Bill No. 775—An Act to amend section 1595 of the Political Code of the State of California, relating to the calling of an election of trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 775 passed by the following vote:

AYES—Senators Ballard, Beban, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No 1285—An Act to amend section 1104 of the Political Code, relating to the registration of voters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1285 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Strobridge, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Anderson, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. J. A. Stevenson of Santa Ana.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No 406—An Act to amend section 2552 of the Political Code, relating to the salaries of the Board of State Harbor Commissioners and assistants, and amendment relating to the salary of the president of the board and his duties, and the fund out of which the said salaries and the compensation of employees of the board shall be payable.

On motion of Senator Finn, Senate Bill No. 406 was passed on file.

Assembly Bill No. 611—An Act making an appropriation to pay for auto truck and equipment therefor for the State Printing Office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 611 passed by the following vote:

Ayes—Senators Beban, Benson, Birdsall, Breed, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gates, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1024—An Act to repeal section 7 of an Act entitled "An Act providing for the organization and management of mutual workmen's compensation insurance companies, and defining the same, and regulating the transaction of the business of mutual workmen's compensation insurance in the State of California," approved May 26, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1024 passed by the following vote:

Ayes—Senators Beban, Benson, Birdsall, Brown, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gates, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Rush, Scott, Strobridge, Tyrrell, and Wolfe—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At three o'clock and forty minutes p. m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 883—An Act to appropriate money for the erection of additional buildings for the use of the Naval Militia of the State of California at San Diego, California, and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 250—An Act to appropriate money for the purchase of additional land at the Napa State Hospital, Also: Senate Bill No. 482—An Act to amend section 1 of an Act entitled "An Act to create the office of State Dental Surgeon, prescribing his duties, fixing his manner of appointment, salary and term of office, and to make an appropriation for the expenses of his office," approved April 16, 1906;

Also: Senate Bill No. 183—An Act to appropriate money for the improvement of grounds and roads at the Sonoma State Home;

Also: Senate Bill No. 396—An Act to appropriate money for repairs, improvements and equipment at the Whittier State School;

Also: Senate Bill No. 1038—An Act to appropriate money for the construction of surface drains and to in other ways care for storm water at the California School for Girls located near Ventura;

Also: Senate Bill No. 416—An Act to appropriate money for the construction of a commissary building and equipment at the California School for Girls located near Ventura;

Also: Senate Bill No. 362—An Act to appropriate money for the purchase of machinery and equipment for the manufacturing departments at the state prison at San Quentin;

Also: Senate Bill No. 367—An Act to appropriate money for the development of the water supply and pumping plant at the state prison at San Quentin;

Also: Senate Bill No. 380—An Act to appropriate money for furnishing and decorating the Warden's residence at the state prison at Folsom.

Also: Senate Bill No. 381—An Act to appropriate money for the expense of changing from coal to oil burners at the state prison at Folsom.

Also: Senate Bill No. 382—An Act to appropriate money for the purchase of live stock for the state prison at Folsom;

Also: Senate Bill No. 383—An Act to appropriate money for reconstruction of electrical equipment connected with the power house at the state prison at Folsom;

Also: Senate Bill No. 384—An Act to appropriate money for repairs and improvements at the state prison at Folsom;

Also: Senate Bill No. 385—An Act to appropriate money for the purchase and installation of refrigerating plant at the state prison at Folsom;

Also: Senate Bill No. 386—An Act to appropriate money for the construction of farm buildings at the state prison at Folsom;

Also: Senate Bill No. 387—An Act to appropriate money for the expense of purchasing and installing new bake oven at the state prison at Folsom;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 783—An Act to amend section 1210 of the Political Code, relating to sample ballots.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 783 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY EDWIN F. SMITH AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 166—An Act to restrict fishing within seven hundred and fifty feet of any pier, wharf, jetty or breakwater in fish and game district number nineteen of the State of California.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Anderson moved to refer to Senator King as a Special Committee of One, to amend Assembly Bill No. 166, as amended in Assembly January 22, 1915, and April 1, 1915, as follows:

AMENDMENT NUMBER ONE.

On page 1, line 13, strike out the period at the end of the line and insert in lieu thereof the following: "; provided, however, that it shall be lawful to [illegible] with a hook and line during the months of September, October, November, December and January of each year."

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Anderson, King, and Tyrrell.
The Secretary was directed to call the roll.
The roll was called, and the motion to refer to Special Committee of One lost by the following vote:

Ayes—Senators Anderson, Ballard, Chandler, [illegible], Jones, Kehoe, King, Lee, McMillan, Strobridge, and Thompson—11.
Noes—Senators Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Irwin, Lyon, Mott, Purkitt, Rush, Scott, Sharkey, Slater, Tyrrell, and Wolfe—21.

The question being on the passage of Assembly Bill No. 166.
The roll was called, and Assembly Bill No. 166 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Finn, Gates, [illegible], Jones, Kehoe, King, Lyon, Lee, McMillan, Mott, Purkitt, Rush, Scott, Sharkey, Slater, Tyrrell, and Wolfe—[illegible].
Noes—Senator Strobridge—1.

Title read and approved.
Bill ordered transmitted to the Assembly.

SENATOR BREED IN THE CHAIR.

At four o'clock p.m., Senator Breed of the Fifteenth District in the chair.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1007—An Act to amend section 1282 of the Political Code by adding thereto a new paragraph to be numbered 6, relating to the disregarding of votes, etc.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1007 passed by the following vote:

Ayes—Senators Anderson, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gates, Irwin, Jones, Kehoe, King, Lyon, Mott, Purkitt, Rush, Scott, Sharkey, Slater, Strobridge, Tyrrell and Wolfe—28.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, relating to the cancellation of registrations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act to amend section 1244 of the Political Code, relating to certification of election.

Bill read third time.

On motion of Senator [illegible], Assembly Bill No. [illegible] was passed on file.

Assembly Bill No. [illegible]—An Act to amend sections [illegible] and [illegible] of the Political Code of the State of California, relating to the nomination of candidates otherwise than by primary election, and to the filing of nomination papers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act to amend the Political Code of the State of California by adding a new section thereto to be designated section [illegible] and by amending section [illegible] thereof, both relating to the preservation and subsequent destruction of nomination papers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act to amend sections [illegible] and [illegible] of the Political Code, both relating to classification of voters and the registers to be used at various elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1295 passed by the following vote:

Ayes—Senators Anderson, [illegible] and [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1296—An Act to amend section 1149 of the Political Code, relating to posting at polling places of copies of index to affidavits of registration.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1296 passed by the following vote:

Ayes—Senators Anderson, [illegible] and [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator King, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. W. S. [illegible] of San Bernardino.

On request of Senator Campbell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. Rufus L. Rigdon of San Francisco.

THIRD READING OF ASSEMBLY BILLS—CONTINUED.

Assembly Bill No. 1297—An Act to amend section 1211 of the Political Code, relating to the marking of election ballots.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1297 passed by the following vote:

Ayes—Senators Anderson, [illegible] and [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At four o'clock and twenty-four minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate the following reports of standing committee were received and read, out of the regular order.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1237—An Act to amend section 14 of an Act entitled "An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled 'An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905"—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Senate Bill No. 1237 ordered on file for second reading.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1183—An Act to amend sections 1, 2, 3, 4 and 5 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Senate Bill No. 1183 ordered on file for second reading.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED TEN—RESUMED.

Senate Bill No. 310—An Act for the regulation of the practice of drugless system or method of treating sick or afflicted human beings; regulating the examination of applicants for license; regulating registration of applicants, allowing those licensed to treat diseases, injuries, deformities or other physical or psychopathic conditions of human beings by drugless methods, to establish a board of examiners for drugless physicians; to provide for their appointment and formation and prescribe their powers and duties, making violations of the provisions of this Act a misdemeanor; and repealing all parts of an Act entitled "An Act to regulate the examination of applicants for license and the practice of those licensed, to treat diseases, injuries, deformities or other physical or mental conditions of human beings; to establish a board of medical examiners, to provide for their appointment and prescribe their powers and duties, and to repeal all parts of an Act entitled 'An Act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treating the sick or afflicted, in the State of California, and for the appointment of a board of medical examiners in the matter of said regulation,' approved March 14, 1907, and Acts amendatory thereof, and also to repeal all other Acts and parts of Acts in conflict with this Act," approved June 2, 1913, in conflict with this Act or pertaining in any way to the examination and licensing of applicants to practice drugless system or the practice of drugless systems, and repealing all Acts or parts of Acts in conflict with this Act.

Bill read third time previously.

SENATOR JONES IN THE CHAIR.

At five o'clock and eighteen minutes p.m., Senator Jones of the Twenty-eighth District in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

CONSIDERATION OF SENATE BILL NO. [illegible] (CONTINUED).

The question being on the passage of the bill;

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Scott moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Boyce, Bradford, Breed, Benedict, Brown, Butler, Campbell, Carr, Cogswell, Crowley, Duncan, Flaherty, Finn, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Sutherland, Thompson, and Wolfe—[illegible].

The Secretary announced the absentees.

Time, six o'clock and five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At six o'clock and fifteen minutes p.m., further proceedings under the call of the Senate were dispensed with on motion of Senator Wolfe.

The Secretary was directed to call the roll on passage of the bill of Senators who had not answered to their names.

The roll was called, and Senate Bill No. 310 refused passage by the following vote:

Ayes—Senators Ballard, Benedict, Boyce, Butler, Campbell, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Purkitt, Scott, Shearer, Strobridge, and Wolfe—18.

Noes—Senators Anderson, Breed, Brown, Birdsall, Bradford, Carr, Cogswell, Chamberlin, Crowley, Jones, Luce, Maddux, Mott, Rush, Slater, Sutherland, and Thompson—17.

RECESS.

At six o'clock and twenty minutes, on motion of Senator Thompson, the Acting President declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Strobridge, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 28th, passed Assembly Bill No. 808—An Act to amend section 276 of the Code of Civil Procedure relating to testimonials examination before District Court of Appeal.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 808 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 109—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California;

Also: Assembly Bill No. 110—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California;

Also: Assembly Bill No. 111—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California;

Also: Assembly Bill No. 112—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California;

Also: Assembly Bill No. 158—An Act appropriating money for repairs and improvements to buildings and equipment at the California Polytechnic School;

Also: Assembly Bill No. 161—An Act to provide for improvements, repairs and furnishings for the buildings and grounds of the Woman's Relief Corps Home located at Evergreen, Santa Clara County, and to appropriate money therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 109, 110, 111, 112, 158 and 161 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 162—An Act to provide for nurses and medical attendants for the inmates of the Woman's Relief Corps Home located at Evergreen, Santa Clara County, and to appropriate money therefor;

Also: Assembly Bill No. 173—An Act to appropriate money for repairs and alterations to main buildings Santa Barbara State Normal School of Manual Arts and Home Economics;

Also: Assembly Bill No. 174—An Act to appropriate money to pay the expense of improving the grounds of the Santa Barbara State Normal School of Manual Arts and Home Economics, including grading, installation of sewer, gas and water mains and conduits;

Also: Assembly Bill No. 188—An Act to appropriate money for water and steam piping and plumbing repairs at the Sonoma State Home;

Also: Assembly Bill No. 244—An Act to appropriate money for the construction of farm buildings at the Stockton State Hospital.

L. B. MALLORY, Chief Clerk of Assembly.

Assembly Bills Nos. 162, 173, 174, 188 and 244 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 249—An Act to appropriate money for repairs and improvements and erection of small buildings at the Preston School of Industry;

Also: Assembly Bill No. 259—An Act to appropriate money for the construction of dairy buildings and equipment at the Agnews State Hospital;

Also: Assembly Bill No. 262—An Act to appropriate money for the purchase of a dairy herd for the Agnews State Hospital;

Also: Assembly Bill No. 280—An Act amending section 413 of the Code of Civil Procedure, relating to the service of summons, and making clear the intent of the law regarding the service of summons on non-residents;

Also: Assembly Bill No. 281—An Act to appropriate money for plumbing repairs at the Mendocino State Hospital.

Also: Assembly Bill No. 312—An Act to appropriate money for the development of water including the installation of pumping station and mains at the Southern California State Hospital.

L. B. MALLORY, Chief Clerk of Assembly.

Assembly Bills Nos. 249, 259, 262, 281 and 312 read first time, and referred to Committee on Finance.

Assembly Bill No. 280 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 313—An Act to appropriate money for the construction of fences and the purchase of wire and other material for enclosures at the Southern California State Hospital;

Also: Assembly Bill No. 323—An Act to appropriate money for the construction and furnishing of a cottage for males at the Stockton State Hospital;

Also: Assembly Bill No. 411—An Act to appropriate money for the construction of farm buildings at the state prison at Folsom;

Also: Assembly Bill No. 412—An Act to appropriate money for the purchase and installation of refrigerating plant at the state prison at Folsom;

Also: Assembly Bill No. 413—An Act to appropriate money for the expense of purchasing and installing new [illegible] at the state prison at Folsom;

Also: Assembly Bill No. 416—An Act to appropriate money for reconstruction of electrical equipment connected with the power house at the state prison at Folsom.

L. B. MALLORY, Chief Clerk of Assembly.

Assembly Bills Nos. 313, 323, 411, 412, 413 and 416 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 417—An Act to appropriate money for repairs and improvements at the state prison at Folsom;

Also: Assembly Bill No. 418—An Act to appropriate money for the expense of changing from coal to oil burners at the state prison at Folsom;

Also: Assembly Bill No. 419—An Act to appropriate money for the purchase of live stock for the state prison at Folsom;

Also: Assembly Bill No. 436—An Act to appropriate money for the construction of garage and tool house at the California School for Girls located near Ventura;

Also: Assembly Bill No. 438—An Act to appropriate money for the improvement of grounds and purchase of necessary equipment therefor at the California School for Girls near Ventura;

Also: Assembly Bill No. 441—An Act to appropriate money for improvement of grounds at the San Diego State Normal School.

L. B. MALLORY, Chief Clerk of Assembly.

Assembly Bills Nos. 417, 418, 419, 436, 438 and 441 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 442—An Act to appropriate money for furniture and equipment at the San Diego State Normal School;

Also: Assembly Bill No. 443—An Act to appropriate money for repairs and improvements at the San Diego State Normal School;

Also: Assembly Bill No. 461—An Act to appropriate money for the development of the water supply and pumping plant at the state prison at San Quentin;

Also: Assembly Bill No. 464—An Act to appropriate money for the purchase of machinery and equipment for the manufacturing departments at the state prison at San Quentin;

Also: Assembly Bill No. 480—An Act to appropriate money for the construction and equipment of a building or buildings as a home for workingmen on what is known as the Smith-Brown Ranch belonging to the Napa State Hospital;

Also: Assembly Bill No. 482—An Act to appropriate money for remodeling south pay cottage at the Napa State Hospital.

L. B. MALLORY, Chief Clerk of Assembly.

Assembly Bills Nos. 442, 443, 461, 464, 480 and 482 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 552—An Act to amend section 3 of an Act entitled "An Act to amend an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a Board of Fire Commissioners," approved March 4, 1881; amended March 6, 1899 (approved April 21, 1909);

Also: Assembly Bill No. 556—An Act to appropriate money to pay the claim of the Westinghouse Electric and Manufacturing Company upon a judgment rendered against the State of California;

Also: Assembly Bill No. 565—An Act to appropriate money to meet part of the expenses in maintaining the navigability of the San Rafael deep water channel;

Also: Assembly Bill No. 576—An Act to appropriate money to pay the claim of the Matson Navigation Company upon a judgment rendered against the State of California;

Also: Assembly Bill No. 577—An Act to appropriate money to pay the claim of the Clark & Henery Construction Company against the State of California for street work fronting the State Armory in the city of Sacramento;

Also: Assembly Bill No. 578—An Act to appropriate money to pay the claim of C. S. Baldwin against the State of California for cost in foreclosing swamp lands.

L. B. MALLORY, Chief Clerk of Assembly.

Assembly Bill No. 552 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 556, 565, 576, 577 and 578 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 599—An Act to appropriate money to continue in effect "An Act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same and making an appropriation for that purpose," approved June 14, 1913;

Also: Assembly Bill No. 710—An Act to amend section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, providing for the appointment by the Attorney General of clerks, phonographic reporter, service agents and stenographers, and fixing their salaries;

Also: Assembly Bill No. 713—An Act to appropriate money to pay the funeral expenses of the late Controller Alfred B. Nye;

Also: Assembly Bill No. 828—An Act to appropriate money to construct and furnish two cottages for physicians at the Stockton State Hospital;

Also: Assembly Bill No. 1041—An Act to appropriate money for power house repairs and equipment at the Napa State Hospital.

L. B. MALLORY, Chief Clerk of Assembly.

Assembly Bills Nos. 599, 710, 713, 828 and 1041 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1069—An Act to appropriate money to pay the claim of Harve Oliver Waterman against the State of California;

Also: Assembly Bill No. 1215—An Act making an appropriation to pay the claim of Mrs. May Arminnie McCrea against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.

Assembly Bills Nos. 1069 and 1215 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed Assemblymen Wills, Ellis, and Ashley as a Committee on Conference, to meet a like committee of the Senate to consider amendments to Assembly Bill No. 368—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes, approved March 31, 1897," by amending sections 1, 5, 28, 57, 61, 72, 90 and 91, and by adding new sections to be known as sections 41a and 61a.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that, pursuant to the recommendation of the Committee on Conference on Assembly Bill No. 850, the Speaker of the Assembly has on this day appointed Assemblymen Lyon, Walsh, J. M., and Sisson as a Committee on Free Conference to meet a like committee from your honorable body to further consider Assembly Bill No. 850—An Act to amend the Penal Code by adding thereto two new sections to be known and numbered as section 349b and section 349c, relating to labor unions.

L. B. MALLORY, Chief Clerk of Assembly.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day receded from Assembly amendments to Senate Bill No. 986—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting false notices for advertising or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purposes and intent of this Act," approved June 3, 1913, by adding thereto three new sections to be numbered 12a, 12b and 12c, respectively, relating to the fees of employment agencies and to applications for help or laborers.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 986 ordered to enrollment.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from committees on this legislative day.

Assembly Bill No. 882—An Act to amend section 2153 of the Political Code, relating to superintendents of state hospitals.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1337—An Act to provide for the formation, government, operation, and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity and making provisions for the payment of such bonds, and the disposal of their proceeds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 615—An Act to appropriate the sum of eleven thousand four hundred thirty-three and eighty-two one hundredths dollars out of the San Francisco Harbor Improvement Fund in the state treasury to pay the assessment levied for said amount on property belonging to the State of California by the city and county of San Francisco for a local improvement.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1018—An Act to amend section 2684 of the Political Code.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1418—An Act to amend sections 717 and 718 of the Civil Code relating to the leasing of agricultural lands, and to the leasing of lands for agricultural and horticultural purposes, and to the leasing of property of a municipality, a minor or incompetent person, and to the leasing of city or town lots.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 12, before the word "uses", insert the following: "conditions,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 14, after the word "facilities" and before the semicolon, insert the following: "unless a longer period or periods for leases are provided for in the Act granting such tide lands, water front or other shipping facilities to said municipality".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 707—An Act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1333—An Act to amend section 4142*a* of the Political Code relating to the time when contracts, plans and specifications may be returned or destroyed by recorders.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1125—An Act to authorize municipal corporations with the consent of original dedicators to abandon parks and sell and convey the land embraced therein, and reinvest the proceeds from the sale thereof in the purchase of other public grounds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 726—An Act to amend section 4 of an Act entitled "An Act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom, for fish preservation and restoration," approved June 16, 1913.

COMMITTEE AMENDMENTS.

During second reading of the bill the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out the word "of" in said line and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, after [illegible] add the following: "Every member of the State Board of Fish and Game Commissioners, and each deputy thereof who is duly authorized thereto by a certificate in writing under the seal of the commission, is hereby empowered to administer oaths and to take affidavits herein required of applicants for licenses, but in no case shall such member or deputy or any county clerk or deputy county clerk demand or receive any charge or fee for administering such an oath or taking such an affidavit."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 727—An Act to amend section 1 of an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom for game and fish preservation and restoration," approved March 22, 1909.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10 of the printed bill, strike out the word [illegible] in said line and insert in lieu thereof the word [illegible].

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, after [illegible] line add the following: "Every member of the State Board of Fish and Game Commissioners, and each deputy thereof who is duly authorized thereto by a certificate in writing under the seal of the commission, is hereby empowered to administer oaths and to take affidavits herein required of applicants for licenses, but in no case shall such member or deputy or any county clerk or deputy county clerk demand or receive any charge or fee for administering such an oath or taking such an affidavit."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Senate Bill No. 203—An Act to authorize the incurring of indebtedness by counties, cities and counties and incorporated cities and towns for public improvements and the acquisition of public utilities, and regulating the procedure of acquiring the same.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 816—An Act to amend section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said Commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, lines 5 and 6, strike out the words "the Secretary of State" and insert in lieu thereof the following: "the Superintendent of Capitol Building and Grounds".

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 144—An Act to provide for the survey and construction of a state highway through the Pacheco Pass connecting the State Highway in Santa Clara County at Gilroy with the State Highway in Madera County at or near Califa, and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered by Committee on Roads and Highways.

AMENDMENT NUMBER ONE.

On page 1, in lines 2 and 3 of the title of the printed bill, strike out the words, "at or near Califa".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, in line 6 of the printed bill after the word "highway" strike out the words, "at or near Califa".

Amendment adopted.

By committee on finance.

AMENDMENT NUMBER THREE.

In section 1, line 2, after the word "of" strike out the words "one hundred fifty" and insert in lieu thereof the word "fifty".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 426—An Act to appropriate money to pay the cost of printing, publishing and distributing State textbooks free to the school children of the State in accordance with the provisions of the Constitution.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the words "five hundred" and insert in lieu thereof the words "two hundred twenty-five".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 345—An Act to appropriate money for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the word "sixty" and insert in lieu thereof the word "fifty".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1149—An Act to appropriate money to pay the claim of Harve Oliver Waterman against the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE

In section 1, line 1, after the word "of" insert the words "one thousand seven hundred fifty one and twenty five one hundredths dollars".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 44—An Act to make an appropriation for the purpose of purchasing additional rights of way, land and trees on and along the course of the Lake Tahoe wagon road.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered by Committee on Roads and Highways:

AMENDMENT NUMBER ONE

On page 1, of the printed bill strike out after the word "roadway", all of lines 6 to 11, inclusive, and insert in lieu thereof the following: "[illegible] within a maximum distance of three hundred feet on each side of the center thereof, as shall be selected and designated by the Department of Engineering".

Amendment adopted.

By Committee on Finance:

AMENDMENT NUMBER TWO

In section 1, line 3, strike out the word "fourteen," and insert in lieu thereof the word "seven".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 545—An Act to provide for the appointment of a Board of Pio Pico Mansion Trustees and for the acquisition of the Pio Pico Mansion property; and making an appropriation for the preservation and protection of said property.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3 line 17, after the word "of", insert the words "four hundred".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 148—An Act to provide for the establishment and maintenance of a bureau of tuberculosis under the direction of the State Board of Health; defining its powers and duties; providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis; making an appropriation therefor; and repealing certain Acts of the Legislature of the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered by Committee on Public Health and Quarantine.

AMENDMENT NUMBER ONE.

On page 2, line 35, of the printed bill, strike out the word "chargeable" after the word "legally" and insert "liable and financially able to pay".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 11, of the printed bill, strike out the word "chargeable" and insert "liable and financially able to pay".

Amendment adopted.

By Committee on Finance:

AMENDMENT NUMBER THREE.

On page 3, section 4, line 13, strike out the words "one hundred" and insert in lieu thereof the words "seventy-five".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 18—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the Woman's Building, and making an appropriation therefor.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 16, strike out the word "fifty" and insert in lieu thereof the word "thirty".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 297—An Act providing for the construction and repairing of live stock barns and sheds on the State Fair Grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 1, strike out the word "ten" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 35—An Act making an appropriation to make general plans for the improvement of the State Fair Grounds at Agricultural Park in the city of Sacramento and to make drawings, specifications and estimates therefor under the direction of the State Department of Engineering.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE

In section 1, line 1, strike out the word "ten" and insert in lieu thereof the word "five".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 47—An Act declaring the county road extending from Auburn, State of California, in an easterly direction to a point near Emigrant Gap, a state highway and making an appropriation for the improvement thereof.

COMMITTEE AMENDMENT

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE

In section 3, line 17, strike out the word "twenty" and insert in lieu thereof the word "ten".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 838—An Act to provide for the establishment and maintenance of a Department of Sanitary Engineering under the direction of the State Board of Health and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1234—An Act providing an appropriation for painting and exterior repair of the building on the Capitol grounds occupied by the state printing plant.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1082—An Act to amend section 67*a* of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of two additional Superior Court judges in counties of the first class and providing for their compensation.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1267—An Act to appropriate money to pay the claim of Miller-Enwright Company against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1265—An Act providing for the appointment of a commission to investigate and report at the forty-second session of the Legislature relative to the adoption of a system of land colonization and rural credits, and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 963—An Act to amend sections 1, 2 and 3 of an Act entitled "An Act to secure the payment of the claims of materialmen, mechanics, or laborers, employed by contractors upon State, municipal or other public work," approved March 27, 1897, as amended by an Act approved May 1, 1911, and to add a new section to said Act to be numbered section 4.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2 of the title, strike out the words "one, two and three" and insert in lieu thereof the following: "one and two".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, strike out all of lines 6 and 7 of the title, and insert in lieu thereof the following: "1897, as amended by an Act approved May 1, 1911".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 18, strike out the word "materialmen" and insert in lieu thereof the word "materialman".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, lines 22 and 23, strike out the words "teams, appliances, machinery or power" and insert in lieu thereof the word "teams".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 29, strike out the words "at any time before the expiration of" and insert in lieu thereof the word "within".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 35, strike out the word "and" and insert in lieu thereof the word "at".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, strike out all of lines 3 to 16, inclusive.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1262—An Act to amend section 170 of the Code of Civil Procedure of the State of California, relating to disqualification of judicial officers to sit or act.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 22 of the printed bill, strike out the period after the word "action" and insert in lieu thereof a semicolon and the following: "*provided*, that nothing herein contained shall be construed as preventing the judge of the Superior Court of such county from issuing a temporary injunction or restraining order, which shall, if granted, remain in force until vacated or modified by the judge designated by the Governor as herein provided".

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 1140—An Act to amend section 268 of the Political Code of the State of California, relating to the compensation of other officers and employees (salaries of officers and attaches of the Senate and Assembly).

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8 of the printed bill, after the word "clerk", insert the following: "who shall also be clerk of the Committee on Rules".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 9 and 10, strike out the words "[illegible] per day, to the".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 11, after the words "[illegible]", insert a comma and the words "file clerk".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 12, after the word "assistant", strike out the word "sergeant-at-arms" and insert in lieu thereof the word "sergeants-at-arms".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 1, strike out the word "seven" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 1, after the semicolon, strike out the rest of the line, also line 2 and the first two words in line 3, and the semicolon following.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 4, after the words "to the", strike out the words "bill clerks" and the comma following said words.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 4, after the words "committee clerks", insert the following: "each four dollars per day".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 7, after the comma following the word "postmaster", strike out the words "bill filers,".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, lines 9 and 10, after the comma following the word "doorkeepers", strike out the following "messengers to the printer, porters, watchman and janitress to the ladies' cloakroom,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 16, after the word "clerk", insert the following: "who shall also be clerk of the Committee on Rules".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, lines 17 and 18, strike out the words "each eight dollars per day, to the".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 20, after the word "assistant", strike out the word "sergeant-at-arms" and insert in lieu thereof the word "sergeants-at-arms".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 24, strike out the word "seven" and insert in lieu thereof the word "six".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 2, line 24, after the semicolon following the word "day", strike out the rest of the line, also all of line 25 and the first two words and semicolon in line 26.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 2, line 27, after the words "committee clerks", insert the following: "each four dollars per day".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 30, strike out the following: "bill clerk, assistant bill clerks,"

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 2, line 30, before the words "assistant postmaster", insert the word "and".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 2, line 31 strike out the following: "bill filers, engineer and electrician,".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 2, line 32, after the word "gatekeepers", insert the word "and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 2, line 32, after the comma following the word "doorkeepers", strike out the rest of the line and also lines 33 and 34 and down to and including the word "watchman" on line 35, and insert in lieu thereof "janitress to the ladies' cloakroom".

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 1263—An Act defining and regulating the sale of cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas, requiring the same to be properly marked as to weight, size and use of fillers or other preparations, and prescribing penalties for violation hereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1190—An Act to provide for the protection of stockholders, investors and creditors by requiring certain copartnerships, joint stock companies and corporations to issue or to cause to be issued certified balance sheets and statements of income, profit and loss, and providing for adequate penalties for the violation of the provisions hereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, of the printed bill, in line 5, strike out the words "Every member or firm of" and strike out all of lines 7 to 9, inclusive.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1237—An Act to amend section 13 of an Act entitled "An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, and other public works and utilities; for the assessment of the costs and expenses thereof upon the property benefited, and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled 'An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905," approved June 6, 1913.

Read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1183—An Act to amend sections 1, 2, 3, 4 and 5 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the words "One, two, three, four and five" in line 1 of the title and insert in lieu thereof the words "nine and ten".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1, page 1, of the printed bill, strike out the word "one" and insert in lieu thereof the word "nine".

Amendment adopted.

AMENDMENT NUMBER THREE.

Strike out all of lines 6, 7, 8 and 9 of the printed bill, and insert in lieu thereof the following:

"SEC. 9. To said assessment shall be attached a warrant, which shall be signed by the superintendent of streets, and countersigned by the mayor of said city. The said warrant shall be substantially in the following form:

FORM OF THE WARRANT.

> By virtue hereof, I (name of the superintendent of streets), of the city of ----------, county of ---------- (or city and county of ----------), and State of California, by virtue of the authority vested in me as said superintendent of streets, do authorize and empower (name of contractor), (his or their) agents or assigns, to demand and receive the several assessments upon the assessment and diagram hereto attached, and this shall be (his or their) warrant for the same.
>
> (Date.)
>
> ---------------- (name of Superintendent of Streets.)
>
> Countersigned by (name of Mayor).

"Said warrant, assessment, and diagram, together with the certificate of the city engineer, shall be recorded in the office of said superintendent of streets. When so recorded, the several amounts assessed shall be a lien upon the lands, lots, or portions of lots assessed, respectively, for the period of two years from the date of said recording, unless sooner discharged, and from and after the date of said recording of any warrant, assessment, diagram and certificate, all persons mentioned in section 11 of this Act shall be deemed to have notice of the contents of the record thereof. After said warrant, assessment, diagram, and certificate are recorded, the same shall be delivered to the contractor, or his agent, or assigns, on demand, but not until after the payment to the said superintendent of streets of the incidental expenses not previously paid by the contractor, or his assigns; and by virtue of said warrant said contractor, or his agent or assigns, shall be authorized to demand and receive the amount of the several assessments made to cover the sum due for the work specified in such contracts and assessment. Such demand may be made in accordance with the provisions of section 10 of this Act. The legislative body of said city shall have power to direct, by motion or otherwise entered upon its minutes, that said assessments shall be collected by the contractor, or his assigns, at the office of the Superintendent of Streets, or of some other officer of said city designated by it for such purpose; if no such direction is made said assessments shall be collected at a place provided by the contractor, or his assigns, and convenient to the public in the city in which the work was performed. Written notice of the place selected by the contractor, or his assigns, for making such collections, or of any other place to which the same may be changed by him or them, shall be filed in the office of the superintendent of streets. Whenever it shall appear by any final judgment of any court of this State that any suit brought to foreclose the lien of any sum of money assessed to cover the expense of said street work done under the provisions of this Act has been defeated by reason of any defect, error, informality, omission, irregularity, or illegality in any assessment hereafter to be made and issued, or in the recording thereof, or the return thereof made to or recorded by said superintendent of streets, any person interested therein may, at any time within three months after the entry of said final judgment, apply to said superintendent of streets who issued the same, or to any superintendent of streets in office at the time of said application, for another assessment to be issued in conformity to law; and said superintendent shall, within fifteen days after the date of said application, make and deliver to said applicant a new assessment, diagram, and warrant in accordance with law; and the acting mayor shall countersign the same as now provided by law, which assessment shall be a lien for the period of two years from the date of said assessment, and be enforced as provided in section 7 of this Act".

"SEC. 2. Section 10 of said Act is hereby amended to read as follows:

"'SEC. 10. The contractor or his assign shall cause to be mailed to each person named in the assessment, at the last known address of such person, a notice stating the amount and character of such assessment, the number thereof, the number or a brief description of the lot or parcel of land assessed, and where such assessment is payable. If the name of the owner of the lot is stated as "unknown" on the assessment, then the said contractor, or his assigns, or some person in his or their behalf, shall publicly demand payment on the premises assessed. If any payment be made, the contractor, his assigns, or some person in his or their behalf, shall receipt the same upon the assessment in the presence of the person making such payment, and shall also give a separate receipt if demanded. The warrant shall be returned to the superintendent of streets within thirty (30) days after its date with a return endorsed thereon signed by the contractor or his assigns, or some person in his or their behalf, verified upon oath, stating that notices have been so mailed to each person named in the assessment, and if the name of any owners of lots is stated as "unknown" on the assessment, the nature and character of the demand made on such unknown owners, and whether any of the assessments remain unpaid in whole or in part, and the amount thereof. Thereupon the superintendent of streets shall record the return so made in the margin of the record of the warrant and assessment, and also the original contract referred to therein, if it has not already been recorded at full length in a book to be kept for that purpose in his office, and shall sign the record. For the convenience of owners of property assessed under the provisions of this Act the superintendent of streets shall thereupon make and deliver to the city tax collector, or other person authorized to collect taxes for said city, a complete list of all unpaid assessments, which list shall contain such description of each lot or parcel of land assessed as will enable such tax collector or such other person to identify such lot or parcel of land; the tax collector or such other person shall [illegible] write, print or stamp upon, or furnish with the next tax bill rendered for taxes levied upon each of said lots or parcels of land a statement that there is an unpaid assessment or a bond outstanding for a public improvement against the property described in said tax bill as the case may be. The said superintendent of streets is authorized at any time to receive the amount due upon any assessment list and warrant issued by him, and to give a good and sufficient discharge therefor; provided, that no such payment so made after suit has been commenced, without the consent of the plaintiff in the action, shall operate as a complete discharge of the lien until the costs in the action shall be refunded to the plaintiff; and he may release any assessment upon the books of his office, on the payment to him of the amount of the assessment against any lot with interest, or on the production to him of the receipt of the party or his assigns to whom the assessment and warrant were issued. And if any contractor shall fail to return his warrant within the time and in the form provided in this section, he shall thenceforth have no lien upon the property assessed; *provided, however*, that in case any warrant is lost, upon proof thereof a duplicate can be issued, upon which a return may be made, with the same effect as if the original had been so returned; *provided, further*, that the superintendent of streets may for cause shown on written petition from the contractor or his assigns filed in his office prior to the expiration of said thirty days from the date of the warrant, extend the time for the making of said return for a period not to exceed thirty days additional, which extension shall, with its date, be noted on the warrant. After the return of the assessment and warrant as aforesaid, all amounts remaining due thereon shall draw interest at the rate of ten per cent per annum until paid.

"'The contractor, his assigns or some person in his or their behalf shall, at the time the warrant is returned to the superintendent of streets, make and attach thereto an affidavit stating that the person making such affidavit has compared the amounts set forth in the notice mailed to each person named in the assessment, as hereinbefore provided, with the amounts assessed against the lot named for each such person and that such amounts correctly correspond.

"'For the purpose of affording owners of property greater certainty of receiving notices required to be mailed by this Act, any owner of property or his duly authorized agent may file or cause to be filed with the city clerk in any city proceeding under the provisions of this Act, or with some other officer designated by the legislative body thereof for such purpose, his name and address, or the name and address of an agent to whom he desires such notices mailed. Such names and addresses when so filed shall be kept by said clerk or other officer in his office in convenient form'".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

SECRETARY EDWIN F. SMITH AT THE DESK.

CONSIDERATION OF SENATE BILL—OUT OF ORDER.

Senator Campbell asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, Senate Bill No. 167—An Act appropriating money for repairs and improvements to buildings and equipment at the California Polytechnic School.

On motion of Senator Campbell, Senate Bill No. 167 was ordered to the file of Unfinished Business.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Free Conference, concerning Assembly Bill No. 850—An Act to amend the Penal Code by adding thereto two new sections to be known and numbered as section 349*b* and section 349*c*, relating to labor unions—

[illegible]

AMENDMENT TO SENATE BILL [illegible]

[illegible]

AMENDMENT TO SENATE BILL [illegible]

[illegible]

LYON,
FLAHERTY,
IRWIN,
Senate Committee.

The question being on the adoption of the report of the Committee on Free Conference and the Amendments.

The roll was called, and the report of the Committee on Free Conference and the Amendments adopted by the following vote:

Ayes—Senators [illegible], Campbell, Carr, [illegible]

Noes—None.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON COUNTY GOVERNMENT.

Senate Chamber, Sacramento, April 30, 1915.

Mr. President: Your Committee on County Government, to which was referred Senate Bill No. [illegible]

[illegible]

[illegible], Chairman.

Senate Bill No. [illegible] was placed on file for second reading.

Assembly Bill No. 1264 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

Senate Chamber, Sacramento, April 30, 1915.

Mr. President: Your Committee on Engrossment and Enrollment has examined Senate Bill No. [illegible]

[illegible], Vice Chairman.

Also,

Sacramento, April 30, 1915.

Mr. President: Your Committee on Engrossment and Enrollment has examined Senate Bill No. [illegible]

Also, Senate Bill No. [illegible], An act to amend section 2924 of the Civil Code, [illegible]

Also: Senate Bill No. 1125—An Act to amend section 1299 of the Code of Civil Procedure, relating to [illegible] property and the proceedings in relation thereto.

Also: Senate Bill No. 1248—An Act to amend section 631 of the Code of Civil Procedure, providing when and how trial by jury may be waived.

Also: Senate Bill No. 1238—An Act to amend section 3287 of the Civil Code of the State of California, relating to interest on judgments.

And reports that the same have been correctly engrossed.

LUCE, Vice Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1565—An Act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects, and to provide for the assessment, levy, collection and disbursement of taxes therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BUTLER, Chairman.

Assembly Bill No. 1565 ordered on file for second reading.

SENATOR KING IN THE CHAIR.

At eight o'clock and fifty-five minutes p.m., Senator King, of the Thirtieth District, in the chair.

THIRD READING OF SENATE BILLS—(CONTINUED).

Senate Bill No. 1202—An Act to provide for the regulation and supervision of racing meetings, establishing a State Racing Commission for the purpose of administering the provisions hereof, and defining its powers and duties; prohibiting book making; and prescribing penalties for violation of the provisions of the Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1202 refused passage by the following vote:

AYES—Senators Ballard, Crowley, Finn, Flaherty, Gates, Lyon, Rush, Strobridge, Stuckenbruck, and Wolfe—10.

NOES—Senators Anderson, Beban, Benedict, Bills, Birdsall, Brown, Butler, Carr, Cogswell, Cohn, Duncan, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Slater, and Thompson—21.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

NOTICE OF MOTION TO RECONSIDER.

Senator Beban gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1202 was refused passage.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1204—An Act providing for the manner of construction and equipment of window sashes in certain classes of windows.

By order of the Acting President, Senate Bill No. 1204 was passed on file.

Senate Bill No. 1180—An Act to amend sections 2, 3 and 6 of an Act entitled "An Act to provide for the division of municipalities into sewer districts and for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1180 passed by the following vote:

AYES—Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Slater, Stuckenbruck, Thompson, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof.

On motion of Senator Thompson, Senate Bill No. 1049 was passed on file.

Senate Bill No. 130—An Act to amend section 1365 of the Code of Civil Procedure, relating to the order of persons entitled to administer upon estates.

On motion of Senator Thompson, Senate Bill No. 130 was passed on file.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Benson as a Special Committee of One to amend Senate Bill No. 720 as follows:

AMENDMENT NUMBER ONE.

On page 10, line 20, strike out the word "sixty", and insert in lieu thereof the word "forty", and strike out the figures "60", and insert in lieu thereof the figures "40".

AMENDMENT NUMBER TWO.

On page 10, line 22, after the word "them", insert the following: "in civil and criminal cases".

AMENDMENT NUMBER THREE.

On page 10, line 23, after the period following the word "treasury", insert the following: "For all other services performed by them they may charge and collect for their own use such fees as are allowed by law".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 720, with instructions to amend, respectfully reports the same back, amended as per instructions.

BENSON, Committee.

Report read and, on motion of Senator Jones, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan, Senate Bill No. 74 was passed on file.

Senate Bill No. 814—An Act to provide for the licensing of motor vehicles engaged in the carrying of passengers for hire upon the public highways in the State of California.

On motion of Senator Cogswell, Senate Bill No. 814 was passed on file.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 775—An Act making an appropriation for the entertainment of the delegates to the convention of the National Guard Association of the United States, at its meeting in the city of San Francisco, California, during the year 1915, and the reception and entertainment of visiting military bodies, organizations and delegations to the State of California upon the occasion of the Panama-Pacific International Exposition—and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 772—An Act to amend sections 1, [illegible], 6, 7, 9, 10, 11, 12, 13, 14, 15, 16½, 17 and 18 of an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the expenditure of money in accordance therewith, along the Sacramento River or its tributaries or upon the banks thereof of said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to meet the expenses of such examinations and surveys, and creating a Reclamation Board and defining its powers," approved December 24, 1911, as amended by an Act approved May 26th, 1913, and to add twelve new sections to said Act to be numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31, relating to the organization, powers and duties of said Reclamation Board, and creating a sinking fund and appropriating money therefor—and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 246—An Act to appropriate money for the construction of a cottage for men patients at the Napa State Hospital;

Also: Senate Bill No. 247—An Act to appropriate money for the construction of a cottage for women patients at the Napa State Hospital;

Also: Senate Bill No. 95—An Act to amend section 2982 of the Political Code, relating to the Secretary and assistant to the Secretary of the State Board of Health;

Also: Senate Bill No. 136—An Act to appropriate money for improving the grounds at the Fresno State Normal School;

Also: Senate Bill No. 213—An Act appropriating money for the construction and equipment of a machinery building at the Santa Barbara State Normal School of Manual Arts and Home Economics;

Also: Senate Bill No. 262—An Act to appropriate money for the construction and furnishing of two patient cottages at the Southern California State Hospital;

Also: Senate Bill No. 295—An Act to appropriate money for the replacement of the main pipe line and connections thereto at the Mendocino State Hospital;

Also: Senate Bill No. 375—An Act to appropriate money for improvement to grounds at the Los Angeles State Normal School;

Also: Senate Bill No. 394—An Act to appropriate money for the support and maintenance and erection of additional buildings at the State Hospital at Norwalk, Los Angeles County, California;

Also: Senate Bill No. 984—An Act to amend sections 9 and 10 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883;

Also: Senate Bill No. 1225—An Act making an appropriation to pay the claim of J. V. Stanton against the State of California;

Also: Senate Bill No. 1242—An Act making an appropriation to pay the claim of C. S. Baldwin against the State of California;

Also: Senate Bill No. 943—An Act to amend section 1756 of the Political Code of the State of California, relating to the estimate of tax for maintenance of high school;

Also: Senate Bill No. 809—An Act to amend section 1617c of the Political Code, relating to kindergartens;

Also: Senate Bill No. 810—An Act to add a new section to the Political Code to be numbered 1838 relating to the powers and duties of the governing boards of school districts in levying taxes for building purposes;

Also: Senate Bill No. 819—An Act to add a new section to the Political Code of the State of California to be numbered 1764, relating to the county high school fund, and repealing sections 1758 and 1759 of the Political Code;

Also: Senate Bill No. 689—An Act to amend section 443 of the Political Code, in regard to the State School Fund;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF SENATE BILLS (RESUMED).

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 722—An Act to amend sections 1, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16½, 17 and 18 of an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27th, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board and defining its powers," approved December 24th, 1911, as amended by an Act approved May 26th, 1913, and to add twelve new sections to said Act to be numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31, relating to the organization, powers and duties of said reclamation board, and creating a revolving fund and appropriating money therefor.

On motion of Senator Benson, Senate Bill No. 722 was passed on file.

LEAVE OF ABSENCE.

Senator Wolfe asked for and was granted leave of absence for the balance of this legislative day.

THIRD READING OF SENATE BILLS (RESUMED).

Senate Bill No. 420—An Act to add a new section to the Political Code of the State of California, to be numbered 602*b* to provide a uniform system of classification of risks, premium rates and schedule ratings for the State Compensation Insurance Fund and all other insurance carriers in this State insuring employers or employees under the Workmen's Compensation, Insurance and Safety Act, chapter 176, Laws 1913; to establish adequate rates for such insurance; to permit the limited issuance of compensation participating policies; requiring the Industrial Accident Commission to furnish certain information for the use of the State Insurance Commissioner; requiring every insurance carrier writing such insurance to file an annual report of its loss experience, and empowering the State Insurance Commissioner to supervise, control and enforce the provisions of this Act, and fixing penalties for the violation thereof.

On motion of Senator Benedict, Senate Bill No. 420 was passed on file.

Senate Bill No. 512—An Act to amend the Penal Code of the State of California by adding thereto a new section, to be numbered [illegible], relating to compulsion of employees.

On motion of Senator Behan, Senate Bill No. 512 was passed on file.

Senate Bill No. 1246—An Act to establish the Alpine State road; to define its course; to provide for its supervision, construction, maintenance, improvement and repair and to repeal an Act entitled "An Act to establish the Alpine State highway, to define its course, to provide for its supervision, construction, repair and maintenance, and to make an appropriation therefor," approved April [illegible], 1911, and an Act entitled "An Act to declare a part of the Sonora and Mono wagon road commencing east of Sonora, at a point known as Long Barn, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a state highway," approved March 12, 1901.

On motion of Senator Cogswell, Senate Bill No. 1246 was passed on file.

Senate Bill No. 892—An Act authorizing the construction, improvement, maintenance and control of the uncompleted portions of the system of State highways prescribed and contemplated by an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California, specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system, creating a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D. 1910, and known and cited as the "State Highways Act," specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said system; creating a revolving fund to be used by the State Department of Engineering for the purposes of this Act; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people.

On motion of Senator Birdsall, Senate Bill No. 892 was passed on file.

Senate Constitutional Amendment No. 36—A resolution proposing to the people of the State of California to amend section 12 of article XIII of the Constitution of the State of California relative to poll tax.

By order of the Acting President, Senate Constitutional Amendment No. 36 was passed on file.

Senate Bill No. 768—An Act to amend section 628 of the Penal Code of the State of California, relating to the protection of fish.

By order of the Acting President, Senate Bill No. 768 was passed on file.

Senate Bill No. 1223—An Act to provide for the organization and government of conservation and flood control districts and to provide for the acquisition or construction thereby of works for the irrigation, reclamation and drainage of the lands embraced within such districts, and also to provide for the storage of water for irrigation and to provide for the reclamation of lands subject to overflow.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1223 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, and Thompson—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE.

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: The Senate members of your Committee on Conference concerning Assembly Bill No. 368—"An Act to amend an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes, approved March 31, 1897,' by amending sections 1, 5, 28, 57, 61, 72, 90 and 91, and by adding new sections to be known as sections 41*a* and 61*a*"—report that we have met a like committee of the Assembly, consisting of Assemblymen Wills, Ashley, and Ellis, and we report that the Conference Committee has been unable to agree and we recommend that a Committee on Free Conference on said bill be appointed.

COGSWELL,
IRWIN,
BIRDSALL,
Committee.

Report read and adopted on motion of Senator Cogswell, and Committee discharged.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1578—An Act to amend sections 5, 6 and 7 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds: to provide for the enforcement of liens created by this Act and by any Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the 'Inheritance Tax Act'; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds: to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens, arising hereunder"; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests, devises, successions and transfers; to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder"; to repeal an Act entitled "An Act to establish a tax on collateral inheritances, bequests and devises, to provide for the collection and to direct the disposition of its proceeds," approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act, approved March 20, 1905, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act, approved April 7, 1911," approved June 16, 1913.

Also: Senate Bill No. 1266—An Act to provide for the assessment, levy and collection of taxes for the support of the State Government for the sixty-seventh and sixty-eighth fiscal years.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

COGSWELL, Chairman.

Assembly Bill No. 1578 ordered on file for second reading.

Senate Bill No. 1266 ordered on file for second reading.

ON COUNTY GOVERNMENT

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1571—An Act to add a new section to the Political Code to be numbered 4041*b*, authorizing boards of supervisors to appoint an advisory board to cooperate with the county assessor in appraising taxable property in the county —has had the same under consideration, and respectfully reports the same back and **recommends that it do pass.**

BREED, Chairman.

Assembly Bill No. 1571 ordered on file for second reading.

ON FISH AND GAME

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate **Bill No. 974—An Act to amend sections 1 and 2 of section 631*d* of the Penal Code** of the State of California, relating to the domestication of wild game—has had the same under consideration, and respectfully reports the same back with amendments **and recommends that it do pass as amended.**

FLINT, Chairman.

Senate Bill No. 974 ordered on file for second reading.

APPROVAL OF JOURNALS

On motion of Senator Thompson, the Journals of Monday, April 19, 1915; Tuesday, April 20, 1915; Wednesday, April 21, 1915; Thursday, April 22, 1915, and Friday, April 23, 1915, were approved as corrected.

CONSIDERATION OF MOTION TO RECONSIDER—POSTPONED.

On motion of Senator Kehoe, the consideration of the motion to reconsider the vote whereby Senate Bill No. 29 was refused passage was continued until Monday, May 3, 1915.

ADJOURNMENT.

At ten o'clock and fifty minutes p.m., on motion of Senator Thompson, the Acting President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Saturday, May 1, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—35.

Quorum present.

PRAYER.

By invitation of the President, prayer was offered by Rev. C. E. Woodman, of Newman Hall, Berkeley.

LEAVES OF ABSENCE.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for this day.

Senator Tyrrell was, on motion of Senator Breed, granted leave of absence for this day.

Senator Owen was, on his own motion, granted leave of absence for the balance of this day.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 30, 1915, the further reading was dispensed with, on motion of Senator Rush.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Kehoe moved to reconsider the vote whereby Assembly Bill No. 770—An Act to amend section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907 and April 21, 1909—was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—None.

NOES—Senators Anderson, Ballard, Benson, Birdsall, Brown, Butler, Carr, Cohn, Crowley, Duncan, Flint, Gerdes, Kehoe, King, Luce, Maddux, Scott, Shearer, Slater, Strobridge, Stuckenbruck and Thompson—22.

Assembly Bill No. 770 ordered transmitted to the Assembly.

RESOLUTION.

Senator Thompson asked for and was granted unanimous consent for the consideration at this time under suspension of the rules of the following resolution without reference to committee:

Resolved, That the Controller be and he hereby is directed to draw his warrant in favor of Edw. K. Strobridge for $412.44 out of the Contingent Fund of the Senate in payment of the claim attached for the expense of visiting the different state institutions during the constitutional recess, in accordance with a resolution adopted January 29, 1915.

Resolution read.

Senator Thompson moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, Kehoe, King, Luce, Maddux, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—24.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1513—An Act appropriating money for the purchase of a power launch, to be used by the State Fish and Game Commission in districts numbers nineteen and twenty—has had the same under consideration, and respectfully recommends that it do pass and be re-referred to Finance Committee.

FLINT, Chairman.

Assembly Bill No. 1513 ordered re-referred to Committee on Finance.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Rules recommends the adoption of a special rule relative to debate to read as follows and to be known as

SPECIAL RULE NUMBER ONE.

No Senator shall speak more than five minutes upon any one question, except by consent of the Senate; *provided*, that the author of a measure under consideration or the mover of a motion shall be allowed to open and close the discussion and shall be allowed to speak five minutes on either of these occasions.

THOMPSON,
GERDES,
ANDERSON.

Report read.

CONSIDERATION OF REPORT.

Senator Thompson asked for and was granted unanimous consent to the consideration of the report under suspension of the rules.

Senator Thompson moved the adoption of the report.

Motion carried.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide for a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

On motion of Senator Thompson, Senate Bill No. 1078 was passed on file.

Senate Bill No. 595—An Act to amend section 4014 of the Political Code of the State of California.

On motion of Senator Irwin, Senate Bill No. 595 was passed on file.

Senate Bill No. 1204—An Act providing for the manner of construction and equipment of window sashes in certain classes of windows.

On motion of Senator Scott, Senate Bill No. 1204 was passed on file.

Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Thompson moved to refer to Senator Birdsall as a Special Committee of One to amend Senate Bill No. 1049 as follows:

AMENDMENT NUMBER ONE.

Strike out all the bill after the enacting clause on page 1 and insert in lieu thereof the following:

"SECTION 1. Any portion of a county requiring commercial waterways may be organized into a commercial waterway district, and when so organized, such district, and the Board of Commissioners hereinafter provided for, shall have and possess the power herein conferred, or that may be hereafter conferred by law upon such district and Board of Commissioners, and said district shall be known and designated as Commercial Waterway District No. ______ of the County of __________, State of California, and shall have the right to sue and be sued by and in the name of its Board of Commissioners hereinafter provided for, and shall have perpetual succession, and shall adopt and use a seal. The Commissioners hereinafter provided for, and their successors in office, shall, from the time of the organization of such commercial waterway district, have the power, and it shall be their duty to manage and conduct the business and affairs of the district; make and execute all necessary contracts, employ and appoint such agents, officers and employees as may be required, and prescribe their duties, and perform such other acts as hereinafter provided, or that may hereafter be provided by law.

"SEC. 2. For the purpose of the formation of such waterway district a petition shall be presented to the board of supervisors of the county in which said proposed commercial waterway district is located, which petition shall set forth the object for the creation of said district; shall designate the boundaries thereof and set forth therein the area of land to be benefited by the proposed commercial waterway system forming the proposed district, and the number of acres of land in the proposed district, and in each tract of land therein, with the names (if known) of the owners thereof, and shall contain a brief description of the proposed system of waterways, route over which the same is to be conducted, together with the proposed spurs or branches, if any there may be, and the termini thereof, and set forth the further fact that the establishment of said district and the proposed system of commercial waterways will be of special benefit to the property included therein, and will be conducive to the public health and increase the public revenue. Said petition shall be signed by such a number as own at least a majority of the area of land in the proposed district, and shall pray that the same may be organized under the provisions of this Act, and in the event any portion of such proposed district is within the boundaries of any municipal corporation, then said petition must be first presented to the legislative or governing body of such municipal corporation, and its consent to the formation of said district as proposed must be noted thereon or filed therewith. Said petitioners shall at the time of the filing of said petition file a bond with such board of supervisors running to the State of California, in the penal sum of five hundred dollars, with two or more sureties, to be approved by the board of supervisors, conditioned that they will pay all costs in case said district, for any reason, shall not be established.

"SEC. 3. Said petition shall be presented at a regular or special meeting of the board of supervisors of said county, and shall be published for at least two weeks in two successive issues of some weekly newspaper printed and published in said county, and in case no such newspaper be printed or published in such county, then in some such newspaper of general circulation therein, before the time at which the same is to be presented, together with a notice stating the time of the meeting at which the same shall be presented. When such petition is presented for hearing, the board of supervisors shall hear the same, or may adjourn such hearing from time to time, not exceeding one month in all, and any person or corporation may appear before said board of supervisors and make objections to the establishment of said district, or the proposed boundary lines thereof, and upon a final hearing said board of supervisors shall make such changes in the proposed boundaries as they may deem to be proper, and shall establish and define such boundaries, and shall ascertain and determine the area of land that will be specially benefited by said proposed system of commercial waterways, and shall find whether the proposed commercial waterways will be conducive to the public health, welfare and convenience, increase the public revenue and be of special benefit to the majority of the land included within said boundaries of said proposed district so established by said board of supervisors; *provided, further*, that any person or persons owning land within the proposed boundaries, and who did not sign said petition, or any person, persons or corporations owning land not included within the proposed boundaries may file a petition with the board of supervisors asking that the proposed boundaries be extended so as to include other lands described therein; setting forth in said petition the reason therefor, but no person, persons or corporation not owning land included within the boundaries, as originally petitioned for, shall have the right to file such petition unless they ask therein to have their own lands included within the proposed boundaries; *provided*, any person or corporation owning land included within the boundaries described in the original petition may also petition the board of supervisors for an extension of the proposed boundaries; *provided, further*, that the boundaries of any commercial waterway district heretofore or hereafter established may be extended by the board of supervisors to include other lands in said county, upon petition signed by the owners of a majority of the area of said lands in the proposed extension; which said petition for extension shall set forth and contain, with reference to the extension, such matters and things and facts so far as applicable as is provided for in the petition required for presentation to the board of supervisors for the purpose of the formation of the original waterway district; *provided, further*, that all necessary expenses incident to making such extension, together with the proportionate share of the first cost of any system of commercial waterways existing in the original commercial waterway district at the time of making such extension, shall be levied against and apportioned to the land included in such extension as in this Act provided. In such case, the board of supervisors shall give like notice as provided for in this section of the hearing of the original petition, and the final hearing thereof may in such case be continued from time to time for a period of not exceeding sixty days, and if on final hearing the board of supervisors deem it advisable and for the best interest of all concerned, they may grant the prayer of said petitioners in whole or in part, and said board of supervisors of such county shall enter an order on the records of their office setting forth all facts found by them upon the final hearing of said petition, and which may be adduced by them from the evidence heard upon the final hearing thereof.

"SEC. 4. Upon the entry of the findings of the final hearing of said petition as set forth in the last preceding section, said board of supervisors of said county, if they find said proposed system of commercial waterways will be of special benefit to the majority of the area of lands included within said boundaries and will be conducive to the public health, welfare and convenience, and will increase public revenue, shall give notice of an election to be held in such proposed commercial waterway district for the purpose of determining whether the same shall be organized under the provisions of this Act as a commercial waterway district of the State of California, and for the further purpose of choosing at such election three commissioners, who shall be known and designated as 'Commercial Waterways Commissioners' for said district proposed to be organized, which said three commissioners shall, upon their election, be the district authorities of said commercial waterway district, and such notice shall describe the boundaries as established by the board of supervisors on its final hearing of said petition and shall state the name of such proposed commercial waterway district and, approximately, the area of land in said district to be benefited thereby, and the same shall be published for, at least, two weeks prior to such election in a weekly newspaper printed and published within the county within which said district is located; and in case no such newspaper be printed or published in such county, then in such newspaper of general circulation therein for two successive issues thereof, and shall be posted for the same period in at least four public places within the boundaries of said proposed district, which notice shall designate the place within or near the proposed district where the said election shall be held and require the voters to cast ballots which shall contain the words 'Commercial Waterway District—Yes' or 'Commercial Waterway District—No,' and also names of the persons voted for for commissioners for said commercial waterway district. The board of supervisors shall appoint two judges and one inspector for said election and the compensation shall be the same as hereinafter provided for, and shall be a charge upon said district in case the same be established and shall be paid in the same manner as other expenses are paid which are incurred in the establishment and construction of said improvement. In case said district be not established, then all costs and expenses shall be collectible from the bond hereinbefore provided for, and any person having a charge against said district shall have a right of action thereon.

"SEC. 5. Said election shall be held on the day designated in such notice and shall be conducted as hereafter provided for, and at such election, and at all elections of commissioners thereafter, each bona fide owner of lands in the proposed district shall be entitled to vote in person or by proxy and shall have the right to cast one vote for each one dollar's worth of real estate owned by him, her or it in the district, the value thereof to be determined from the next preceding assessment roll of the county. The board of supervisors shall on the Monday next succeeding said election count and canvass the votes cast thereat, and if on said canvass and count it appears that the majority of votes cast are for the 'Commercial Waterway District—Yes,' the board shall immediately enter an order upon its records declaring the proposed territory duly organized as a commercial waterway district, giving to such district a proper number, followed by the name of the county and state, and shall, also, declare the three persons who received the highest number of votes duly elected Commercial Waterway Commissioners of such commercial waterway district. Said board shall cause a copy of the order entered of record duly signed and to be filed in the office of the Secretary of State, and from and after the date of such filing said organization shall be deemed complete, and the members of said board of commissioners so chosen at such election, before entering upon the discharge of their duties shall qualify as county commissioners, and are each required to enter into a bond payable to the State of California for the benefit of said district with two or more sureties in the penal sum of not less than one thousand dollars nor more than five thousand dollars, conditioned for the faithful performance of their duties as Commercial Waterway Commissioners, to be approved by the board of supervisors and to be filed with the county clerk of the county in which said district is situated. The said Commercial Waterway Commissioners shall hold office until the next general election in said district, at which officers of said commercial waterway district are to be elected, and until such further time as their successors are elected and qualified. The members of each successive Board of Commercial Waterway Commissioners, whether elected or appointed, shall before entering upon their duties take an oath and enter into a bond, as herein provided, which after being approved by the board of supervisors shall be filed in the office of the county clerk of the county in which said district is situated.

"SEC. 6. A general election for the election of a Board of Commercial Waterway Commissioners for such district shall be held upon the first Tuesday after the first Monday in December of each year thereafter, and the term of office shall begin the second Monday of the following January. Said election shall be held in or near the district and the polls shall be open from ten o'clock a.m. to four o'clock p.m., and at all elections for commissioners, every owner of real estate in the district shall have the right to cumulate votes and give one candidate as many votes as the number of commissioners to be elected multiplied by the number of dollars worth of real estate owned by him, her or it shall equal, or to distribute them on the same principle among as many candidates as he shall think fit. No official ballot shall be required at the first or any subsequent election, and the law known as the direct primary law of this State shall have no application to the election held under this Act, and the expense thereof shall be defrayed by said district, and the judges and inspectors of said election shall each receive as compensation for the services rendered at such election the sum of three dollars per day; *provided*, that at least thirty days' notice immediately preceding any such general election shall be given thereof by the Board of Commissioners of such commercial waterway district by posting the same in four public places within the said district. Said notice shall designate the polling place and contain the names of two electors of said district as judges of said election, and the name of one elector of said district as inspector thereof, the same to be chosen by said Board of Commissioners. Said Board of Commissioners shall act as a canvassing board to canvass the votes of each election, and they shall meet the day following such election and canvass said votes and declare the result thereof and issue certificates of election.

"SEC. 7. (*a*) Any district organized under the provisions of this Act shall have the right of eminent domain, with the power by and through its Board of Commissioners to cause to be condemned and appropriated private property for the use of said organization in the construction and maintenance of a system of commercial waterways, and make just compensation therefor; and the property of private corporations shall be subject to the same rights of eminent domain as private individuals, and the said Board of Commissioners shall have the right to acquire by purchase all the real property necessary to make the improvements herein provided for.

"(*b*) Said Board of Commissioners [illegible] and authority to straighten, [illegible] and all rivers, watercourses, streams, lakes or bays, [illegible] located within the boundaries of said [illegible]

"(*c*) To construct [illegible], dykes, and all other [illegible] system, and also [illegible] in any [illegible] the preservation and [illegible] necessary in [illegible]

"(*d*) In the accomplishment of [illegible] waterway district [illegible] or the [illegible] of the [illegible] to acquire all [illegible] ing of [illegible] streams or [illegible] above mentioned [illegible] right, power and authority [illegible] States Government [illegible] change the [illegible] stream, lake or bay aforesaid, or to [illegible] *however*, that they shall [illegible] bay or harbor, any part of which is [illegible] control of any municipal corporation w[illegible] or governing body of such [illegible]

"SEC. 8. The Board of C[illegible] necessary for the [illegible] street, avenue, highway, railroad, canal, [illegible] waterways system [illegible] and property [illegible] to its former state [illegible] or street shall [illegible] in forming said [illegible] if such railroad company, or said [illegible] the owners and controllers of [illegible] and said board [illegible] or the [illegible] determined in all respects [illegible] by condemnation. [illegible] locate, construct and [illegible] are now or may be the [illegible] of the State [illegible] said state lands [illegible] to construct said works [illegible] lative or governing body of [illegible]

"SEC. 9. Said Board of Commissioners [illegible] vided for shall have the exclusive [illegible] of all commercial waterways or [illegible] within the said district, and shall be the ex[illegible] with full power to bind said district. [illegible] the death, failure to elect, failure to qualify, or [illegible] more of the members thereof from said district [illegible] from the [illegible] county, and said appointee shall serve [illegible] or until a successor is elected and qualified.

"SEC. 10. Whenever it is desired to pros[illegible] the construct[illegible] waterways within said district, by and th[illegible]ers, it shall file a complaint in the Superior Court of the [illegible]t is located, setting forth therein the [illegible] me is to [illegible]ted, with a reasonably accurate description [illegible] proposed improvements, showing [illegible] the district, and all persons having any interest therein, [illegible] in the office of the county [illegible] derived by each tract or parcel of land [illegible] said proposed improvements, and that the same [illegible] property [illegible] and welfare, and increase the value of all of said [illegible] revenue; said complaint shall further [illegible] of the tracts or parcels of land and property which shall be taken or damaged, and the names of the owners and all persons having any interest therein, appearing from the records in the office of the county [illegible] necessary to be taken therefor. Said complaint shall set forth as defendants therein all the persons or corporations to be [illegible] by said improvement, and all persons or corporations through whose land the right of way is sought to be appropriated.

and all persons or corporations having any interest therein as mortgagee or otherwise, appearing on record, and shall set forth that said proposed system of commercial waterways is necessary, and that all lands sought to be appropriated for said right of way are necessary to be used as a right of way for the construction and maintenance of said improvement.

"SEC. 11. In the preparation of the facts and data to be inserted in said complaint and filed therewith for the purpose of presenting the matter to the said Superior Court, or at any other time, the said Board of Commissioners of said commercial waterway district may employ one or more good and competent engineers, surveyors and draughtsmen to assist them in compiling data required to be presented to the court with said complaint as hereinbefore provided, and such legal and other assistance as may be necessary, with full power to bind said district for the compensation of such assistance or employees employed by them, and such services shall be taxed as costs in the suit.

"SEC. 12. Said action shall in all respects be subject to and governed by such provisions of the Code of Civil Procedure now existing or that may be hereafter adopted, as may be applicable thereto, except in the particulars otherwise provided for in this Act.

"SEC. 13. When all parties defendant to the action have answered, or have been served with summons, and their default entered, the plaintiff or any party defendant to the action whose default has not been so entered, may, upon five days' notice to the parties, except defendants in default, move the court to set the action for trial. If, upon the hearing of said motion, a trial by jury or by the court without a jury is not demanded by the defendants, or any of them, or by the plaintiff, such trial shall be deemed to be waived and the court must appoint three disinterested persons referees, to ascertain the compensation to be paid to such defendants so waiving trial by a jury, or by the court without a jury. Such referees must be residents of the county where such improvement is to be made, and over the age of twenty-one years, and must take and file with the court an oath to discharge their duties faithfully and impartially. If any of such referees fail to qualify, or resign, or is removed by order of court, or is or becomes unable to act, the vacancy so created shall be filled by the court.

"SEC. 14. The referees shall at once proceed to view the lands sought to be condemned, and ascertain the compensation proper to be paid to such of the parties interested in each parcel thereof as have waived a trial by jury, or by the court, and they shall also ascertain the benefit to be derived by each parcel of property in the district to be assessed to pay the same. They shall have power to examine witnesses under oath, to be administered by any of them, and may have subpenas issued by the clerk of the court, requiring the attendance of witnesses, or the production of evidence before them. They shall make and file with the court a written report of their findings, and of their necessary expenses, within thirty days after the date of their appointment; *provided, however*, that the time so allowed may be extended, upon good cause shown, by the court or judge thereof, but such extension shall not exceed ninety days, *and provided, further*, that if any vacancy in the referees is created and filled as provided in section 13 of this Act, or if new referees are appointed, or if a new report from the same referees is ordered, as provided in section 16 of this Act, the time herein specified for the filing of such report shall be deemed to be thirty days from the date of the order filling such vacancy, or appointing new referees, or ordering a new report from the same referees, and the same may be extended accordingly, as above provided. Any two of such referees who agree thereto, may make such report.

"SEC. 15. For the purpose of assessing the compensation and damages, the right thereto shall be deemed to have accrued at the date of the order appointing referees or of the order setting the cause for trial, as the case may be, and its actual value at that date shall be the measure of compensation for all property to be actually taken, and the basis of damages to property not actually taken, but injuriously affected, in all cases where such damages are allowed by the provisions of this Act. No improvements placed upon the property proposed to be taken, subsequent to the date of filing suit shall be included in the assessment of compensation or damages.

"The referees, or court, or jury, as the case may be, shall find separately:

"*First*—The value of each parcel of property sought to be condemned, and all improvements thereon pertaining to the realty, and of each separate estate or interest therein;

"*Second*—If any parcel of property sought to be condemned is only a part of a larger parcel, the damages which will accrue to the portion not sought to be condemned, and to each separate estate or interest therein, by reason of its severance from the portion sought to be condemned, and the construction of the improvement in the manner proposed by the plaintiff. Such damages must be fixed irrespective of any benefit from such improvement.

"*Third*—The proportion of the total damages allowed and costs and expenses incurred which are assessed against each parcel of property benefited by the proposed improvement in proportion to the benefits to be derived from said improvement.

"*Fourth*—The estimated cost of such improvement and the proportion thereof assessed against each parcel of property benefited by the proposed improvement in proportion to the benefits to be derived from the same.

"SEC. 16. Upon the filing of such report the court must, upon motion of any party, appoint a day for hearing the same not less than twenty days thereafter. Notice of the time and place of such hearing must be given at least ten days before the time so appointed, be served on all the other parties except defendants whose default has been entered. The plaintiff or any defendant who has appeared may file exceptions in writing to said report, specifying the grounds upon which such exceptions are based, at any time before and not less than one day prior to the hearing, and any such party so filing exceptions to said report may appear at the hearing of said report and contest the same. At any time before and not less than one day prior to the hearing, any person not a party to the action, owning or having an interest in any property included within said assessment district, may intervene in the action, and file his exceptions in writing to said report, specifying the grounds upon which such exceptions are based; and any such person so intervening may appear and contest the said report, and introduce evidence in support of such exceptions. After hearing the report and any exceptions thereto, the court may confirm the report, or may modify it and confirm it as modified, or may set it aside and order a new report from the same referees, or from new referees to be appointed. If new referees are appointed, the same proceedings shall be had as upon the first reference.

"If there be a trial of the action by a jury, or by the court without a jury, the clerk of the court must give notice of the time and place of such trial at least ten days before the time so appointed by serving notice on all the other parties except defendants whose default has been entered. At any time before and not less than one day prior to the trial, any person not a party to the action, having an interest in any property included within said assessment district, may intervene in the action, and, upon the trial thereof, may appear and introduce evidence relative to the compensation and damages to be awarded to the defendants therein. The cost of the service of the notices required by this section shall be paid by the plaintiff and allowed as costs in the action.

"When a time has been appointed for hearing the report of the referees, or for the trial of the action, and notice thereof has been given by the clerk as in this section provided, if the hearing or trial be postponed or continued by the court to any subsequent date, no such notice need be given by the clerk of the hearing or trial upon any such postponement or continuance.

"SEC. 17. Upon the confirmation of the report of the referees, or receipt of the verdict of the jury, or the filing of the findings of the court, the court shall make and enter an interlocutory judgment in accordance with such report, verdict or findings, adjudging that upon payment to the respective parties or into court for their benefit, of the several amounts found due them as compensation, and of the costs allowed to them, the property described in the petition shall be condemned to the use of plaintiff, and dedicated to the use specified in the complaint. The court shall allow to the referees as costs to be paid by the plaintiff a reasonable compensation for their services, the amount of which compensation shall be fixed by the court upon the hearings of the report and their necessary expenses.

"SEC. 18. An appeal may be taken from such interlocutory judgment within thirty days from the entry thereof and from any order granting or denying a new trial within ten days after the entry thereof.

"SEC. 19. Such interlocutory judgment shall be lawful and sufficient condemnation of the land or property to be taken, or of the right to damage the same in the manner proposed upon the payment of the amount of such judgment and all costs which shall be taxed as in other civil cases; provided, that in any case where defendant recovers no damages, no costs shall be taxed, such judgment or judgments shall be final and conclusive as to the damages caused by such improvement unless appealed from, and no appeal from the same shall delay proceedings, if such district shall pay into court for the owners and parties interested, as directed by the court, the amount of the judgment and costs, and such district after making such payment into court, shall be liable to such owner or owners or parties interested for the payment of any further compensation which may at any time be finally awarded to such parties so appealing in said proceedings, and his or her costs, and shall pay the same on the rendition of judgment therefor, and abide any order of the court in relation to the matter in controversy. In case of an appeal by any party to the proceedings, the money so paid into the Superior Court by such district, as aforesaid, shall remain in the custody of said Superior Court until the final determination of the proceedings. If the owner of the land, real estate, premises or other property accepts the sum awarded by the court, he shall be deemed thereby to have waived conclusively an appeal and final judgment may be rendered in the Superior Court as in other cases.

"SEC. 20. The court, upon proof that just compensation so found by the jury, or by the court in case the jury is waived, together with the costs, has been paid to the person entitled thereto, or has been paid into the court as directed by the court, shall enter an order that the district shall have the right at any time thereafter to take possession of or damage the property in respect to which such compensation shall have been so paid or paid into court as aforesaid, and thereupon the title to any property so taken shall be vested in fee simple in such district.

"SEC. 21. In case the damages or amount of compensation for such area, together with the estimated costs of the improvement, amount to more than the maximum amount of benefits which will be derived from said improvements, the court shall dismiss such proceedings and in such case a judgment shall be rendered for the costs of said proceedings against said district, and no further proceedings shall be had or done therein, and upon the payment of the costs said organization shall be dissolved by decree of said court.

"SEC. 22. Any person or corporation claiming to be entitled to any money ordered paid by the court, as provided by this Act, may apply to the court therefor, and upon bringing evidence satisfactory to the court that he is entitled to the same, the court shall make an order directing the payment to such claimant of the proportion of such money as he or it may be found entitled to; but if upon such application, the court or judge thereof shall decide that the title in the land, real estate or premises specified in the application of such claimant is in such condition as to require that an action be commenced to determine the title of claimants thereto, it shall refuse such order until such action is commenced and the conflicting claimants to such land, real estate or premises be determined according to law.

"SEC. 23. As soon as there is sufficient money in the hands of the county treasurer, in the special fund devoted to the proposed improvement, to pay the amounts awarded to the defendants by the interlocutory judgment in the action of condemnation, or such parts thereof as have not been paid by offset against assessments, as hereinbefore provided, the said amounts shall be paid to the parties entitled thereto, or into court for their benefit. On satisfactory proof being made to the court of payment of the amounts awarded by the interlocutory judgment to the respective parties entitled thereto, or into court for their benefit, it shall direct the interlocutory judgment to be satisfied, and shall make and enter a final judgment, condemning the lands described in the complaint to the use of the plaintiff for the purposes specified in such complaint.

"SEC. 24. Upon the entering of such interlocutory judgment, the clerk of said court shall immediately prepare a transcript which shall contain a list of all the names of persons and corporations benefited by said improvement, and the amount of benefit derived by each respectively, and shall duly certify the same, together with a list of the land benefited by said improvement, belonging to each person or corporation, and shall file the same with the auditor of the county, who shall immediately enter the same on the assessment rolls as commercial waterway taxes, or such percentage thereof each year as may be designated by the Board of Commissioners of said commercial waterway district, until the whole thereof is collected, and such taxes shall be collected at the same time, and in the same manner as county taxes, and when collected shall be paid into the county treasury for the benefit of said district.

"SEC. 25. The provisions of the Political Code of this State prescribing the manner of levying and collecting taxes and the duties of the several county officers with respect thereto, are, so far as they are applicable and not in conflict with the specific provisions of this Act, hereby adopted and made a part hereof. Such officers shall be liable upon their several official bonds for the faithful discharge of the duties imposed upon them by this Act.

"SEC. 26. The owner of any property assessed, who is entitled to compensation under the award made by the interlocutory judgment, may, at any time after such assessment becomes payable, and before the sale of said property for non-payment thereof demand that such assessment, or any number of such assessments, be offset against the amount to which he is entitled under said judgment. Thereupon, if said amount is equal to or greater than such assessments, including any penalties and costs due thereon, the assessments shall be marked "Paid by offset," and if the said amount is less than the assessments and any penalties and costs due thereon, the person demanding such offset shall at the same time pay the difference in money, and the assessments shall, on such payment, be marked paid, the entry showing what part thereof is paid by offset and what part in money. In either case, as a condition of the offset, such person must execute and deliver duplicate receipts for such part of the amount due him under said interlocutory judgment as is offset against such assessments, penalties, and costs. One of said duplicate receipts shall be filed by the tax collector in his office, the other shall be filed with the clerk of the Superior Court, and on such filing, the district shall be entitled to a satisfaction *pro tanto* of said interlocutory judgment.

"SEC. 27. The treasurer of the county shall be the repository of all the funds of the district, and the county treasurer is authorized and required to receive and receipt for the same and to place the same to the credit of the district. He shall be responsible upon his official bond for the safekeeping and disbursement, in the manner herein provided, of these and all other moneys of the district held by him.

"SEC. 28. The treasurer shall pay out of the same only upon warrants of the Board of Commissioners, signed by the president and attested by the secretary. The treasurer shall report in writing as often as requested by the Board of Commissioners the amount of money in the fund, the amount of receipts since his last report, and the amount paid out. Such report shall be verified and filed with the secretary of the board.

"SEC. 29. In the event of the dismissal of said proceedings, and the rendition of a judgment against said district as hereinbefore provided, said Commercial Waterway Commissioners shall levy a tax upon all real estate within said district, taking as a basis the last equalized assessment of said real estate for state and county purposes sufficient to pay said judgment and the costs of levying said taxes and shall cause said tax roll to be filed in the office of the clerk of the [illegible] court in which said judgment was rendered. If such tax is not paid within sixty days after the filing of the said tax roll, the court shall, upon the application of any party interested, direct said real estate to be sold in payment of said tax. Said sale to be made in the same manner and by the same officer as is or may be provided by law for the sale of real estate for taxes for general purposes, and the same right of redemption shall exist as in the sale of real estate for the payment of taxes for general purposes.

"SEC. 30. After the award of [illegible] said Commissioners of said commercial waterway district shall proceed to the construction of said improvement and in carrying on said construction or any extension thereof, they shall have full charge and management thereof, and shall have the power to employ such engineers as they may deem necessary, and purchase all materials that they may deem necessary for the construction and carrying out of the work of said improvement, and shall have power to let the whole or any portion of said work to any responsible contractor, and shall in such case enter into all necessary agreements with such contractors that may be necessary in the premises; provided, that in case the whole or any portion of such improvement is let to any contractor, said Commissioners shall require such contractor to give a bond in half the amount of the contract price of the whole or of such portion of said work, executed by such contractor with two or more good sureties, to be approved by the Board of Commissioners of said commercial waterway district running to said district as obligee thereof, conditioned for the faithful performance of said contract by said contractor, his executors, administrators or assigns, according to the terms and conditions of said agreement, and shall require said contractor to enter into a further and additional bond in like amount with two or more good and sufficient sureties to be approved by said Board of Commissioners of said commercial waterway district as obligee thereof, conditioned that said contractor, his executors, administrators or assigns, or subcontractors, his executors, administrators or assigns shall perform the whole or that portion of said work under contract of said [illegible], and shall pay or cause to be paid all just claims of all persons performing labor or furnishing material in the construction of said work or furnishing materials, machinery, or provisions of any kind or character used by said contractor or subcontractor, in any manner, in the construction of said improvement; *provided, further*, that no surety on said last mentioned bond shall be liable thereon, unless the persons or corporations performing said labor and furnishing said materials, goods, wares, merchandise and provisions shall, within ninety days after the completion of such improvement, file their claim duly verified, if the amount is just and true and remains unpaid, with the Commissioners of said commercial waterway district.

"SEC. 31. The work on said improvement shall begin without delay, and shall be carried on with all expedition possible, and said Board of Commissioners of said commercial waterway district, or any Commissioner thereof, shall have no power whatever to change the location of the commercial waterway or the system of improvements or the manner of doing the same [illegible] changes in said improvement without the written consent of all the land owners to be benefited thereby and the land owners which may be damaged thereby; and in case any substantial changes in said system, improvement or manner of construction thereof shall be deemed necessary by said Board of Commissioners at any time during the progress thereof, and if the written consent to such changes can not be procured from said land owners, then said Commissioners [illegible] shall file a complaint in the Circuit Court of the county within which said district is located, setting forth therein the changes which they deem necessary to be made in the plans or manner of the construction of said improvement, and praying therein to be permitted to make such changes, and upon the filing thereof the Commissioners shall cause a summons to be issued, which summons shall be served in the same manner as the service of summons in the case of an original complaint, upon all the land owners or others claiming any lien thereon or interest therein appearing of record in said commercial waterway district, and any or all such parties so served may appear in said cause and submit their objections thereof, and after the time for the appearance of said parties has expired the court shall proceed to hear said action at once without further delay, and if it appears during the hearing of such proceedings that the property rights of any of said land owners will be affected by such proposed change in said improvement, then the court after having passed upon all preliminary questions as in the original proceedings, shall cause a jury to be impaneled as in the case of the original proceedings for the establishment of said improvement unless trial by jury has been waived, and upon the final hearing of said cause the jury shall return a verdict in the amount of damages, if any, sustained by all persons and corporations, the same as upon original assessment, by reason of such proposed change, and the amount of compensation to be paid to any persons or corporations therefor, and for any additional right of way that may be necessary to be appropriated by reason of such proposed change, and shall readjust the amount of benefits claimed to have been increased or diminished, if any, of said land owners by reason of such proposed change in said improvement, and the proceedings thereunder would be the same as to rendering judgment and appeal therefrom, payment of compensation and damages and filing the certificate with the auditor as hereinbefore provided for in the proceedings under the original complaint and said Commissioners shall have the right thereafter to proceed with the construction of said improvement according to the changes made therein.

"SEC. 32. During the construction of said improvement said Commissioners shall have the right to allow payment thereof in installments as the work progresses in proportion to the amount of said work completed; *provided*, that no allowance or payment shall be made for said work to any contractor or subcontractor to exceed seventy five per cent. of the proportionate amount of the work completed by such contractor or such subcontractor, and twenty-five per cent. of the contract price shall be reserved at all times by said Board of Commissioners until such work is wholly completed, and shall not be paid upon the completion of said work until ninety days have expired from the presentation of all claims for labor performed and materials, goods, wares, merchandise and provisions furnished or used in the construction of said improvement; and upon the completion of said work and the payment of all claims hereinafter provided for thereon, and the terms and conditions of said contract, said Commissioners shall accept said improvement and pay the contract price therefor.

"SEC. 33. The Board of Commissioners of any commercial waterway district, organized under the provisions of this Act, shall on or before the first day of September of each year make an estimate of the cost and maintenance of the commercial waterway system of such district, which estimate shall include the cost of making any necessary repairs that it might become necessary to make in the maintenance of such system. Such estimate shall be for the succeeding year and the amount so estimated shall be certified by the Board of Commissioners, to the auditor of the county in which said district is located on or before said date, and the amount thereof shall be levied against and apportioned to the land of said district benefited by said improvement in proportion to the maximum benefit originally assessed, and such amount shall be added to the general taxes against said lands and collected therewith.

"SEC. 34. The Board of Commissioners of said district shall elect one of their number chairman and one secretary, and shall keep minutes of all their meetings and may issue warrants of such district in payment of all claims or indebtedness against said district. Such warrants shall be in form and substance the same as county warrants or as near the same as may be practical, and shall draw the legal rate of interest from the date of their presentation to the treasurer for payment, as hereinafter provided, and shall be signed by the chairman and attested by the secretary of said board; *provided*, than no warrants shall be issued by said Board of Commissioners in payment of any indebtedness of such district for less than the face or par value.

"SEC. 35. Upon the establishment of any district under the provisions of this Act and the establishment of a system of commercial waterways therein as provided for in this Act, the Board of Commissioners of such commercial waterway district may, upon the petition of a majority of all the land owners owning land within such district to be benefited thereby, issue bonds for the total amount of the cost of construction of said improvement, together with the cost of the establishing thereof, including damages, assessments and compensations made to the land owners for the right of way, and the expense and cost of the entire proceedings payable at a time not less than ten years nor longer than twenty years from the date thereof; and such commissioners may at any time thereafter issue such bonds in the manner and forms herein described for the purpose of funding any outstanding warrants or obligations of such district, and in case of such last named issue all the outstanding warrants shall immediately become due and payable upon receipt of the money by the county treasurer from the sale of said bonds, and upon a call of such outstanding obligations to be issued by him, which call shall be made by said treasurer immediately upon receipt of the proceeds from the sale of said bonds by publication for two successive weeks in the county paper authorized to do the county printing, and such warrants and outstanding obligations shall cease to draw interest at the end of thirty days after the date of first publication; *provided*, that no bonds shall, under the provisions hereof, be sold for less than their par value.

"SEC. 36. Said bonds shall be numbered from one upward consecutively, and be in denominations of not less than one hundred dollars nor more than one thousand dollars. They shall bear the date of issue and shall be made payable to the bearer not more than twenty years nor less than ten years from date of their issue, and to bear interest at the rate not exceeding seven per cent. per annum, payable semi-annually, with coupon attached for each interest payment. The bonds and each coupon shall be signed by the chairman of the Board of Commercial Waterway Commissioners, and shall be attested by the secretary of such board, and the seal of said district shall be affixed to each bond, but not to the coupons.

"SEC. 37. Said bonds may be exchanged at not less than par value for an equal amount of the warrants of the district issuing bonds.

"SEC. 38. Ten years before said bonds shall become due, the Commercial Waterway Commissioners of such district issuing them are hereby authorized and required annually to levy assessments sufficient to liquidate said bonds at maturity. Such assessments shall be collected by the county [illegible] collector, paid to the county treasurer and kept as a separate fund for the sole purpose of liquidating said bonds in accordance with the provisions of the following section.

"SEC. 39. It shall be the duty of the treasurer of any county in which there may be a district issuing bonds under the provisions of this article whenever he has in hand two thousand dollars of the special fund for the payment of said bonds, to advertise in a newspaper doing the county printing for the presentation to him for payment of as many of the bonds issued under the provisions of this Act as he may be able to pay, the funds in his hands to be paid in numerical order of said bonds beginning with bond number one until all of said bonds are paid: provided, that thirty days after the first publication of such notice of the treasurer calling in any of said bonds by their number shall cease to bear interest which shall be stated in the notice.

"SEC. 40. It shall be the duty of such Commercial Waterway Commissioners annually to levy an assessment sufficient for the payment of the coupons hereinbefore mentioned as they fall due. Said coupons shall be receivable for all assessments as warrants drawn upon the funds of the district issuing bonds under the provisions of this Act, and when presented to the county treasurer and no funds are in the treasury to pay said coupons, it shall be his duty to endorse such coupons as presented for payment in the same manner as other warrants upon the funds of such district are endorsed and thereafter said coupons shall bear interest at the same rate as other warrants so presented and endorsed.

"SEC. 41. Before the bonds are delivered to the purchaser they shall be presented to the county treasurer, who shall register them in a book kept for the purpose and known as the 'bond register,' in which register he shall enter the number of each bond, the date of issue, the maturity, amount and rate of interest, to whom and when payable, and the proceeds derived from the sale of said bonds shall in all cases be paid by the purchaser thereof to the county treasurer.

"SEC. 42. All warrants issued under the provisions of this Act shall be presented by the holders thereof to the county treasurer, who shall endorse thereon the date of presentation for payment, and the additional endorsement thereon in case of non-payment that they are not paid for want of funds, and no warrants shall draw interest under the provisions of this Act until it is so presented and endorsed by the county treasurer, and it shall be the duty of such treasurer from time to time, when he has sufficient funds on hand to pay the first warrants, to advertise in the newspaper doing the county printing for the presentation to him for the payment of as many of the outstanding warrants as he may be able to pay: provided, that thirty days after the first publication of such notice of the treasurer calling in any of said outstanding warrants, said warrants shall cease to bear interest which shall be stated in the notice. Said notice shall be published two weeks consecutively and said warrants shall be called in and paid in the order of their endorsement.

"SEC. 43. Upon the trial of any question of issue by a jury under the provisions of this Act, the trial court may in its discretion submit all questions to be found to the jury in the form of a verdict on all such questions to be found by the jury thereon.

"SEC. 44. Fees for services of all process necessary to be served under the provisions of this Act shall be the same as for like services in other civil cases or that is and may be provided by law.

"SEC. 45. In performing their duties under the provisions of this Act the Board of Commercial Waterway Commissioners shall receive such compensation as may be just and reasonable for all necessary services actually performed not exceeding three dollars per day, to be determined and allowed by the court upon presentation by said Commissioners, or either of them, of an itemized statement duly verified by either member or all of said members, that the same is just, reasonable, necessary and actually performed, and no part of the same has ever been paid. In case such services are rendered by said board in the establishment and construction of said improvement, the amount thereof so allowed by the court shall be deemed to be a part of the cost of the construction and establishment of said improvement and in case such compensation to be allowed by the court shall be for services rendered by said board in the repair or maintenance of such improvement, such allowance shall be added to the actual cost of maintenance of such system: *provided*, that any person interested therein may file objections to the allowance asked for, either in whole or in part, such claims so filed shall not be passed upon or allowed by the court until the expiration of thirty days from the filing thereof. Said Board of Commissioners, or a member thereof, presenting such claims or allowances shall, at the time of filing thereof in the court, post notices in at least four public places within said district, which notice shall set forth therein the fact that an application for allowance has been filed in said court giving the date of filing thereof and the amount of allowance applied for and demanded, if any, and all persons having an interest therein shall file objections in said court, if any they have, to the allowance of said claim or any portion thereof within thirty days from the filing of such application for allowance, and the court shall hear said application and the objections thereto, if any may be filed, and shall in its discretion make such allowance and in such amount as it may deem to be just in the premises, and the same shall be paid, as other claims against said district are paid.

"SEC. 46. The court may compel the performance of the duties imposed by this Act and may in its discretion on proper application therefor, issue its mandatory injunction for such purpose.

"SEC. 47. Nothing herein contained shall be construed as in any way affecting the plenary power of any incorporated city, city and county or town, or municipal or county water district to provide for a water supply for such public corporation, or as affecting the absolute control of any properties of such public corporations necessary for such water supply, and nothing herein contained shall be construed as vesting any powers of control over such properties in said commercial waterway district, or in any person, officer, board or commission referred to in this Act."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Special Committee of One to which was referred Senate Bill No. 1049, with instructions to amend, respectfully reports the same back, amended as per instructions.

BIRDSALL, Committee.

Report read, and on motion of Senator Thompson, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 130—An Act to amend section 1365 of the Code of Civil Procedure, relating to the order of persons entitled to administer upon estates.

On motion of Senator Thompson, Senate Bill No. 130 was passed on file.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan Senate Bill No. 74 was passed on file.

Senate Bill No. 420—An Act to add a new section to the Political Code of the State of California, to be numbered 602*b* to provide a uniform system of classification of risks, premium rates and schedule ratings for the State Compensation Insurance Fund and all other insurance carriers in this State insuring employers or employees under the Workmen's Compensation, Insurance and Safety Act, chapter 176, Laws 1913; to establish adequate rates for such insurance; to permit the limited issuance of compensation participating policies; requiring the Industrial Accident Commission to furnish certain information for the use of the State Insurance Commissioner; requiring every insurance carrier writing such insurance to file an annual report of its loss experience, and empowering the State Insurance Commissioner to supervise, control and enforce the provisions of this Act, and fixing penalties for the violation thereof.

On motion of Senator Benedict, Senate Bill No. 420 was passed on file.

Senate Bill No. 722—An Act to amend sections 1, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16½, 17 and 18 of an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, as amended by an Act approved May 26, 1913, and to add twelve new sections to said Act to be numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31, relating to the organization, powers and duties of said reclamation board, and creating a revolving fund and appropriating money therefor.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 722 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Flint, Gates, Irwin, Kehoe, King, Lyon, Maddux, Mott, Scott, Shearer, Slater, Strobridge, Sturtevant, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1246—An Act to establish the Alpine State road, to define its course, to provide for its supervision, construction, maintenance, improvement and repair and to repeal an Act entitled "An Act to establish the Alpine State highway, to define its course, to provide for its supervision, construction, repair and maintenance, and to make an appropriation therefor," approved April 15, 1911, and an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora, at a point known as Long Barn, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State highway," **approved March 12, 1901.**

On motion of Senator Cogswell, Senate Bill No. 1246 was passed on file.

Senate Bill No. 892—An Act authorizing the construction, improvement, maintenance and control of the uncompleted portions of the system of State highways prescribed and contemplated by an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California, specifying the work, fixing the payments to be made by counties for moneys expended therein, providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D. 1910, and known and cited as the "State Highways Act," specifying the work, fixing the payments to be made by counties for moneys expended therein, providing for the issuance and sale of State bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said system; creating a revolving fund to be used by the State Department of Engineering for the purposes of this Act; creating a sinking fund for the payment of said bonds; and providing for the submission of this **Act to vote of the people.**

On motion of Senator Birdsall, Senate Bill No. 892 was passed on file.

Senate Bill No. 768—An Act to amend section 628 of the Penal Code of the State of California, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 768 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 219—An Act to amend section 791 of the Political Code relating to notaries public;

Also: Senate Bill No. 801—An Act providing for the establishment by the Commission of Immigration and Housing of California of zones or areas on docks where immigrants are landed; prescribing the powers and duties of the said commission with regard thereto; and providing a penalty for violation of the provisions hereof;

Also: Senate Bill No. 848—An Act to amend section 4279 of the Political Code, relating to salaries of county officers for counties of the fiftieth class;

Also: Senate Bill No. 611—An Act to amend sections 1 and 4 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended June 11, 1913;

Also: Senate Bill No. 897—An Act making an appropriation to pay for furnishing, repairing, renovating and improving the Governor's residence.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

Senate Bills Nos. 219, 801, 848, 611 and 897 ordered to enrollment.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 980—An Act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California;

Also: Senate Bill No. 1116—An Act to provide for the return to the owners thereof of any funds paid into the state treasury by any receiver in conformity with the provisions of section 570 of the Code of Civil Procedure; prescribing the procedure relative thereto; and making an appropriation therefor.

L. B. MALLORY, Chief Clerk of Assembly,
By M. STERN, Assistant Clerk.

Senate Bills Nos. 980 and 1116 ordered to enrollment.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1139—An Act to provide for the payment of awards of court, or judgments, rendered in conformity with the provisions of section 1272 of the Code of Civil Procedure, and making an appropriation therefor;

Also: Senate Bill No. 1117—An Act to provide for making restitution to the persons who are or may become entitled thereto in accordance with the provisions of sections 3408*d*, 3571 and 3572 of the Political Code of the principal sums by them, or by their respective predecessors in interest, paid to the State of California and thereafter deposited in the state treasury to the credit of the State School Land Fund pursuant to law, prescribing certain duties of the register of the State Land Office, the State Controller and the State Treasurer with respect thereto; and making an appropriation for such purpose;

Also: Senate Bill No. 108—An Act to amend section 445 of the Political Code of the State of California, authorizing the Controller of State to maintain an inheritance tax department and in connection therewith to appoint an inheritance tax attorney and assistants thereto;

Also: Senate Bill No. 855—An Act to amend section 655 of the Political Code, relating to the State Board of Control.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1139, 1117, 108 and 855 ordered to enrollment.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1236—An Act to amend sections 1771, 1772 and [illegible] of the Political Code, relating to the powers and duties of the county boards of education;

Also: Senate Bill No. 837—An Act to promote the safety of employees and the traveling public upon railroads by prohibiting persons, firms and corporations operating railroads in this State from requiring or permitting station employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains except in such cases or classes of cases as may be permitted by the Railroad Commission;

Also: Senate Bill No. 1124—An Act to add a new section to the Code of Civil Procedure, to be numbered [illegible], relating to condemned property and the procedure in relation thereto;

Also: Senate Bill No. 1119—An Act to provide for making restitution to the persons who are or may become entitled thereto, in accordance with the provisions of sections 3571 and 3572 of the Political Code, of the sums by them, or by their respective predecessors in interest, paid to the State of California in lawful money, the unpaid balance of the purchase price of lands wrongfully sold, or to which the State is unable to pass title, and thereafter deposited in the state treasury to the credit of the State School Fund, pursuant to any [illegible] prescribing [illegible] duties of the Register of the State Land Office, the State Controller and the State Treasurer with respect thereto, and making an appropriation for such purpose.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1236, 837, 1124 and 1119 ordered to enrollment.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted report of the Committee on Free Conference appointed to consider Assembly Bill No. 856—An Act to amend the Penal Code by adding thereto two new sections to be known and numbered as section [illegible] and section [illegible], relating to labor unions.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 334—An Act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths; the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this Act; to create the offices of State and local registrars of vital statistics; to provide for the salary and fees of same; to repeal all Acts and parts of Acts in conflict herewith;

Also: Senate Bill No. 339—An Act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof;

Also: Senate Bill No. 1120—An Act to amend sections 7, 8, 8a, 8b, 8c, 8d and 9 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof", approved March 6, 1907; approved March 19, 1909; approved April 25, 1911; approved June 11, 1913;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 511, 339 and 1120.

Senate Bill No. 511—An Act to provide for the registration of all births and deaths, the establishment of registration districts in cities, incorporated towns, townships, under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of a state and local registrar of vital statistics; and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and fixing penalties for violation of this Act; creating the office of State and local registrars of vital statistics and providing for the salary and fees of same.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED ELEVEN.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of line 8 after "SEC. 2." and all of lines 9 to 32, inclusive, and insert in lieu thereof the following: "The Secretary of the State Board of Health shall be ex officio the State Registrar of Vital Statistics and shall have full supervision and control over the central bureau of vital statistics which is hereby authorized to be established by said State Board of Health. Their shall also be a competent vital statistician who shall be appointed by and shall serve during the pleasure of the State Board of Health and shall receive an annual salary at the rate of two thousand four hundred dollars, which shall be paid in the same manner and at the same time as the salaries of State officers. There shall also be a clerk to the State Board of Health as now provided by law who shall receive an annual salary of sixteen hundred dollars and who shall be appointed by and shall serve during the pleasure of the State Board of Health. Said board shall provide for such clerical and other assistance as may be necessary for the purposes of this Act, all of whom shall serve during the pleasure of the board and whose salaries, excepting said clerk to the State Board of Health, shall be fixed by the State Board of Health. As soon as practicable the custodian".

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, in line 2, insert after the word "county" the words "and city and county".

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, strike out all of line 3 after the word "district" and all of lines 4 to 6, inclusive, and insert in lieu thereof a period.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, strike out all of line 7 after "SEC. 4." and insert in lieu thereof the following: "Within ninety days after the taking effect of this Act, or as soon thereafter as possible, the state board".

AMENDMENT NUMBER FIVE.

On page 4 of the printed bill, line 2, after the word "county", insert the words "or city and county".

AMENDMENT NUMBER SIX.

On page 20 of the printed bill, strike out all of lines 12 and 13.

AMENDMENT NUMBER SEVEN.

On page 20 of the printed bill, in line 14, strike out the figure "5" and insert in lieu thereof the figure "4".

AMENDMENT NUMBER EIGHT.

On page 1, lines 2 and 3 of the title strike out the following: "In cities, incorporated towns, townships".

AMENDMENT NUMBER NINE.

On page 1, line 7, strike out the word "a" before "local" and add the letter "s" to the word "registrar".

AMENDMENT NUMBER TEN

On page 16, line 27, strike out "the whole county" and insert in lieu thereof the following: "his registration district".

AMENDMENT NUMBER ELEVEN

On page 17, between the lines 18 and 19, insert the following: "For any search of the files and records when no certified copy is made the State Registrar or local registrar shall be entitled to a fee of fifty cents for each hour or fractional hour of time of search, such fee to be paid by the applicant".

AMENDMENT NUMBER TWELVE

On page 17, lines 31 and 32, strike out the following: "without fee and without charge for time of search" and insert in lieu thereof the following: "for the fee of fifty cents provided herein".

AMENDMENT NUMBER THIRTEEN

On page 17, line 33, insert "or person acting as midwife" after the word "midwife".

Adopted April 26, 1915.

AMENDMENT NUMBER ONE

On page 1 of the printed bill, line 2 of the title, after the word "provide" insert the following: "a central bureau for the preservation of records of marriages, births and deaths, and to provide".

AMENDMENT NUMBER TWO

On page 1 of the printed bill, line 8 of the title, strike out the words "and prescribing" and insert in lieu thereof the following: "to prescribe".

AMENDMENT NUMBER THREE

On page 1 of the printed bill, line 10 of the title, strike out the word "fixing" and insert in lieu thereof the words "to fix".

AMENDMENT NUMBER FOUR

On page 1 of the printed bill, line 11 of the title, strike out the words "creating the office" and insert in lieu thereof the words "to create the offices".

AMENDMENT NUMBER FIVE

On page 1 of the printed bill, line 12 of the title, strike out the words "and providing" and insert in lieu thereof the words "to provide".

AMENDMENT NUMBER SIX

On page 1 of the printed bill, line 13 of the title, strike out the words "and repealing" and insert in lieu thereof the words "to repeal".

AMENDMENT NUMBER SEVEN

On page 1 of the printed bill, line 1, strike out the words "board of health" and insert in lieu thereof the word "registrar".

AMENDMENT NUMBER EIGHT

On page 1, of the printed bill, line 2, insert a comma and the word "marriages" after the word "births".

AMENDMENT NUMBER NINE

On page 1, of the printed bill, line 2, strike out all after the semicolon and all of lines 3 and insert in lieu thereof the following: "shall prepare sample forms and blanks with instructions for obtaining and".

AMENDMENT NUMBER TEN

On page 2 of the printed bill, line 5, strike out the word "from" and all of lines 6 and 7 and insert in lieu thereof the following: "promulgate any additional rules or regulations".

AMENDMENT NUMBER ELEVEN.

On page 2 of the printed bill, line 16, strike out all after the comma down to and including the period in line 17.

AMENDMENT NUMBER TWELVE.

On page 2 of the printed bill, line 26, after the period, insert the following "All such salaries shall be paid in the same manner and at the same time as the salaries of State officers".

AMENDMENT NUMBER THIRTEEN.

On pages 2 and 3 of the printed bill, strike out all of section 3 and section 4 down to and including line 25 on page 3 and insert in lieu thereof the following:

"SEC. 3. For the purposes of this Act the State shall be divided into registration districts as follows: Each city and county, city and incorporated town and each county exclusive of the portion included within cities and incorporated towns shall constitute a primary registration district.

"SEC. 4. The recorder of each city and county or county and the clerk of each city and incorporated town, shall be the local registrar in and for such primary registration district and shall perform all such duties of local registrar as hereinafter provided; *provided, however*, that in cities having a freeholders' charter, the health officer shall act as local registrar and perform all the duties thereof.

"The refusal of a local health officer to perform the duties imposed upon him by this Act shall be deemed a neglect of official duty and shall be sufficient ground for the removal of such officer pursuant to the provisions of section 772 of the Penal Code."

AMENDMENT NUMBER FOURTEEN.

On page 3 of the printed bill, lines 26 and 27, strike out all after the word "immediately" down to the word "appoint".

AMENDMENT NUMBER FIFTEEN.

On page 3 of the printed bill, line 27, after the word "deputy" insert the words "in writing".

AMENDMENT NUMBER SIXTEEN.

On page 3 of the printed bill, lines 32 and 33, strike out "incorporated city or county or city and county district," and insert in lieu thereof the words "registration district".

AMENDMENT NUMBER SEVENTEEN.

On page 4 of the printed bill, line 2, insert the word "forthwith" between the words "shall" and "forward".

AMENDMENT NUMBER EIGHTEEN.

On page 4 of the printed bill, lines 3 and 4, strike out the words "within ten days".

AMENDMENT NUMBER NINETEEN.

On page 4 of the printed bill, line 12, after the word "therein" insert the following: "or which shall be brought in from outside the State".

AMENDMENT NUMBER TWENTY.

On page 4 of the printed bill, line 13, after the word "cremated" insert a comma and the word "disinterred".

AMENDMENT NUMBER TWENTY-ONE.

On page 5 of the printed bill, line 3, strike out the semicolon and insert in lieu thereof the following: "when such removal or transit permit shall have endorsed thereon the written approval of the State Registrar or when the State Registrar otherwise officially notifies the local registrar of his approval".

AMENDMENT NUMBER TWENTY-TWO.

On page 6 of the printed bill, line 19, strike out the word "only".

AMENDMENT NUMBER TWENTY-THREE.

On page 6 of the printed bill, strike out lines 22 to 26, inclusive.

AMENDMENT NUMBER TWENTY-FOUR.

On page 6 of the printed bill, between lines 36 and 37, insert the following: "(18) Length of residence (for inmates of hospitals and other institutions; transients or recent residents) at place of death and in California, together with the place where disease was contracted if not at the place of death, and former or usual place of residence."

AMENDMENT NUMBER TWENTY-FIVE.

On page 6 of the printed bill, line 27, strike out the figure "8" and insert in lieu thereof the figure "9".

AMENDMENT NUMBER TWENTY-SIX.

On page 7 of the printed bill, line 1, strike out the number "19" and insert in lieu thereof "20".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 7 of the printed bill, line 4, strike out the letter "a" after "thirteen"

AMENDMENT NUMBER TWENTY-EIGHT.

On page 7 of the printed bill, line 28, after the word "non-residents" insert the following: ", transients or recent residents".

AMENDMENT NUMBER TWENTY-NINE.

On page 7 of the printed bill, line 30, strike out the words "thirteen," and insert in lieu thereof the word "eighteen".

AMENDMENT NUMBER THIRTY.

On page 7 of the printed bill, line 31, strike out the word "may" and insert in lieu thereof the word "shall".

AMENDMENT NUMBER THIRTY-ONE.

On page 8 of the printed bill, between lines 7 and 8, insert the following: "In every case the certificate must contain as many facts required by this Act as can be ascertained".

AMENDMENT NUMBER THIRTY-TWO.

On page 8 of the printed bill, lines 15 and 16, strike out the following: "or to the health officer or coroner" and insert in lieu thereof the following: "or to the coroner or other proper official either directly or".

AMENDMENT NUMBER THIRTY-THREE.

On page 10 of the printed bill, line 5, strike out the word "seventy-two" and insert in lieu thereof the word "thirty-six".

AMENDMENT NUMBER THIRTY-FOUR.

On page 10 of the printed bill, between lines 11 and 12, insert the following: "In sparsely settled districts or where there is no direct mail communication with the county seat a reasonable time shall be fixed by the local registrar."

AMENDMENT NUMBER THIRTY-FIVE.

On page 10 of the printed bill, line 12, before the word "midwife" insert the word "or".

AMENDMENT NUMBER THIRTY-SIX.

On page 10 of the printed bill, line 14, strike out the words, "midwife or person acting as midwife".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 10 of the printed bill, between lines 16 and 17, insert the following: "In case no physician was in attendance it shall be the duty of the midwife or person acting as midwife to file such certificate".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 11 of the printed bill, line 33, strike out the word "only"

AMENDMENT NUMBER THIRTY-NINE.

On page 13 of the printed bill, strike out all of line 30 after the word "prepare" and all of line 31, and insert in lieu thereof the following: "sample forms and blanks for use in registering,".

AMENDMENT NUMBER FORTY.

On page 13 of the printed bill, line 36, after the word "other" insert the words "forms or".

AMENDMENT NUMBER FORTY-ONE.

On page 13 of the printed bill, line 37, strike out the word "supplied" and insert in lieu thereof the word "prescribed".

AMENDMENT NUMBER FORTY-TWO.

On page 13 of the printed bill, line 37, after the period, insert the following: "Printed blanks in the forms prescribed by the State Registrar for all returns shall be furnished in sufficient quantities to each recorder or health officer by the board of supervisors of each county or city and county."

AMENDMENT NUMBER FORTY-THREE.

On page 14 of the printed bill, strike out all of line 7, after the word "upon" and in line 8 the words "State Registrar" and insert in lieu thereof the following "the forms provided".

AMENDMENT NUMBER FORTY-FOUR.

On page 14 of the printed bill, strike out all of line 14, after the word "respect" and all of line 15 to the comma after the word "witnessed".

AMENDMENT NUMBER FORTY-FIVE.

On page 14 of the printed bill, line 17, strike out the following: "upon forms provided by the State Registrar" and insert in lieu thereof the following:

"(a) Whenever it may be alleged that the facts are not correctly stated in any certificate of death already registered, the local Registrar shall require an affidavit under oath to be made by the person asserting the fact, to be supported by the affidavit of one other credible person having knowledge of the facts, setting forth the changes necessary to make the record correct. Having received such affidavits, the local Registrar shall file them together with an amended certificate and he shall note the fact of the amendment with its date on the margin of the otherwise unaltered original certificate. He shall transmit the original certificate with the affidavits and amended certificate attached when making his regular monthly returns to the State Registrar. He shall also retain copies for his files. If the correction relates to a certificate previously returned to the State Registrar, the local Registrar shall forthwith transmit the affidavit to the State Registrar. If the correction is first made in the State Bureau of Vital Statistics the State Registrar shall transmit a certified copy of the amended certificate to the local Registrar."

AMENDMENT NUMBER FORTY-SIX.

On page 15 of the printed bill, strike out all of lines 8 to 17, inclusive, and insert in lieu thereof the following: "as filed in his office".

AMENDMENT NUMBER FORTY-SEVEN.

On page 15 of the printed bill, lines 32 and 33, strike out the words "a burial or removal permit" and insert in lieu thereof the following: "a permit for removal, burial or other disposition of the body".

AMENDMENT NUMBER FORTY-EIGHT.

On page 16 of the printed bill, line 2, strike out the word "board" and insert in lieu thereof the following "and local boards".

AMENDMENT NUMBER FORTY-NINE.

On page 16 of the printed bill, line 11, strike out the words "supplied by the State Registrar" and insert in lieu thereof the following: "containing forms identical with the original certificates and".

AMENDMENT NUMBER FIFTY.

On page 16 of the printed bill, lines 12 and 13, strike out everything from the comma to the word "registrar", inclusive, and insert in lieu thereof a period.

AMENDMENT NUMBER FIFTY-ONE.

On page 16 of the printed bill, strike out after the word "purpose" all of lines 19 to 22, inclusive.

AMENDMENT NUMBER FIFTY-TWO.

On page 17 of the printed bill, line 4, strike out the word "immediately" and insert in lieu thereof the word "forthwith".

AMENDMENT NUMBER FIFTY-THREE.

On page 17 of the printed bill, line 10, after the word "State" insert the words "or local".

AMENDMENT NUMBER FIFTY-FOUR.

On page 17 of the printed bill, strike out lines 16 to 36, inclusive, and on page 18 strike out lines 1 to 14, inclusive, and insert in lieu thereof the following: "and the State Registrar shall keep a true and correct account of all fees".

AMENDMENT NUMBER FIFTY-FIVE.

On page 18 of the printed bill, line 22, strike out the word "state" and insert in lieu thereof the word "local".

AMENDMENT NUMBER FIFTY-SIX.

On page 18 of the printed bill, strike out all of line 26, and insert in lieu thereof the following: "herein prescribed."

"(b) If, upon such search, [illegible] occurring in this State [illegible] in effect at the time when such birth or death occurred, [illegible] interested [illegible] Superior Court of the county [illegible] petition shall be [illegible] upon hearing the same, [illegible] adduced in behalf of the petitioner at the hearing thereof. [illegible] and either of said officers [illegible] hearing and oppose the making of such order. Such hearing [illegible] filing such petition, [illegible] time and in the same manner [illegible] petition for the [illegible] mentary or of administration thereon.

If upon such hearing, the proofs of the allegations of the petition are established to the satisfaction of the court, the court may make an order [illegible] birth or such death [illegible] proofs adduced upon such hearing. Certified copies of such order shall be delivered to the local registrar of [illegible] Statistics."

AMENDMENT NUMBER FIFTY-SEVEN.

On page 19 of the printed bill, line 26, [illegible] and insert in lieu thereof the following: [illegible] each".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 19 of the printed bill, line 33, strike out the words "And he" and insert in lieu thereof the following: "He".

AMENDMENT NUMBER FIFTY-NINE.

On page 19 of the printed bill, line 37, strike out all after the word "law" down to the period on page 20, line 1.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 511?"

The roll was called, and Assembly amendments to Senate Bill No. 511 were concurred in by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Birdsall, Boynton, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—28.

Noes—None.

Senate Bill No. 511 ordered to enrollment.

Senate Bill No. 339—An Act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED THIRTY-NINE.

AMENDMENT NUMBER ONE.

On page 2, line 35, strike out the word "as", and insert in lieu thereof the following: "such".

AMENDMENT NUMBER TWO.

On page 2, lines 35 and 36, strike out the words "the sum of eighteen hundred dollars per annum", and insert in lieu thereof the following: "as may be fixed by the board, which shall be in addition to his per diem as a member of the board".

AMENDMENT NUMBER THREE.

On page 4, line 23, after the word "board", insert the following: "and for each day actually spent performing necessary work in connection with the enforcement of this Act".

AMENDMENT NUMBER FOUR.

On page 5, line 12, strike out the period and add the following: "*provided, however*, that every person actually engaged as an apprentice to a regularly licensed dentist who has practiced in the State of California for ten years or more shall be eligible for examination, if, within thirty (30) days after the passage of this Act, he shall file with the secretary of the board an affidavit stating his name, age, the length of time for which he has been actually apprenticed and with whom; and who, at the time of his application for examination, shall show to the satisfaction of the board that he has served an apprenticeship of at least five (5) years and is a graduate from a high school or similar institution of learning in this or some other state of the United States requiring a three (3) years' course of study; *and, provided*, that no examination shall be given to an applicant claiming the right to take the same as an apprentice later than December 30, 1915."

AMENDMENT NUMBER FIVE.

On page 5, line 17, strike out the word "of", and insert in lieu thereof the word "on".

AMENDMENT NUMBER SIX.

On page 11, line 23, strike out the word "of", and insert in lieu thereof the word "or".

AMENDMENT NUMBER SEVEN.

On page 12, line 8, insert after the word "misrepresentation" a ";".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 339?"

The roll was called, and Assembly amendments to Senate Bill No. 339 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Kehoe, Luce, Lyon, Maddux, Mott, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—26.
NOES—None.

Senate Bill No. 339 ordered to enrollment.

Senate Bill No. 1120—An Act to amend sections 7, 8, 8*a*, 8*b*, 8*d* and 9 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California and providing a penalty for the violation thereof," approved March 6, 1907; approved March 19, 1909; approved April 25, 1911; approved June 11, 1913.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ELEVEN HUNDRED TWENTY.

AMENDMENT NUMBER ONE.

On page 1, line 8, strike out the words "shall" following the word "conviction" and insert in lieu thereof the following: "thereof".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1120?"

The roll was called, and Assembly amendment to Senate Bill No. 1120 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Kehoe, Luce, Lyon, Maddux, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—27.
NOES—None.

Senate Bill No. 1120 ordered to enrollment.

MESSAGES FROM ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding to article VI of said Constitution a new section, to be numbered section [illegible], relating to the term of office of judges of the Superior Court, and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

On motion of Senator Finn, Senate Constitutional Amendment No. 2 was ordered to the file of unfinished business.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 1123—An Act to amend section 1272 of the Code of Civil Procedure, relating to escheated property and the procedure in relation thereto, and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1123.

Senate Bill No. 1123—An Act to amend section 1272 of the Code of Civil Procedure, relating to escheated property and the procedure in relation thereto.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED TWENTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 4, strike out the word "[illegible]", and insert in lieu thereof the word "five".

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1123?"

The roll was called, and Assembly amendment to Senate Bill No. 1123 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Boyd, Brown, Butler, Chandler, Cogswell, Carr, Crowley, [illegible], Finn, Flint, Gates, Kehoe, Luce, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck and Thompson—25.

NOES—None.

Senate Bill No. 1123 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—[illegible].

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. [illegible]—An Act to provide for the formation, organization and government of protection districts in the several counties of this State, for the improvement and rectification of the channels of innavigable streams and water courses, canyons, washes and for draining swales, for the purpose of saving and conserving the storm water, flood water or snow water for beneficial and useful purposes, for the protection of the territory thereof, by widening, deepening and straightening and otherwise improving the said channels, and by constructing new channels for the conducting of [illegible] thereof, and for the construction of the necessary works for the protection, [illegible], and conservation of said storm, flood or snow waters by said district, and for the issuance of bonds representing the costs and expenses thereof, and for levying assessment taxes to pay the interest and principal of such bonds, and to provide for a special fund derived in part from the general fund of the county and in part by special assessment taxes upon the district, and for levying an assessment to extend, repair or maintain such work, and to establish a special fund therefor and to provide for the dissolution of said district;

Also, Senate Bill No. 1231—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section 19 thereof, relating to elections held in such districts;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 499 and 1231.

Senate Bill No. 499—An Act to provide for the formation, organization and government of protection districts in the various counties of this State, for the improvement and rectification of the channels of innavigable streams and water courses, canyons, washes or swales, for the purpose of saving and conserving any storm water, flood water or snow water for beneficial and useful purposes, for the prevention of the overflow thereof, by widening, deepening and straightening and otherwise improving the said channels, and by constructing new channels, for the condemnation of property therefor, and for the construction of the necessary works for the protection against, and conservation of said storm, flood or snow waters by said district, and for the issuance of bonds representing the costs and expenses thereof, and for levying assessments to pay the interest and principal of such bonds, and for levying an assessment to extend, repair or maintain such work.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED NINETY-NINE.

AMENDMENT NUMBER ONE.

On page 30, lines 28 to 36, of the bill as amended in Assembly April 20, 1915, strike out all of said lines 28 to 36, inclusive, and insert in lieu thereof the following:

"SEC. 29. This Act is not intended to supersede, repeal or affect any other Act on the same subject which may create, or provide for the formation of, a protection district, flood control district, storm water district, or any other district; but is intended as an alternative method for the formation, organization and government of protection districts.

"This Act shall be known as the 'Protection District Act of 1915,' and by such designation shall be sufficiently identified in any proceeding thereunder."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 499?"

The roll was called, and Assembly amendment to Senate Bill No. 499 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—29.

NOES—None.

Senate Bill No. 499 ordered to enrollment.

Also:

Senate Bill No. 1231—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section 19 thereof, relating to elections held in such districts.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED THIRTY-ONE

AMENDMENT NUMBER ONE.

On page 2, line 27, strike out the period and insert in lieu thereof the following: "; *provided*, that in case any district organized under this title is appointed fiscal agent of the United States or by the United States is authorized to make collections of moneys for and on behalf of the United States in connection with any federal reclamation project, each of said officers shall execute a further and additional official bond in such sum as the Secretary of the Interior may require, conditioned for the faithful discharge of the duties of his office and the faithful discharge by the district of its duties as fiscal or other agent of the United States under any such appointment or authorization, and any such bond may be sued upon by the United States or any person injured by the failure of such officer or the district to fully, promptly and completely perform their respective duties."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 1231?"

The roll was called, and Assembly amendment to Senate Bill No. 1231 was concurred in by the following vote:

AYES—Senators Ballard, Benedict, Birdsall, Boyd, Brown, Butler, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Mott, Purkitt, Scott, Sharkey, Slater, Strobridge, and Thompson.
NOES—None.

Senate Bill No. 1231 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—RESUMED.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and April 28 passed as amended, Senate Bill No. 20—An Act to license and regulate the business of private detectives and detective agencies, and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STEEN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly Amendments to Senate Bill No. 20.

Senate Bill No. 20—An Act to license and regulate the business of private detectives and detective agencies.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWENTY.

Adopted April 19, 1915.

AMENDMENT NUMBER ONE.

On page 2, line 28, strike out the words "one hundred" and insert in lieu thereof the word "ten".

AMENDMENT NUMBER TWO.

On page 2, line 33, strike out the word "ten" and insert in lieu thereof the word "two".

Adopted April [illegible], 1915.

AMENDMENT NUMBER ONE.

On page 1, line 5, strike out the word "Controller", and insert in lieu thereof the following: "State Board of Prison Directors".

AMENDMENT NUMBER TWO.

On page 1, line 14, strike out the word "Controller", and insert in lieu thereof the following: "State Board of Prison Directors".

AMENDMENT NUMBER THREE.

On page 2, line 9, strike out the word "Controller", and insert in lieu thereof the following: "State Board of Prison Directors".

AMENDMENT NUMBER FOUR.

On page 2, line 10, strike out the word "his", and insert in lieu thereof the following: "their".

AMENDMENT NUMBER FIVE.

On page 2, line 22, strike out the word "Controller", and insert in lieu thereof the following: "State Board of Prison Directors".

AMENDMENT NUMBER SIX.

On page 2, line 24, strike out the word "he" and insert in lieu thereof the following: "they".

AMENDMENT NUMBER SEVEN.

On page 2, line 28, strike out the word "Controller", and insert in lieu thereof the following: "State Board of Prison Directors".

AMENDMENT NUMBER EIGHT.

On page 2, line 32, strike out the word "Controller", and insert in lieu thereof the following: "State Board of Prison Directors".

AMENDMENT NUMBER NINE.

On page 2, line 37, strike out the word "Controller", and insert in lieu thereof the following: "State Board of Prison Directors".

AMENDMENT NUMBER TEN.

On page 3, line 6, strike out the word "Controller", and insert in lieu thereof the following: "State Board of Prison Directors".

AMENDMENT NUMBER ELEVEN.

On page 3, line 17, strike out the word "Controller", and insert in lieu there the following: "State Board of Prison Directors".

AMENDMENT NUMBER TWELVE.

On page 3, line 17, strike out the word "is", and insert in lieu thereof the following: "are".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 22, strike out the word "Controller", and insert in lieu thereof the following: "State Board of Prison Directors".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 20?"

The roll was called, and Assembly amendments to Senate Bill No. 20 were concurred in by the following vote:

AYES—Senators Ballard, Benedict, Birdsall, Breed, Brown, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—26.

NOES—None.

Senate Bill No. 20 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 21—An Act to add a new section to the Code of Civil Procedure to be numbered 1040, providing a method of procedure whereby a poor person, having a good cause of action or a good defense, may prosecute his action or conduct his defense without the payment of costs;

Also: Assembly Bill No. 121—An Act to amend section 1449 of the Penal Code, relating to the time for rendering judgment in Justices' and Police Courts;

Also: Assembly Bill No. 793—An Act to amend sections 1, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16½, 17 and 18 of an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1914, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board and defining its powers,' approved December 24, 1911, as amended by an Act approved May [illegible], 1913; and to add twelve new sections to said Act to be numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31, and relating to the organization, powers and duties of said Reclamation Board, and creating a revolving fund and appropriating money therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 21 and 121 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 793 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

SACRAMENTO, April 29, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 1006—An Act prohibiting the preparation, sale, barter, shipment or exchange of any worthless, contaminated, dangerous or harmful hog cholera serum or virus; requiring every establishment for the preparation of hog cholera serum, virus, vaccine or antitoxin to be inspected and licensed by the Director of the Agricultural Experiment Station of the University of California, and providing penalties for violation of any of the provisions hereof—and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1006.

Senate Bill No. 1006—An Act prohibiting the preparation, sale, barter, shipment or exchange of any worthless, contaminated, dangerous or harmful hog cholera serum or virus; requiring every establishment for the preparation of hog cholera serum or virus to be inspected and licensed by the Director of the Agricultural Experiment Station of the University of California, and providing penalties for violation of any of the provisions hereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND SIX.

AMENDMENT NUMBER ONE.

In line 5 of the title, page 1 of the printed bill, after the word "serum", strike out the word "or" and insert a comma.

AMENDMENT NUMBER TWO.

In line 5, page 1 of the title of the printed bill, after the word "virus", insert a comma and the words "vaccine or antitoxin".

AMENDMENT NUMBER THREE.

After the word "serum" in line 4, page 1 of the printed bill, strike out the word "or" and insert a comma in lieu thereof.

AMENDMENT NUMBER FOUR.

After the word "virus" in line 4, page 1 of the printed bill, strike out the period and insert a comma in lieu thereof and the words "vaccine or antitoxin".

AMENDMENT NUMBER FIVE.

In line 7, page 1, after the word "serum", strike out the word "or" and insert in lieu thereof a comma.

AMENDMENT NUMBER SIX.

After the word "virus" in line 7, page 1, insert a comma and the words "vaccine or antitoxin".

AMENDMENT NUMBER SEVEN.

In line 8, page 1 of the printed bill, strike out the word "or" and insert in lieu thereof a comma.

AMENDMENT NUMBER EIGHT.

In line 8, page 1 of the printed bill, after the word "virus", insert a comma and the words "vaccine or antitoxin".

AMENDMENT NUMBER NINE.

In line 2, page 2 of the printed bill, strike out the word "and" and insert in lieu thereof a comma.

AMENDMENT NUMBER TEN.

In line 2, page 2 of the printed bill, after the word "virus", insert a comma and the following: "vaccine or antitoxin".

AMENDMENT NUMBER ELEVEN.

In line 7, page 2 of the printed bill, after word "serum", strike out the word "or" and insert in lieu thereof a comma.

AMENDMENT NUMBER TWELVE.

After the comma after the word "virus", line 7, page 2 of the printed bill, insert the words "vaccine or antitoxin".

AMENDMENT NUMBER THIRTEEN.

In line 9, page 2 of the printed bill, after the word "serum", strike out the word "or".

AMENDMENT NUMBER FOURTEEN.

In line 9, page 2 of the printed bill, after the word "virus", strike out the period and insert in lieu thereof ", vaccine or antitoxin".

AMENDMENT NUMBER FIFTEEN.

In line 11, page 2 of the printed bill, after the word "serums", strike out the word "or" and insert in lieu thereof a comma.

AMENDMENT NUMBER SIXTEEN.

After the word "viruses" on line 11, page 2 of the printed bill, insert a comma and the words "vaccines or antitoxin".

AMENDMENT NUMBER SEVENTEEN.

In line 20, page 2 of the printed bill, strike out the word "or" after the word "serum", and insert in lieu thereof a comma.

AMENDMENT NUMBER EIGHTEEN.

In line 21, page 2 of the printed bill, strike out the period and insert in lieu thereof a comma and the words "vaccine or antitoxin".

AMENDMENT NUMBER NINETEEN.

In line 24, page 2 of the printed bill, after the word "serum" strike out the word "or" and insert in lieu thereof a comma.

AMENDMENT NUMBER TWENTY.

In line 24, page 2 of the printed bill, after the word "virus" insert a comma and the words "vaccine or antitoxin".

AMENDMENT NUMBER TWENTY-ONE.

In line 35, page 2 of the printed bill, after the word "imprisonment" insert a new paragraph as follows:

"SEC. 8. For the purpose of carrying into effect this Act the Regents of the University of California are hereby authorized to collect and there shall be paid to the Regents of the University of California by every manufacturer, importer, agent, or dealer in hog cholera serum, virus, vaccine or antitoxin, a license tax of one mill for every cubic centimeter of serum, virus, vaccine or antitoxin sold or distributed, and each manufacturer or importer of any hog cholera serum, virus, vaccine or antitoxin shall file with the Secretary of the Board of Regents of the University of the State of California, quarterly a sworn statement showing all sales of hog cholera serum, virus, vaccine or antitoxin for the preceding quarter, accompanied by a corresponding amount of the license tax above specified: *provided, however*, that nothing herein shall prevent the sale or distribution of hog cholera serum, virus, vaccine or antitoxin produced in a laboratory holding a license issued by the United States Department of Agriculture to manufacture or import hog cholera serum, virus, vaccine or antitoxin".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1006?"

The roll was called, and Assembly amendments to Senate Bill No. 1006, were concurred in by the following vote:

AYES—Senators Ballard, Benedict, Birdsall, Brown, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gates, Irwin, Jones, Kehoe, King, Lyon, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—26.
NOES—None.

Senate Bill No. 1006 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—[illegible]

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 29, passed Senate Bill No. 410—An Act relating to mattresses, regulating the making, remaking, and sale thereof, prohibiting the use of unsanitary and unclean materials therein, requiring that materials used shall be accurately described and the percentage of materials used in each mattress stated and prescribing the manner in which mattresses shall be labeled, and making the violation of any of the provisions of this Act a misdemeanor, and repealing legislation inconsistent with this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 410 ordered to enrollment.
Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1025—An Act to amend [illegible] of an Act entitled "An Act to promote the general welfare of the people of this State, affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such personal injury or death irrespective of the fault of either party, and specifying the means and methods of enforcing such liability, and creating a State Compensation Insurance Fund to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers, and requiring safety in all employments and places of employment in this State and providing means and methods of enforcing such safety, and requiring reports of industrial accidents, and prescribing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations, and creating an Industrial Accident Commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating money to carry out the provisions of this Act, and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913;

Also: Assembly Bill No. 1361—An Act to provide for the organization and management of mutual casualty insurance corporations.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1025 and 1361 read first time, and referred to Committee on Insurance.
Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1235—An Act to amend section 4255 of the Political Code, relating to salaries and fees of officers in counties of the twenty-sixth class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 1235 ordered to enrollment.
Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1160—An Act to add a new section to the Penal Code, to be numbered section 632, relating to the importation into the State of California and sale of domestically reared trout;

Also: Assembly Bill No. 1379—An Act to amend sections 323 and 325 of the Code of Civil Procedure, relating to the adverse possession of land;

Also: Assembly Bill No. 1583—An Act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for non-compliance.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1160 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1379 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1583 read first time, and referred to Committee on Revenue and Taxation.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly April 28th passed Assembly Bill No. 1410—An Act to amend sections 1917 and 1918 of the Civil Code, and to add a new section to the Civil Code to be numbered section 1918*a*, relating to rate of interest.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1410 read first time, and referred to Committee on Judiciary.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 649—An Act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust.

On motion of Senator Thompson, Senate Bill No. 649 was passed on file.

Senate Bill No. 1125—An Act to amend section 1269 of the Code of Civil Procedure, relating to escheated property and the procedure in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1125 passed by the following vote:

AYES—Senators Ballard, Benedict, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1248—An Act to amend section 631 of the Code of Civil Procedure, providing when and how trial by jury may be waived.

Bill read third time.

On motion of Senator Butler, Senate Bill No. 1248 was passed on file.

Senate Bill No. 775—An Act making an appropriation for the entertainment of the delegates to the convention of the National Guard Association of the United States, at its meeting in the city of San Francisco, California, during the year 1915, and the reception and entertainment of visiting military bodies, organizations and delegations to the State of California, upon the occasion of the Panama-Pacific International Exposition.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 775 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Gerdes, Irwin, Jones, Kehoe, Lyon, [illegible], Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—24.
NOES—Senators Ballard, and King—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 814—An Act to provide for the licensing of motor vehicles engaged in the carrying of passengers for hire upon the public highways in the State of California.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cogswell moved to refer to Senator Birdsall as a Special Committee of One to amend Senate Bill No. 814 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 13, strike out the words "twelve dollars and fifty cents" and insert in lieu thereof the words "seven dollars."

AMENDMENT NUMBER TWO.

On page 2, line 14, strike out the figures "($12.50)" and insert in lieu thereof the figures "($7.00)."

AMENDMENT NUMBER THREE.

On page 5, line 9, strike out the words "three thousand five hundred" and insert in lieu thereof the words "six thousand."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 814, with instructions to amend, respectfully reports the same back, amended, as per instructions.

BIRDSALL, Committee.

Report read and, on motion of Senator Cogswell, adopted.

Bill ordered to print and re-engrossment.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day Senator Butler moved to reconsider the vote whereby Assembly Bill No. 1235—An Act to amend the Political Code by adding a new section thereto to be numbered 1618*a*, providing for the establishment of separate classes for the instruction of pupils who from any cause are deficient in their studies, was refused passage.

CONSIDERATION OF MOTION TO RECONSIDER—POSTPONED.

On motion of Senator Butler, the consideration of the above motion to reconsider was postponed until the next legislative day.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Beban moved to reconsider the vote whereby Senate Bill No. 1202—An Act to provide for the regulation and supervision of racing meetings; establishing a State Racing Commission for the purpose of administering the provisions hereof, and defining its powers and duties; prohibiting book-making; and prescribing penalties for violation of the provisions of the Act, was refused passage.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Beban, the consideration of the above motion to reconsider was postponed until the next legislative day.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 835—An Act to authorize the repayment to Mary Ann Bath, Carrie F. Stone, Alice B. Walker and John Thaddeus Bath, as heirs at law of John F. Bath, deceased, of moneys paid by said deceased in his lifetime to the State of California, for the purchase of certain indemnity or lieu land certificates, and which indemnity or lieu land certificates have been surrendered to the State, said moneys amounting to the sum of six hundred forty dollars, and for such purpose authorizing the State Registrar to issue a certificate to said heirs of John F. Bath, deceased, for the amount so paid for said indemnity certificates, and authorizing the State Controller to draw his warrant on the State Treasurer for said sum, and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 835 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 97—An Act to amend sections 2, 3 and 6 of an Act known as "The Building and Loan Commission Act," approved April 5, 1911, and amended by an Act approved December 18, 1911, relating to the powers and duties of the Building and Loan Commissioner.

Bill read third time.

On motion of Senator Benson, Senate Bill No. 97 was passed to the file of Unfinished Business.

Senate Bill No. 184—An Act to appropriate money for repairs and alterations to main buildings Santa Barbara State Normal School of Manual Arts and Home Economics.

On motion of Senator Mott, Senate Bill No. 184 was ordered to the file of Unfinished Business.

Senate Bill No. 185—An Act to appropriate money to pay the expense of improving the grounds of the Santa Barbara State Normal School of Manual Arts and Home Economics, including grading, installation of sewer, gas and water mains and conduits.

On motion of Senator Mott, Senate Bill No. 185 was ordered to the file of Unfinished Business.

Senate Bill No. 213—An Act appropriating money for the construction and equipment of a machinery building at the Santa Barbara State Normal School of Manual Arts and Home Economics.

On motion of Senator Mott, Senate Bill No. 213 was ordered to the file of unfinished business.

Senate Bill No. 135—An Act to appropriate money to pay the expenses of furnishing and equipping a new normal school building at the Fresno State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 135 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Slater, and Stuckenbruck—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 95—An Act to amend section 2982 of the Political Code, relating to the secretary and assistant of the secretary of the State Board of Health.

Bill read third time.

On motion of Senator Beban, Senate Bill No. 95 was passed on file.

Senate Bill No. 136—An Act to appropriate money for improving the grounds at the Fresno State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 136 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Kehoe, King, Lyon, Mott, Slater, Strobridge, and Stuckenbruck—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 262—An Act to appropriate money for the construction and furnishing of two patient cottages at the Southern California State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 262 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Lyon, Mott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 375—An Act to appropriate money for improvement to grounds at the Los Angeles State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 375 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Lyon, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 295—An Act to appropriate money for the replacement of the main pipe line and connections thereto at the Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 295 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 394—An Act to appropriate money for the support and maintenance and erection of additional buildings at the State Hospital at Norwalk, Los Angeles County, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 394 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Slater, Strebridge, Stuckenbruck, and Thompson—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1225—An Act making an appropriation to pay the claim of J. V. Stanton against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1225 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Brown, Butler, Carr, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1242—An Act making an appropriation to pay the claim of C. S. Baldwin against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1242 passed by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Chandler, Cogswell, Duncan, Flaherty, Flint, Gerdes, Hans, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—26.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Shearer gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1242 was passed.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 943—An Act to amend section 1766 of the Political Code of the State of California, relating to the estimate of tax for maintenance of high school.
Bill read third time.
On motion of Senator Cogswell, Senate Bill No. 943 was passed on file.

Senate Bill No. 809—An Act to amend section 1617 of the Political Code, relating to kindergartens.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 809 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Shearer, Strobridge, Stuckenbruck, and Thompson—27.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

SENATOR STROBRIDGE IN THE CHAIR.

At twelve o'clock and five minutes p.m., Senator Strobridge of the Thirteenth District, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 810—An Act to add a new section to the Political Code to be numbered 1838 relating to the powers and duties of the governing boards of school districts in levying taxes for building purposes.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 810 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes,

Irwin, Jones, Kehoe, King, Lyon, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—29.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Senate Bill No. 819—An Act to add a new section to the Political Code of the State of California to be numbered 1764, relating to the county high school fund, and repealing sections 1758 and 1759 of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 819 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—25.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Senate Bill No. 689—An Act to amend section 443 of the Political Code, in regard to the State School Fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 689 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Cohn, Crowley, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—25.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR EXTENDED.

On request of the President of the Senate, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Arthur Arlett, member of Panama-Pacific International Exposition commission of the State.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 203—An Act to authorize the incurring of indebtedness by counties, cities and counties and incorporated cities and towns for public improvements and the acquisition of public utilities, and regulating the procedure of acquiring the same;

Also: Senate Bill No. 838—An Act to provide for the establishment and maintenance of a department of sanitary engineering under the direction of the State Board of Health and making an appropriation therefor;

Also: Senate Bill No. 1250—An Act to appropriate money to pay the deficiency in the appropriation for the support of the Commission of Immigration and Housing of California for the sixty-sixth fiscal year;

Also: Senate Bill No. 1231—An Act providing an appropriation for painting and exterior repair of the building on the Capitol grounds occupied by the state printing plant;

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of two additional Superior Court judges [illegible] and providing for their compensation.

Also: Senate Bill No. [illegible]—An Act to appropriate money to pay the claim of Miller Lumber Company against the State of California.

Also: Senate Bill No. 1265—An Act providing for the appointment of a commission to investigate and report to the [illegible] session of the Legislature relative to the adoption of a system of [illegible] and making an appropriation therefor.

Also: Senate Bill No. [illegible]—An Act defining and regulating the [illegible] duck or [illegible] and articles composed in whole or in part of [illegible] requiring the same to be [illegible] other preparations, and prescribing penalties for violation thereof.

And report that the same have been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

SENATE JOINT RESOLUTION NO. 16.

Relative to making a national park of the [illegible] Forest Reserve and certain vacant land lying contiguous thereto.

WHEREAS, The [illegible] Forest Reserve and certain vacant land lying contiguous thereto is a natural deer and quail country where deer and quail and other game [illegible]; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That we hereby petition the Congress of the United States [illegible] that the [illegible] Forest Reserve and certain vacant land lying contiguous thereto be made into a national park [illegible];

Resolved, That our Senators be instructed and our Representatives in Congress be requested to use all reasonable efforts [illegible] the enactment of the necessary legislation [illegible];

Resolved, That the Governor of the State of California be, and he is hereby requested to transmit a certified copy of these resolutions to the President of the Senate of the United States and to the Speaker of the House of Representatives of the United States, and to each of our Senators and Representatives in Congress.

Joint resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 16 adopted by the following vote:

AYES—Senators Anderson, Ballard, [illegible], Birdsall, Boyd, Brown, Butler, Cogswell, [illegible], King, Luce, Lyon, Maddux, Mott, Purkitt, [illegible], Strobridge, Stuckenbruck, and Thompson—28.

NOES—None.

Joint resolution ordered engrossed and transmitted to the Assembly.

Senate Bill No. 48—An Act declaring the wagon road from McKinney's to the west end of Donner Lake a state highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 48 passed by the following vote:

AYES—Senators Anderson, Ballard, [illegible], Birdsall, Boyd, Brown, Butler, Cogswell, [illegible], Crowley, Duncan, Flaherty, [illegible], Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, [illegible], Strobridge, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1268—An Act to amend section 642 of the Political Code of the State of California, relating to the fish and game commissioners and their assistants and employees, and prescribing their duties and powers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1268 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 592—An Act to make an appropriation for the purpose of making a survey for a state highway from the intersection of the state highway and the Klamath River road in Siskiyou County to the terminus of the Humboldt County road at Orleans at the mouth of the Redwood River.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 592 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Carr, Cogswell, Cohn, Crowley, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 190—An Act to appropriate money for the purchase of additions to the dairy herd at the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 190 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Maddux, Mott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 192—An Act to appropriate money for the construction and furnishing of a convalescent building for females at the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 192 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 194—An Act to appropriate money for the purchase and expense of installation of a boiler at the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 194 passed by the following vote:

AYES—Senators Ballard, Benedict, Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gates, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck and Thompson—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Wolfe, the hour of recess was extended until one o'clock p.m.

RESOLUTION—OUT OF ORDER.

Senator Breed asked for and was granted unanimous consent for the consideration of following resolution out of the regular order:

Resolved, That the following named person be stricken from the list of Senate attaches, and be paid for services from the contingent fund of the Senate:
T. L. Kated, Assistant Sergeant at Arms .... $5 00 per day

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Ballard, Benedict, Breed, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gates, Irwin, Kehoe, King, Luce, Maddux, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—24.
NOES—None.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 482—An Act to amend section 1 of an Act entitled: "An Act to create the office of State Dental Surgeon, prescribing his duties, fix his manner of appointment, salary and term of office, and to make an appropriation for the expenses of his office," approved April 16, 1906.

On motion of Senator King, Senate Bill No. 482 was passed on file.

Senate Bill No. 183—An Act to appropriate money for the improvement of grounds and roads at the Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 183 passed by the following vote:

AYES—Senators Anderson, Birdsall, Breed, Brown, Butler, Carr, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Kehoe, King, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 396—An Act to appropriate money for repairs, improvements and equipment at the Whittier State School.

Read first time.

On motion of Senator Cogswell, Senate Bill No. 396 was ordered to the file of Unfinished Business.

Senate Bill No. 1038—An Act to appropriate money for the construction of surface drains and to in other ways care for storm water at the California School for Girls located near Ventura.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1038 passed by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Flint, Irwin, Kehoe, King, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 416—An Act to appropriate money for the construction of a commission building and equipment at the California School for Girls located near Ventura.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 416 passed by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 362—An Act to appropriate money for the purchase of machinery and equipment for the manufacturing departments at the state prison at San Quentin.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 362 passed by the following vote:

AYES—Senators Anderson, Birdsall, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 367—An Act to appropriate money for the development of the water supply and pumping plant at the state prison at San Quentin.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 367 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Irwin, Jones, Kehoe, King, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—23.

NOES—None.

Senate Bill No. 380—An Act to appropriate money for furnishing and decorating the warden's residence at the state prison at Folsom.

On motion of Senator Cohn, Senate Bill No. 380 was ordered to the file of Unfinished Business.

Senate Bill No. 381—An Act to appropriate money for the expense of changing from coal to oil burners at the state prison at Folsom.

On motion of Senator Cohn, Senate Bill No. 381 was ordered to the file of Unfinished Business.

Senate Bill No. 382—An Act to appropriate money for the purchase of live stock for the state prison at Folsom.

On motion of Senator Cohn, Senate Bill No. 382 was ordered to the file of Unfinished Business.

Senate Bill No. 383—An Act to appropriate money for reconstruction of electrical equipment connected with the power house at the state prison at Folsom.

On motion of Senator Cohn, Senate Bill No. 383 was ordered to the file of Unfinished Business.

Senate Bill No. 384—An Act to appropriate money for repairs and improvements at the state prison at Folsom.

On motion of Senator Cohn, Senate Bill No. 384 was ordered to the file of Unfinished Business.

Senate Bill No. 385—An Act to appropriate money for the purchase and installation of refrigerating plant at the state prison at Folsom.

On motion of Senator Cohn, Senate Bill No. 385 was ordered to the file of Unfinished Business.

Senate Bill No. 386—An Act to appropriate money for the construction of farm buildings at the state prison at Folsom.

On motion of Senator Cohn, Senate Bill No. 386 was ordered to the file of Unfinished Business.

Senate Bill No. 387—An Act to appropriate money for the expense of purchasing and installing new bake oven at the state prison at Folsom.

On motion of Senator Cohn, Senate Bill No. 387 was ordered to the file of Unfinished Business.

Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 17 of article VI of said Constitution.

During the reading of the constitutional amendment the following amendment was offered and its adoption moved by Senator Slater:

AMENDMENT NUMBER ONE.

On line 13 of page 1, of the printed bill, after the period insert: "Upon the adoption of this amendment the salaries then established by law shall be paid uniformly to the justices and judges then in office."

Amendment adopted.

SENATE CONCURRENT RESOLUTION NUMBER TWENTY-TWO.

Relative to the correction of erroneous reports regarding California's experience under woman suffrage.

WHEREAS, The issue of woman suffrage is pending in many states of the Union; and,

WHEREAS, The operation and effect of the enfranchisement of women in California is being constantly misrepresented in such states and used there as arguments in opposition to the granting of suffrage to women; therefore, be it

Resolved by the Senate of the forty-first session of the Legislature of the State of California, the Assembly concurring, That the experience of this State amply justifies the adoption of woman suffrage by the people in October, 1911; and, be it further

Resolved, That so successful has been the operation and effect of granting political rights to women equal to those held by men, that it is generally conceded that were the question to be again voted on by the people of this State, it would be re-endorsed by an overwhelming majority; and, be it further

Resolved, That the adoption of woman suffrage by California is one of the important factors contributing to the marked political, social and industrial advancement made by our people in recent years, and that any disparagement of the cause of woman suffrage attempted elsewhere on the ground that woman suffrage is not satisfactory to this State, has no basis in fact, and is signally disproved by the acknowledged intelligence and discrimination shown by women voters in the settling of our great political and industrial problems at the polls.

Concurrent resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 22 adopted by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Irwin, Kehoe, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—21.

NOES—None.

Senate Concurrent Resolution No. 22 ordered engrossed and transmitted to the Assembly.

Senate Bill No. 203—An Act to authorize the incurring of indebtedness by counties, cities and counties and incorporated cities and towns for public improvements and the acquisition of public utilities, and regulating the procedure of acquiring the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 203 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1234—An Act providing an appropriation for painting and exterior repair of the building on the Capitol grounds occupied by the state printing plant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1234 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Kehoe, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1267—An Act to appropriate money to pay the claim of Miller-Enwright Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1267 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Kehoe, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Sturtevant and Thompson—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1265—An Act providing for the appointment of a commission to investigate and report at the forty-second session of the Legislature relative to the adoption of a system of land colonization and rural credits, and making an appropriation therefor.

On motion of Senator Brown, Senate Bill No. 1265 was passed on file.

Senate Bill No. 1263—An Act defining and regulating the sale of cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas; requiring the same to be properly marked as to weight, size and use of fillers or other preparations, and prescribing penalties for violation hereof.

On motion of Senator Benson, Senate Bill No. 1263 was passed on file.

HOUR OF RECESS EXTENDED

At one o'clock p.m., on motion of Senator Purkitt, the hour of recess was extended until one o'clock and fifteen minutes p.m.

REPORT OF STANDING COMMITTEE

The following report of Standing Committee was received and read:

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, May 1, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment, have examined Senate Bill No. [illegible]—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27th, 1911, [illegible] Sacramento River [illegible] directing the State Engineer [illegible] contained in said report of the California Debris Commission [illegible] surveys, and creating a Reclamation Board, [illegible] December 24th, 1911, [illegible] Sacramento and San Joaquin Drainage District."

Also, Senate Bill No. [illegible]—An Act to amend section 4245 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in counties of the sixteenth class.

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

CONSIDERATION OF ASSEMBLY BILL—OUT OF ORDER

Senator Birdsall asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, Assembly Bill No. 1516.

Assembly Bill No. 1516—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act; and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a motor vehicle department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this Act, and to make appropriations therefor; and to repeal all Acts or parts of Acts in conflict with this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1516 passed by the following vote:

AYES—Senators Ballard, Behan, Benson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Kehoe, King, Luce, Mott, Scott, Strobridge, Stuckenbruck, and Thompson—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECALL OF BILL FROM PRINT.

Senator Cogswell moved that Senate Bill No. 814 be recalled from print.

Motion carried.

RECESS.

At one o'clock and ten minutes p.m., on motion of Senator Thompson the Acting President declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 293—An Act to appropriate money to construct outdoor class rooms for the training school at the San Jose State Normal School;

Also: Senate Bill No. 325—An Act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor;

Also: Senate Bill No. 334—An Act making an appropriation for the location, survey and construction of a State highway from Tahoe City, Placer County, along the northern boundary of Lake Tahoe to the western boundary of the state of Nevada at Crystal Bay in Placer County;

Also: Senate Bill No. 390—An Act to appropriate money for improvement of grounds at the San Diego State Normal School;

Also: Senate Bill No. 1118—An Act to provide for the [illegible] persons as are or may become entitled thereto of moneys [illegible] paid to the State of California [illegible] registration of motor vehicles, or paid to the State [illegible] connection with the registration of such motor vehicles, [illegible] the state treasury to the credit of the [illegible] of chapter 326 of California Statutes of 1913, approved May 31, 1913, [illegible] as the Motor Vehicle Act, [illegible] certain duties with respect thereto, and [illegible] proportionate deductions from the [illegible] of the several counties under the provisions of said Motor Vehicle Act;

Also: Senate Bill No. 1083—An Act to amend section 418 of the Political Code, relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided by law;

Also: Senate Bill No. 286—An Act to make an appropriation for the construction and completion of a state highway connecting the counties of [illegible] Humboldt with the road system of Tehama County;

Also: Senate Bill No. 6—An Act appropriating money to provide for the improvement and maintenance of [illegible] in the State Agricultural Park [illegible] Sacramento, California;

Also: Senate Bill No. 1158—An Act to empower the Fish and Game Commission of California to control the [illegible] of [illegible] and selling [illegible] fish, in order to [illegible] the same to the people;

Also: Senate Bill No. 341—An Act to provide for the organization of the State Marketing Commission [illegible] of producers of agricultural, horticultural, dairy and [illegible] manufactured or [illegible] which shall be [illegible] processed, or [illegible] within the State of California, and to provide a penalty for the offense of [illegible] the State [illegible] mission, and [illegible] of this Act, creating the "State Marketing Commission Fund," and providing for the manner in which [illegible] priating the moneys [illegible] carrying out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with the provisions of this Act;

Has had the same under consideration and respectfully reports the same back with amendments and recommends that it do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 293, 325, 331, 290, 1118, 1083, 286, 6, 1158 and 341 ordered on file for second reading.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 472—An Act to provide readers for blind students in the University of California, and to assist deaf students attending the National College for the Deaf at Washington, D. C.;

Also: Senate Bill No. 430—An Act to amend section 388 of the Political Code, relating to the salary of the Executive Secretary of the Governor;

Also: Senate Bill No. 773—An Act making available and appropriating certain money for the expenses of the National Guard in case of insurrection, invasion, tumult, riot or imminent danger thereof;

Also: Senate Bill No. 784—An Act making an appropriation to pay the claim of Mrs. Richard D. Reeve against the State of California;

Also: Senate Bill No. 937—An Act appropriating money for the construction of a trail in the Sierra Nevada Mountains, to be known as the "John Muir Trail";

Also: Senate Bill No. 1012—An Act transferring moneys from the [illegible] to lands on San Diego Bay fund to the general fund of the State of California;

Also: Senate Bill No. 731—An Act creating and establishing a commission to codify, revise and perfect the law of the State concerning roads, streets, highways and bridges, prescribing the powers and duties of said commission, providing for the expense of said commission and appropriating money therefor;

Also: Senate Bill No. 1189—An Act to provide for the purchase of a portrait of former Lieutenant Governor A. J. Wallace, and to make an appropriation therefor;

Also: Senate Bill No. 1241—An Act making an appropriation for the construction of curb and gutter around the Mission San Francisco de Solano;

Also: Senate Bill No. 1259—An Act authorizing the Governor of the State of California to appoint a Commission to investigate and report at the forty-second session of the Legislature concerning unemployment and making an appropriation therefor;

Also: Senate Bill No. 88—An Act appropriating two thousand dollars for the

restoration and rebuilding of the Old Greek Chapel at Fort Ross, Sonoma County, California;
Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 472, 430, 773, 784, 937, 1013, 731, 1189, 1241, 1259 and 88 ordered on file for second reading.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 92—An Act appropriating money to pay the claim of R. A. Sarle against the State of California;
Also: Assembly Bill No. 158—An Act appropriating money for repairs and improvements to buildings and equipment at the California Polytechnic School;
Also: Assembly Bill No. 161—An Act to provide for improvements, repairs and furnishings for the buildings and grounds of the Woman's Relief Corps Home located at Evergreen, Santa Clara County, and to appropriate money therefor;
Also: Assembly Bill No. 162—An Act to provide for nurses and medical attendants for the inmates of the Woman's Relief Corps Home located at Evergreen, Santa Clara County, and to appropriate money therefor;
Also: Assembly Bill No. 173—An Act to appropriate money for repairs and alterations to main buildings Santa Barbara State Normal School of Manual Arts and Home Economics;
Also: Assembly Bill No. 174—An Act to appropriate money to pay the expense of improving the grounds of the Santa Barbara State Normal School of Manual Arts and Home Economics, including grading, installation of sewers, gas and water mains and conduits;
Also: Assembly Bill No. 188—An Act to appropriate money for water and steam piping and plumbing repairs at the Sonoma State Home;
Also: Assembly Bill No. 211—An Act appropriating money to pay claim of Bryant & May, Limited, against the State of California;
Also: Assembly Bill No. 244—An Act to appropriate money for the construction of farm buildings at the Stockton State Hospital;
Also: Assembly Bill No. 249—An Act to appropriate money for repairs and improvements and erection of small buildings at the Preston School of Industry;
Also: Assembly Bill No. 281—An Act to appropriate money for plumbing repairs at the Mendocino State Hospital;
Also: Assembly Bill No. 312—An Act to appropriate money for the development of water, including the installation of pumping station and mains at the Southern California State Hospital;
Also: Assembly Bill No. 323—An Act to appropriate money for the construction and furnishing of a cottage for males at the Stockton State Hospital;
Also: Assembly Bill No. 382—An Act appropriating money to pay the claim of Frank D. Scott against the State of California;
Also: Assembly Bill No. 436—An Act to appropriate money for the construction of garage and tool house at the California School for Girls located near Ventura;
Also: Assembly Bill No. 438—An Act to appropriate money for the improvement of grounds and purchase of necessary equipment therefor at the California School for Girls near Ventura;
Also: Assembly Bill No. 471—An Act to appropriate money to pay the deficiency in the appropriation for printing and advertising Constitutional amendments for the sixty-fifth and sixty-sixth fiscal years;
Also: Assembly Bill No. 475—An Act appropriating money to pay the claim of Charles W. Williams against the State of California;
Also: Assembly Bill No. 480—An Act to appropriate money for the construction and equipment of a building or buildings as a home for workingmen on what is known as the Smith-Brown Ranch belonging to the Napa State Hospital;
Also: Assembly Bill No. 482—An Act to appropriate money for remodeling semi-pay cottage at the Napa State Hospital;
Also: Assembly Bill No. 514—An Act appropriating money to pay the claim of the Lake Tahoe Railway and Transportation Company against the State of California;
Also: Assembly Bill No. 556—An Act to appropriate money to pay the claim of the Westinghouse Electric and Manufacturing Company upon a judgment rendered against the State of California;
Also: Assembly Bill No. 565—An Act to appropriate money to meet part of the expense of maintaining the navigability of the San Rafael deep water channel;
Also: Assembly Bill No. 577—An Act to appropriate money to pay the claim of the Clark & Henery Construction Company against the State of California for street work fronting the State Armory in the city of Sacramento;
Also: Assembly Bill No. 578—An Act to appropriate money to pay the claim of C. S. Baldwin against the State of California for cost in foreclosing swamp lands;
Also: Assembly Bill No. 598—An Act to appropriate money to pay the claim of

Los Angeles County against the State of California for the support of [illegible] orphans and abandoned children [illegible] fiscal year;

Also: Assembly Bill No. [illegible]—An Act to appropriate money to [illegible] "An Act to authorize the State Board of Prison Directors to provide for paroled and discharged prisoners and to employ [illegible] for the same and making an appropriation for that purpose," approved June 14, 1913;

Also: Assembly Bill No. [illegible]—An Act appropriating money to [illegible] additional [illegible] for the support of orphans, half orphans and abandoned children for the sixty-fifth and sixty-sixth fiscal years;

Also: Assembly Bill No. 610—An Act to appropriate money to pay the claim of the Des Moines Bridge and Iron Company against the State of California;

Also: Assembly Bill No. 710—An Act to amend section [illegible] of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the appointment by the Attorney General of [illegible] and stenographers and fixing their salaries;

Also: Assembly Bill No. 711—An Act to appropriate money to pay the claim of Mrs. S. L. Ball against the State of California for [illegible];

Also: Assembly Bill No. 712—An Act to appropriate money to pay the claim of Fred H. [illegible] against the State of California;

Also: Assembly Bill No. 713—An Act to [illegible] expended [illegible] California, Alfred E. [illegible];

Also: Assembly Bill No. [illegible]—An Act appropriating money to pay the claim of the San Joaquin Light & Power Corporation against the State of California;

Also: Assembly Bill No. 787—An Act to appropriate money to pay the claim of Martha O. [illegible] against the State of California;

Also: Assembly Bill No. 828—An Act to appropriate money to construct and furnish two cottages for [illegible] at the Stockton State Hospital;

Also: Assembly Bill No. 829—An Act to appropriate money to pay the claim of Benjamin Walley against the State of California;

Also: Assembly Bill No. 990—An Act to create a State Purchasing Department, to define the authority, powers and duties thereof, to provide for the appointment of and to define the authority, powers and duties of the officers and employees thereof, and to appropriate money for the expenses of said department; and to repeal all Acts or parts of Acts in conflict with the provisions of this Act;

Also: Assembly Bill No. 1041—An Act to appropriate money for [illegible] repairs and [illegible] at the Napa State Hospital;

Also: Assembly Bill No. 1050—An Act to appropriate money to pay the claim of Ralph S. Roberts against the State of California;

Also: Assembly Bill No. 1061—An Act appropriating money to pay the claim of the Pacific Telephone and Telegraph Company against the State of California;

Also: Assembly Bill No. 106[illegible]—An Act to appropriate money to pay the claim of the Great Western Power Company against the State of California;

Also: Assembly Bill No. 1063—An Act to appropriate money to pay the claim of the Union Home Telephone and Telegraph Company against the State of California;

Also: Assembly Bill No. 1064—An Act to appropriate money to pay the claim of the Economic Gas Company against the State of California;

Also: Assembly Bill No. 1065—An Act to appropriate money to pay the claim of the Coast Counties Gas and Electric Company against the State of California;

Also: Assembly Bill No. 1066—An Act to appropriate money to pay the claim of the San Diego Home Telephone Company against the State of California;

Also: Assembly Bill No. 1067—An Act to appropriate money to pay the claim of the San Francisco-Oakland Terminal Railways against the State of California;

Also: Assembly Bill No. 1072—An Act to appropriate money to pay the claim of the Frank [illegible] Company against the State of California;

Also: Assembly Bill No. 1101—An Act to reimburse Russell T. [illegible] for moneys paid by him to the State of California in the purchase of certain [illegible] indemnity or [illegible] subsequently [illegible] to purchase State lands by reason of removal from the State of California, and making an appropriation therefor;

Also: Assembly Bill No. 1102—An Act appropriating money to pay the claim of Saint Francis Hospital, a corporation, against the State of California;

Also: Assembly Bill No. 1104—An Act appropriating money to pay the claim of the Southern Pacific Company, a corporation, against the State of California;

Also: Assembly Bill No. 1110—An Act for the relief of M. E. Bell;

Also: Assembly Bill No. 1138—Appropriating money [illegible] to the cash revolving fund created for the use of the State Engineer by chapter 108 of the Statutes of 1913, approved May 8, 1913;

Also: Assembly Bill No. 1215—An Act making an appropriation to pay the claim of Mrs. May Appleton McCord against the State of California;

Also: Assembly Bill No. 1340—An Act to appropriate money to pay the claim of the Long Beach Consolidated Gas Company against the State of California;

Also: Assembly Bill No. 1341—An Act to appropriate money to pay the claim of the Southern California Edison Company against the State of California;

Also: Assembly Bill No. 1342—An Act to appropriate money to pay the claim of the Santa Barbara Gas and Electric Company against the State of California;

Also: Assembly Bill No. 1528—An Act making an appropriation to pay the claim of Charles A. Tuttle against the State of California;

Also: Assembly Bill No. 1585—An Act to authorize the payment of the claim of Adam Zschokke against the State of California, and making an appropriation therefor;

Also: Assembly Bill No. 1592—An Act making an appropriation to pay the claim of Mater Misericordia Hospital, a corporation, against the State of California

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 92, 158, 161, 162, 173, 174, 188, 211, 244, 249, 281, 312, 323, 382, 436, 438, 471, 475, 480, 482, 514, 556, 565, 577, 578, 598, 599, 602, 649, 710, 711, 712, 713, 725, 782, 828, 829, 989, 1041, 1059, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1072, 1101, 1102, 1104, 1110, 1148, 1215, 1340, 1341, 1343, 1528, 1585 and 1592 ordered on file for second reading.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 552—An Act to amend section 3 of an Act entitled "An Act to amend an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a Board of Fire Commissioners," approved March 4, 1881; amended March 6, 1899 (approved April 21, 1909)—respectfully recommends it be re-referred to the Committee on County Government.

STROBRIDGE, Chairman.

Assembly Bill No. 552 ordered re-referred to Committee on County Government.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 576—An Act to appropriate money to pay the claim of the Matson Navigation Company upon a judgment rendered against the State of California—has had the same under consideration and respectfully recommends that it do pass as amended.

STROBRIDGE, Chairman.

Assembly Bill No. 576 ordered on file for second reading.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1092—An Act making appropriations for the support of the government of the State of California for the sixty-seventh and sixty-eighth fiscal years—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

STROBRIDGE, Chairman.

Assembly Bill No. 1092 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 33—An Act to compel every person, company, association or corporation carrying on or conducting the business of supplying water in any city, city and county, or town, to supply all the inhabitants thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass, as amended.

CARR, Chairman.

Senate Bill No. 33 ordered on file for second reading.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 254—An Act to amend section 499a of the Penal Code of the State of California relating to the stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor;

Also: Assembly Bill No. 927—An Act to amend an Act entitled "An Act to pro-

mote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," approved February 20, 1911, as amended by an Act approved May 21, 1913, by amending sections 2 and 3 of said Act;
Has had the same under consideration and respectfully reports the same back and recommends that they do pass.

CARR, Chairman.

Assembly Bills Nos. 254 and 927 ordered on file for second reading.

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 741—An Act to amend section 10 of an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, as amended February 27, 1893—has had the same under consideration and respectfully reports the same back and recommends that it do pass.

FINN, Chairman.

Assembly Bill No. 741 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 1220—An Act to amend sections 1240, 1247 and 1248 of the Code of Civil Procedure, relating to eminent domain—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KEHOE, Chairman.

Senate Bill No. 1220 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 27, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1523—An Act providing for the improvement, development or protection of any harbor, bay, port, or other arm of the sea existing within any county of this State, providing for the appointment of a harbor commission by the board of supervisors of any such county, to have charge and control of the improvement, development, or protection thereof, and the voting, issuance and sale of the bonds of such county to pay the cost thereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

BREED, Chairman.

Assembly Bill No. 1523 ordered on file for second reading.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered, out of the regular order.

By Senator Kehoe:

WHEREAS, The Supreme Court of the United States has recently decided that the business of fire insurance is quasi public in its nature, and is therefore subject to regulation by the Legislature of the State; and

WHEREAS, The official report of the Insurance Commissioner of the State of California shows that for several years last past the premiums collected for fire insurance in the State of California have been each year many millions in excess of the fire losses paid in the State; and

WHEREAS, An issue has been raised relative to the reasonableness and fairness of fire insurance rates in the State of California; therefore, be it

Resolved by the Senate, That the President of the Senate is hereby authorized and directed to appoint a special committee of five members, whose duty it shall be, and they hereby are, authorized and empowered to investigate and examine into the business of fire insurance, and the business and affairs of all fire insurance companies and agencies and organizations thereof, doing business in the State of California, and into anything and everything affecting or influencing the business of such companies or organizations; also, to inquire into the internal management, doings and acts of all fire insurance companies, including all investments, the personal interest of officers of such companies or organizations in such investment; the business, or other relations between such companies or organizations; the contractual relations of said companies or organizations with their policyholders and others, the salaries, commissions and other compensation paid to officials or agents of such companies or organizations, the cost of fire insurance, the premium rate, the method of making and applying such rate, the methods of the classification of risks and accumulation of statistics by said companies and organizations, the expenses of said companies and all their agencies of every kind and character, together with a comparison of the cost and security of fire insurance under the present system, and the probable cost and security of State fire insurance, and also any other questions or phases of the said business of fire insurance or the operations of fire insurance companies or organizations, or bureaus or organizations for making rates for fire insurance, that said committee may deem necessary or proper to be inquired into; and, be it further

Resolved, That said committee is further authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and things hereinabove enumerated, and to employ all necessary clerical and expert assistance, and that said committee be and it hereby is authorized and empowered to send for persons and papers, and to take all necessary means to procure attendance of witnesses and testimony, and the members of said committee are and each of them is, hereby authorized to administer oaths, and that all the provisions of article VIII, chapter II, title I, part III of the Political Code of this State, relative to attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee, and that the sergeant-at-arms of the Senate is hereby authorized and directed to serve all subpoenas and orders or other process, that may be issued by the chairman of said committee, when directed to do so by said chairman; and, be it further

Resolved, That said committee, after making such investigation, report to the Senate of the State of California at the forty-second session of the California Legislature upon the law and fact of the subject matter of the preceding resolution, and also prepare and report such bill or bills as may be necessary to carry into effect the recommendations of the said committee in relation to the foregoing matters; and, be it further

Resolved, That the sum of one thousand dollars out of the Contingent Fund of the Senate be, and the same is hereby made available for the purpose of defraying the expenses of said committee in said investigation, including the necessary traveling expenses of the members of said committee, and the contingent expenses of said committee in said investigation, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1237—An Act to amend section 14 of an Act entitled "An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the costs and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent said assessments; and to repeal an Act entitled 'An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905," approved June 6, 1913;

Also: Senate Joint Resolution No. 15—Relative to making a national forest of the Pinnacles Forest Reserve and certain vacant land lying contiguous thereto;

Also: Senate Concurrent Resolution No. 22—Relative to the correction of erroneous reports regarding California's experience under woman suffrage;

And reports that the same have been correctly engrossed.

LUCE, Vice Chairm

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 856—An Act to appropriate money for the use of the [illegible] Commission of the State of California in the control of [illegible] municipalities, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

STROBRIDGE, Chairman.

Senate Bill No. 856 ordered on file for second reading.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Finance, to which has referred Senate Bill No. 936—An Act to provide for [illegible] instruction in the public schools of the State under the supervision of the State Board of Education and making an appropriation therefor, recommended "do pass, as amended" to the Committee on Education.

STROBRIDGE, Chairman.

Senate Bill No. 936 ordered on file for second reading.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 269—An Act to appropriate money for the construction and furnishing of a cottage for male patients at the Agnews State Hospital;

Also, Senate Bill No. 777—An Act making an appropriation for the subsistence, supplies, transportation and other expenses incidental to the encampment of the troops of the National Guard of California upon the grounds of the Panama-Pacific International Exposition;

Also, Senate Bill No. 1053—An Act to amend section 456 of the Political Code of the State of California, relating to employees in the office of the State Treasurer;

Has had the same under consideration and respectfully reports the same back and recommends that they do pass as amended.

STROBRIDGE, Chairman.

Senate Bills Nos. 269, 777 and 1053 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 497—An Act to amend section 317 of the Penal Code, relating to advertising or communicating drugs, etc., with intent to produce miscarriage, has had the same under consideration and respectfully reports the same back and recommends that it do pass.

BUTLER, Chairman.

Assembly Bill No. 497 ordered on file for second reading.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 846—An Act to amend an Act entitled "An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition of certain food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 15, 1913, by amending sections 1 and 2, both relating to cold storage, has had the same under consideration and respectfully reports the same back and recommends that it do pass.

BUTLER, Chairman.

Assembly Bill No. 846 ordered on file for second reading.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 496—An Act to add a new section to the Penal Code of the State of California, to be numbered [illegible], relating to advertising the cure or treatment of venereal diseases, has had the same under consideration and respectfully reports the same back and recommends that it do pass.

BUTLER, Chairman.

Assembly Bill No. 496 ordered on file for second reading.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine to which was referred Assembly Bill No. 1053—An Act to amend section 1 of an Act entitled "An Act regulating the destruction of foodstuffs, food products or food articles," approved June 5, 1913, has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass.

BUTLER, Chairman.

Assembly Bill No. 1053 ordered on file for second reading.

MESSAGE FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Strobridge the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1068—An Act appropriating money to pay the claim of Ed. Fletcher against the State of California;

Also: Assembly Bill No. 1098—An Act to appropriate money to pay the expenses of street improvements fronting the property of the San Diego State Normal School in the city of San Diego;

Also: Assembly Bill No. 1113—An Act making an appropriation for the location and survey of a state highway, to be known as the Pasadena State Highway;

Also: Assembly Bill No. 130—An Act appropriating money to pay the claim of W. H. Carlin against the State of California;

Also: Assembly Bill No. 830—An Act to amend section 2141 of the Political Code, relating to the power of the State Commission in Lunacy;

Also: Assembly Bill No. 1362—An Act appropriating money to pay the claim of A. B. Hooke against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1068, 1098, 1113, 130 and 1362 read first time, and referred to Committee on Finance.

Assembly Bill No. 830 read first time, and referred to Committee on Hospitals and Asylums.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1032—An Act to appropriate money for the erection of additional buildings for the use of the naval reserves of San Diego, California;

Also: Assembly Bill No. 519—An Act to provide for the erection of a memorial monument to deceased members of the Grand Army of the Republic; appointing a commission therefor, and providing an appropriation to carry this Act into effect;

Also: Assembly Bill No. 597—An Act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose;

Also: Assembly Bill No. 320—An Act appropriating the sum of forty thousand dollars for the support and maintenance of university extension work by the University of California;

Also: Assembly Bill No. 465—An Act to appropriate money for the purchase of live stock at the state prison at San Quentin.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1032, 519, 320 and 465 read first time, and referred to Committee on Finance.

Assembly Bill No. 597 read first time, and referred to Committee on Public Health and Quarantine.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1507—An Act appropriating money to enable the State Normal School at Los Angeles to hold Saturday sessions;

Also: Assembly Bill No. 504—An Act to appropriate money to pay the expenses of street improvements fronting the property of the San Jose State Normal School in the city of San Jose;

Also: Assembly Bill No. 213—An Act appropriating money for the construction of a [illegible] building at the Santa Barbara State Normal School of Manual Arts and Home Economics;

Also: Assembly Bill No. 676—An Act providing for the location and construction of a State highway in Lassen County, and making an appropriation therefor;

Also: Assembly Bill No. 344—An Act providing for the location and construction of a State highway in Imperial County, and making an appropriation therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1507, 504, 213, 676 and 344 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 460—An Act to appropriate money for repairs and improvements at the state prison at San Quentin;

Also: Assembly Bill No. 322—An Act to [illegible] for electricity at the Stockton State Hospital;

Also: Assembly Bill No. 204—An Act making an appropriation of money to pay the claim of E. T. [illegible] against the State of California for [illegible] in the [illegible] of the State;

Also: Assembly Bill No. 815—An Act concerning the custody, maintenance and support of indigent, dependent and poor persons, orphans, and half-orphans, and for the [illegible] of such persons [illegible] under [illegible] years of age, fixing the responsibility of parents and relatives of indigent and illegitimate persons therefor, [illegible] thereof [illegible] to be known as [illegible] Relief Fund, and as a "Subsidiary Fund," making appropriations for a campaign to secure private benefactions therefor, authorizing gifts, bequests and devises therefor without limitation, in trust or otherwise, and defining the powers and duties of the [illegible] and board of supervisors in relation to such persons and such funds.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 460, 322 and 204 read first time, and referred to Committee on Finance.

Assembly Bill No. 815 read first time and referred to Committee on Judiciary.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1151—An Act to create a reclamation district to be called "Reclamation District No. 1660," and providing for the control and management thereof;

Also: Assembly Bill No. 80—An Act to establish the Yolo and Lake highway; to define its course; to provide for its location and survey; and to make an appropriation therefor;

Also: Assembly Bill No. 407—An Act to appropriate money to pay the cost of printing, publishing and distributing State textbooks free to the school children of the State in accordance with the provisions of the constitution;

Also: Assembly Bill No. 479—An Act to appropriate money for the construction and furnishing of a cottage for men patients at the Napa State Hospital;

Also: Assembly Bill No. 478—An Act to appropriate money for the construction and furnishing of a cottage for women patients at the Napa State Hospital.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1151 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 80 read first time, and referred to Committee on Roads and Highways.

Assembly Bills Nos. 407, 479 and 478 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 122—An Act providing that one-half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Scannell" and "Dennis Sullivan," shall be borne and paid by the State of California out of the general fund;

Also: Assembly Bill No. 771—An Act to amend section 1333 of the Penal Code, relating to the manner of producing before a Superior Court, grand jury or magistrate a witness who is a prisoner in a state prison or county jail;

Also: Assembly Bill No. 1570—An Act to amend section 925 of the Penal Code, relating to the powers and duties of a grand jury;

Also: Assembly Bill No. 258—An Act to appropriate money for the construction and furnishing of a cottage for male patients at the Agnews State Hospital;

Also: Assembly Bill No. 1572—An Act to amend section 988 of the Penal Code, relating to the arraignment of the defendant in a criminal trial.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 122 and 258 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 771, 1570 and 1572 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 26—Relative to a legislative investigation as to the advisability of the compilation of school textbooks within this State; sectional textbooks for individual use; and the introduction of free textbooks in the secondary schools of the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Resolution referred to Committee on Education.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 243—An Act to establish a standard for the packing and marketing of apples, fixing penalties for the violation of its provisions, and providing for its enforcement;

Also: Assembly Bill No. 645—An Act appropriating money to reimburse the Panama-California Exposition for money advanced by it to the Panama-California Exposition Commissioners to complete the California State Building at said exposition;

Also: Assembly Bill No. 415—An Act to appropriate money for furnishing and decorating the Warden's residence at the state prison at Folsom;

Also: Assembly Bill No. 435—An Act to appropriate money for the construction and furnishing of two typical cottages and one receiving building at the California School for Girls located near Ventura;

Also: Assembly Bill No. 437—An Act to appropriate money for the construction of fences on the property of the California School for Girls located near Ventura.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 243 read first time, and referred to Committee on Agriculture.

Assembly Bills Nos. 645, 415, 435 and 437 read first time, and referred to Committee on Finance.

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 594—An Act to appropriate money for the payment of compensation benefits accruing by reason of personal injury resulting from accident to State officers and employees while performing services accruing out of and incidental to their employment;

Also: Assembly Bill No. 614—An Act appropriating money for the purpose of insuring the state printing plant.

Also: Assembly Bill No. 420—An Act to appropriate money for the erection of school quarters and library building at the Whittier State School;

Also: Assembly Bill No 422—An Act to appropriate money for repairs, improvements and equipment at the Whittier State School;

Also, Assembly Bill No. 1595—An Act to amend section 2653 of the Political Code, relating to the levying of highway taxes by boards of supervisors.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 594, 614, 420 and 422 read first time, and referred to Committee on Finance.

Assembly Bill No. 1595 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1171—An Act to encourage the teaching of agriculture in the [illegible] schools of the State and providing an appropriation therefor.

Also, Assembly Bill No. 1156—An Act to appropriate money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying and improving the channels of the Sacramento, San Joaquin and Feather rivers and such other waters of the State as the Department of Engineering may determine; improving the navigability of such waters and acquiring land for necessary rights of way therefor; making surveys, investigations and report upon the feasibility of controlling the floods of the State and constructing canals for navigation, and making surveys, investigations and plans for flood control.

Also, Assembly Bill No. 1594—An Act to amend an Act entitled "An Act to amend section 4276 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-seventh class," approved June 16, 1913.

Also, Assembly Bill No. 709—An Act to appropriate money to pay the expenses of [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1171, 1156 and 709 read first time, and referred to Committee on Finance.

Assembly Bill No. 1594 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April [illegible] passed Assembly Bill No. 571—An Act to provide for the [illegible] of certain submerged lands [illegible] the water front of the city and county of San Francisco [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 571 read first time, and referred to Committee on Commerce and Navigation.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. [illegible]—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to limit the power of local authorities to enact or enforce ordinances, rules or regulations in regard to matters embraced within the provisions of this Act; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to create a Motor Vehicle Department and to provide for the organization and conduct thereof; to provide for carrying out the objects of this Act, and to make appropriation therefor; and to repeal all Acts or parts of Acts in conflict with this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1285—An Act to amend section 1104 of the Political Code, relating to the registration of voters;

Also: Assembly Bill No. 105—An Act to amend the Code of Civil Procedure by adding thereto a new section, to be numbered 1690, providing for the granting of letters of administration upon the estates of persons, presumed to be dead, by reason of absence from the State for seven years; and for the administration of the estates of such absent persons;

Also: Assembly Bill No. 770—An Act to amend section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 21, 1907, and April 21, 1909.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

SECOND READING OF SENATE BILLS.

Senate Bill No. 276—An Act relating to the granting of certificates to practice medicine and surgery by the Board of Medical Examiners of the State of California, to graduates from legally chartered or reputable medical schools in the State of California.

Bill ordered retained on second reading file for further consideration.

Senate Bill No. 752—An Act to amend section 4218 of the Political Code, relating to the duties of county surveyors and the furnishing of assessors' maps and block books.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 813—An Act to carry into effect the provisions of subdivisions 6 and 7 of section 8½ of article XI of the Constitution of the State of California as the said section of said article was amended on the third day of November in the year one thousand nine hundred and fourteen; and also to provide for the alteration of the boundaries of and for the annexation of territory to consolidated cities and counties, for the incorporation of such annexed territory in and as a part thereof, and for the government of such annexed territory as an integral part of such cities and counties.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1266—An Act to provide for the assessment, levy and collection of taxes for the support of the state government for the sixty-seventh and sixty-eighth fiscal years.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 974—An Act to amend sections 1 and 2 of section 631*d* of the Penal Code of the State of California, relating to the domestication of wild game.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out, in line 2 of the title, in the printed bill, the words: "Sections 1 and 2 of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, strike out all of lines 1 to 16, inclusive, in the printed bill, and all of page 2 of the printed bill, and insert in lieu thereof the words:

"SECTION 1. Section 631*d* of the Penal Code of the State of California is hereby amended to read as follows:

"'634*d*. (1) No wild birds or wild mammals shall be imported into this State from any other state, territory or other possession of the United States.'

"'(2) It shall be lawful to import into this State [illegible] wild birds and wild mammals and to import [illegible] wild mammals from any other state, territory or other possession of the United States. Such imported wild [illegible] lawfully had in possession, transported and sold within this State subject to the [illegible] after set forth. All shipments of wild birds and wild mammals [illegible] United States and all shipments of [illegible] from any other state, territory or other possession of the United States [illegible] submitted to the State Board of Fish and Game Commissioners [illegible] marking for identification [illegible] affixed in this State.'

"'(3) Every importer of wild birds or wild mammals [illegible] States, and every importer or con[illegible] mammals, from any other state, territory or other possession of the United States, must submit to the State Board of Fish and Game Commissioners [illegible] invoice or bill of lading issued at port [illegible] in detail the name of the shipper, the [illegible] mammals comprising the shipment [illegible] the name of the transportation company [illegible] conveying them [illegible] Such reports [illegible] States or of domestically reared wild [illegible] territory or other possession of the United States [illegible] of Fish and Game Commissioners at San Diego, Los Angeles, [illegible] Sacramento or Eureka.'

"'(4) The State Board of Fish and Game Commissioners shall cause [illegible] inspection to be made of each impo[illegible] without the United States and [illegible] birds or wild mammals [illegible] States, and shall cause to be [illegible] or other appropriate means of ident[illegible] identify such [illegible] California. One tag, mark, band [illegible] be affixed to each wild bird, and upon [illegible] a tag, mark, band or other [illegible]

"'The State Board of Fish and Game Commissioners [illegible] tion, furnish to the importer a [illegible] ber, the time and place of [illegible] wild birds and wild mammals [illegible] "State Board of Fish and Game Commissioners [illegible]

"'(5) The [illegible] the United States [illegible] any other state, territory or [illegible] bear such marks of identification [illegible] *prima facie* evidence of the [illegible] and wild mammals, and they shall [illegible] Board of Fish and Game Commissioners.

"'(6) After inspection and marking for identification, as herei[n] [illegible] imported wild birds or wild mammals [illegible] of Fish and Game Commissioners may be lawfully had in [illegible] and sold; *provided, however*, that each importer or deale[r] [illegible] wild mammals [illegible] wild birds or wild mammals [illegible] and full invoice of the [illegible] shipment, signed by him, wh[illegible] number of the original certificate of inspection of such wild birds [illegible] and its date, and must contain the number and varieties of the [illegible] wild mammals shipped or sold and the name and address of the [illegible] dence. Such invoice shall [illegible] State, for not more than ten days [illegible] and shall be substantially in the following form:

STATE OF CALIFORNIA.

STATE BOARD OF FISH AND GAME COMMISSIONERS.

INVOICE OF IMPORTED GAME.

Inspection Certificate No. ________ [illegible] ________

Date of Invoice ________

Name of Importer ________

Kind of Game ________

Number of Game ________

Consignee ________

Address ________

This authorizes the transportation and possession within this State [illegible] ten days after the date hereof, of the items mentioned herein, if [illegible] the original package.

________, Importer.

________, Agent.

No invoice shall be issued or delivered, except in conformity with the provisions of this section.

A copy of the invoice or bill of lading of each sale or shipment of imported wild birds or wild mammals must be furnished at once to the State Board of Fish and Game Commissioners.

When any imported or domestically reared wild birds or wild mammals are to be shipped by rail, express or other carrier, public or private, the invoice shall be securely attached thereto or to the package containing the same, in plain sight, and the same may then be lawfully carried and delivered to the consignee or donee named in such invoice.

Any wrongful misstatement in, or any omission of, a substantial requirement from any invoice, or any copy thereof, shall render the same void and be deemed a violation of this act.

"'(7) For the purposes of this Act it shall be lawful for the State Board of Fish and Game Commissioners to trap and take alive any of the wild birds or wild mammals of the State and to dispose of them to any person engaging in the domestication and sale of any such wild birds and wild mammals, at a price to be fixed by said State Board of Fish and Game Commissioners; *provided, however*, that no such wild birds or wild mammals shall be sold to any person until such person shall comply with all of the conditions prescribed by said State Board of Fish and Game Commissioners.

"'(8) All imported or domestically reared wild birds or wild mammals within this State shall be at all times subject to inspection by the State Board of Fish and Game Commissioners, and every importer, dealer in or owner of wild birds or wild mammals, whether imported from without the United States, or domestically reared within this State, or any other state, territory or other possession of the United States, shall at the end of each quarter during the year make and submit a report to said State Board of Fish and Game Commissioners showing the kinds and numbers of imported or domestically reared wild birds or wild mammals then in his possession and the kind and number of such imported or domestically reared wild birds and wild mammals disposed of during the quarter preceding such report.

"'(9) No wild birds and wild mammals reared under conditions of domestication within the State of California shall be sold, transferred or shipped except under the authority of a permit issued, in duplicate, by the State Board of Fish and Game Commissioners; and the duplicate of the original permit shall accompany each transfer, shipment or sale, and in the event of subsequent re-sale invoices shall be given the purchaser containing complete date as to the transaction, bearing the number and date of the original permit. A copy of each such invoice must-be filed with the State Board of Fish and Game Commissioners.

"'(10) The State Board of Fish and Game Commissioners shall be entitled to receive and collect for each tag, mark, brand or other mark of inspection and identification affixed the sum of five cents.

"'(11) The violation of any provision of this Act is hereby declared a misdemeanor, and every person violating any of its provisions shall, upon conviction thereof, be fined a sum of not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment in the county jail for a term of not less than twenty days, nor more than one hundred and fifty days, or by both such fine and imprisonment; and all moneys received from the sale of any birds or animals purchased from the State, or for the affixing of tags, marks, brands or other means of identification, as provided for in this Act, and all fines or forfeitures collected for violations of regulations provided for in this Act shall be paid into the state treasury, to the credit of the Fish and Game Preservation Fund.

"'(12) All Acts or parts of Acts, in so far as they conflict with this section, are hereby repealed.'"

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1264—An Act regarding the purchase of supplies and advertising by counties, defining the duties and powers of officers relating thereto, and establishing a legal square and a legal rate.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1565 (Substitute for Assembly Bill No. 1368; without reference to committee).—An Act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes.

flies and other insects; and to provide for the assessments, levy, collection and disbursement of taxes therein.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1578—An Act to amend sections 5, 6 and 7 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and by any Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the 'Inheritance Tax Act'; to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder', to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder', to repeal an Act entitled 'An Act to establish a tax on collateral inheritance, bequests and devises, to provide for its collection and to direct the disposition of its proceeds,' approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act, approved March 20, 1905, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act, approved April 7, 1911," approved April 16, 1913.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 722—An Act to provide for the establishment of passenger service upon the State railroad located on the water front of the city and county of San Francisco—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BROWN, Chairman.

Assembly Bill No. 722 ordered on file for second reading.

Also,

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 571—An Act to provide for the reservation of certain submerged lands lying along the water front of the city and county of San Francisco for aquatic sports—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BROWN, Chairman.

Assembly Bill No. 571 ordered on file for second reading.

CONSIDERATION OF SENATE BILL—OUT OF ORDER.

Senator Cogswell asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, Senate Bill No. 814 for the purpose of amendment.

Senate Bill No. 814—An Act to provide for the licensing of motor vehicles engaged in the carrying of passengers for hire upon the public highways in the State of California.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cogswell moved to refer to Senator Birdsall as a Special Committee of One, to amend Senate Bill No. 814 as follows:

AMENDMENT NUMBER ONE.

In line 3, on page 1, of the printed bill, strike out the comma after the word "hire" and the balance of said line, together with lines 4 to 10, both inclusive.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 814, with instructions to amend, respectfully reports the same back amended as per instructions.

BIRDSALL, Committee.

Report read and, on motion of Senator Cogswell, adopted

Bill ordered to print, and re-engrossment.

SECOND READING OF BILLS (OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent for the second reading at this time under suspension of the rules, of the bills previously reported from committees on this legislative day

Senate Bill No. 293—An Act to appropriate money to construct outdoor class rooms for the training school at the San Jose State Normal School.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 3, of the printed bill, after the word "construction", insert a comma and the word "repairs".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 325—An Act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend section 3, line 13, by striking out the word "annually".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, strike out all of section 4.

Amendment adopted.

the authority of the Board of Control, but shall file monthly vouchers therefor with the Board of Control.

"SEC. 14. All Acts and parts of Acts in conflict with this Act are hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 341—An Act to provide for the organization of the State Marketing Commission, to define its powers and duties and the rights and privileges of producers of agricultural, horticultural, dairy and farm products, and products manufactured or processed therefrom, which shall be grown, raised, produced, processed, or manufactured within the State of California, and to provide a penalty for the offense of using or imitating the State brand or label adopted by such Commission, and appropriating money for establishing and carrying out the provisions of this Act, creating the "State Marketing Commission Fund," and providing for the manner in which money shall be placed therein and paid therefrom and appropriating the moneys therein to carry out the provisions of this Act, and to repeal all Acts and parts of Acts inconsistent with the provisions of this Act.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Amend section 24, line 31, by striking out the words "two hundred" and inserting the words "twenty five."

Amendment adopted.

FORMER ACTION RECONSIDERED.

Senator Strobridge moved a reconsideration of the vote whereby the amendments to Senate Bill No. 341 were adopted.

Motion carried.

The question being on the adoption of the amendment.

By a viva voce vote the amendment lost.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, lines 2 to 16 of the title of the printed bill, strike out all of said lines 2 to 16, inclusive, and insert in lieu thereof the following: "To provide for the creation of the State Commission Market, and the organization thereof, to carry on the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on commission, creating the 'State Commission Market Fund' and appropriating money therefor."

Amendment adopted.

AMENDMENT NUMBER TWO.

On pages 1 to 8 of the printed bill, strike out lines 1 to 5, inclusive, on page 1, and also all of pages 2 to 8, inclusive, and insert in lieu thereof the following:

"SECTION 1. There is hereby created the State Commission Market, a State organization to carry on the business of receiving from the producers thereof, the agricultural, fishery, dairy and farm products of the State of California and the selling and disposing of the same on commission, as herein provided.

"SEC. 2. The State Commission Market shall be under the management and control of a governing body of one person, to be known as the State Commission Market Director, who shall be appointed by the Governor of the State of California.

"SEC. 3. The Commission Market Director shall establish and maintain in any and all cities and towns in the State where and when the conditions are in his judgment most suitable, depots or stations to be used as commission markets, for the receiving, care, sale and distribution of the agricultural, fishery, dairy and farm products of California, and the director shall establish and maintain an executive office or headquarters at Sacramento.

"SEC. 4. The Commission Market Director shall make all necessary rules and regulations, and change the same when necessary, for the operation and carrying on of the State Commission Market, and shall print the rules for free distribution to all persons who wish to avail themselves of the privileges of the market, whether buyers or sellers, and all buyers and sellers shall conform to such rules and regulations in order to claim any right under this Act.

"SEC. 5. All producers of agricultural, dairy or farm products, or products manufactured or processed therefrom, or fishery products, which shall have been grown, raised, produced, processed or manufactured within the State of California, or caught in the territorial waters thereof, shall have the right to consign and deliver such products to the State Commission Market, at any of its depots or branches, for sale and distribution.

"SEC. 6. The State Commission Market shall receive and care for all produce consigned and delivered to it under the provisions of this Act, and shall sell and distribute to dealers, consumers and all buyers such products to the best possible advantage of the producer; and, to the end that the State Commission Market be self supporting, shall charge a commission for the handling of all products in an amount which in the judgment of the director is just and reasonable. All settlements with producers shall be made once a month or oftener, and the market shall retain the commission charged.

"SEC. 7. The director shall have power to rent, lease, occupy and use all such lands and buildings as may be needed in the business of the market or any of its branches, and may provide the same with a sufficient force of officers, clerks, and other employees, as may be deemed necessary to carry out the provisions of this Act, and shall rent or purchase, and use all equipment, appliances, horses, mules, trucks or wagons, and all supplies necessary for the carrying on of said business.

"SEC. 8. The market shall have a bureau of correspondence for gathering and disseminating information on all subjects relating to the marketing of California products, and shall issue booklets thereon, and by every practicable means keep the producers informed of the supply and demand and at what market their products can best be handled.

"SEC. 9. The term of office of the director shall be four years or until his successor be appointed by the Governor, and the annual salary of the director shall be five thousand dollars. The first appointment of director shall be made upon this Act going into effect. The Legislature, by a two-thirds vote, may remove the director for misconduct, neglect of duty, or incompetency.

"SEC. 10. The State Commission Market shall have a secretary, who shall be appointed by the director and hold office at his pleasure, and shall perform such duties as he may prescribe. The annual salary of the secretary shall be three thousand six hundred dollars.

"SEC. 11. The market shall have a seal, bearing the inscription 'State Commission Market of California,' which seal shall be affixed to all such instruments as the director shall require.

"SEC. 12. The salaries of the director and secretary shall be paid to them in the same manner as are the salaries of other State officers.

"The salary or compensation of all other persons holding office or employment under the director, at the head office or at any of the branches of the State Commission Market, shall be fixed by the director and shall be paid monthly from the State Commission Market Fund, as hereinafter provided, and after being approved by the director upon claims therefor to be audited by the State Board of Control.

"All expenses incurred by the director pursuant to the provisions of this Act, including actual and necessary traveling expenses, and other disbursements of the director, his office and employees, incurred while on business of the market, shall be paid from the market fund in the same manner.

"SEC. 13. The director shall not engage in any other line of business during his term of office, but shall devote his whole time, attention, and ability to the duties of his office. The director shall not hold any stock or other interest whatsoever in any produce commission business.

"SEC. 14. There is hereby created a fund to be known as the 'State Commission Market Fund.' All fees, charges and costs collected by said market under this Act shall be paid into the treasury of the State to the credit of such fund. All appropriation made by this Act or any subsequent Act for the use of the market, shall be placed to the credit of such fund. All expenses of whatsoever nature, incurred by the market under the provisions of this Act, shall be paid from the said fund, after being approved by the director, upon claims therefor to be audited by the Board of Control.

"SEC. 15. There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of twenty-five thousand dollars, to be used by said director in establishing and carrying on the State Commission Market provided for by this Act.

"SEC. 16. The director shall make and submit to the Governor on or before the first day of December of each year, a report containing a full and complete account of its transactions and proceedings for the preceding fiscal year, together with such other facts, suggestions and recommendations as may be deemed of value to the people of the State.

"SEC. 17. The director, before entering upon the duties of his office, shall make and execute to the people of the State of California an official bond in the sum of fifty thousand dollars for the faithful performance of the duties of his office. The director may require of the officers and employees such bonds for the faithful performance of their duties, as in his judgment may be necessary.

"SEC. 18. Sufficient commission for the handling of produce shall be charged by the market to gradually build up a revolving fund in a sum equal to the original appropriation, such fund to be used as provided in the maintenance and operation of the market".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 472—An Act to provide readers for blind students in the University of California, and to assist deaf students attending the National College for the Deaf at Washington, D. C.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 470—An Act to amend section 358 of the Political Code, relating to the salary of the executive secretary of the Governor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 773—An Act making available and reappropriating certain money for the expenses of the National Guard in case of insurrection, invasion, tumult, riot or imminent danger thereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered by the Committee on Military Affairs:

AMENDMENT NUMBER ONE.

In line 6 of page 2 of the printed bill strike out the following:
"SEC. 3. This Act shall take effect immediately."

Amendment lost.

COMMITTEE AMENDMENTS.

By the Committee on Finance:

AMENDMENT NUMBER ONE.

Strike out all after the enacting clause and insert in lieu thereof the following:
"SECTION 1. Chapter 428 of the Statutes of 1907 is hereby repealed."

Amendment adopted.

AMENDMENT NUMBER TWO.

Amend the title by striking out all after the word "act" in the first line and insert in lieu thereof the following: "To repeal an Act entitled 'An Act to amend section 1 of an Act entitled "An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California and the University Cadets, called into service by order of the Governor in the month of April, May and June, 1906," approved June 14, 1906.'"

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 784—An Act making an appropriation to pay the claim of Mrs. Richard D. Barton against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 937—An Act appropriating money for the construction of a trail in the Sierra Nevada Mountains to be known as the "John Muir Trail."

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1013—An Act transferring money from the disputed title to lands on San Diego Bay fund to the general fund of the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 731—An Act creating and establishing a commission to codify, revise and perfect the law of the State concerning roads, streets, highways and bridges; prescribing the powers and duties of said commission; providing for the expense of said commission and appropriating money therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 5 and 6 of the title, and insert in lieu thereof the following: "of said commission".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 7 to 9, of the printed bill, strike out all of line 7 after the period following the figure "2", all of line 8 and all of line 9 to and including the period in said line and insert in lieu thereof the following: "Three of the members of said commission shall be appointed by the Governor and the other two members thereof shall be the State Engineer and the State Highway Engineer, who shall be ex officio members, and the members of said commission shall enter upon the performance of their duties within thirty days after this Act shall go into effect".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 7 to 15, of the printed bill, strike out all of said lines 7 to 15, inclusive.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1189—An Act to provide for the purchase of a portrait of former Lieutenant Governor A. J. Wallace, and to make an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 431—An Act to amend section 368 of the Political Code and to repeal section 369 thereof, relating to executive officers, their appointment and terms.

Bill read second time, ordered engrossed, and on file for third reading:

Senate Bill No. 1259—An Act authorizing the Governor of the State of California to appoint a commission to investigate and report at the forty-second session of the Legislature concerning unemployment and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 88—An Act appropriating two thousand dollars for the restoration and rebuilding of the old Greek Chapel at Fort Ross, Sonoma County, California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 33—An Act to compel every person, company, association or corporation carrying on or conducting the business of supplying water in any city, city and county, or town, to supply all the inhabitants thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title after the words "An Act" and insert in lieu thereof the following: "to require water companies to properly and adequately serve with water the inhabitants of the territory for the service of which they have a franchise."

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out everything after "SECTION 1" and insert in lieu thereof the following: "Any water company having a franchise to use the streets of a municipal corporation shall properly and adequately serve with water the inhabitants of the territory for the service of which it has such franchise. If the Railroad Commission has jurisdiction of extensions and service in the municipal corporation it shall enforce a compliance with the foregoing requirement. If the Railroad Commission does not have such jurisdiction, then it shall be the duty of the governing body of such city to adopt rules and regulations to carry out this requirement. In addition to the penalties which may be provided by such governing body for failure to comply with such regulations adopted by it, any person aggrieved by the failure of any such water company to comply with such regulations may recover in civil action against such water company, twice the amount of damages by him sustained by reason of such failure.

"SEC. 2. The term 'water company' as used in this Act shall be deemed to include any person, firm or private corporation engaged in the business of supplying water for domestic use within any municipal corporation."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1220—An Act to amend sections 1240, 1245 and 1248 of the Code of Civil Procedure relating to eminent domain.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On pages 1 to 3 of the printed bill, strike out all of lines 6 to 17 on page 1, all of page 2 and lines 1 to 7 on page 3, and insert in lieu thereof the following:

"2. Lands belonging to this State, including tide and submerged lands, not within the corporate limits of any city, or city and county, or to any county, incorporated city, or city and county, village or town, not appropriated to some public use; *provided*, that all sixteenth and thirty-sixth sections, both surveyed and unsurveyed, owned by the State or the United States, which may now or may hereafter be included within the exterior boundaries of a national reservation, or of a reserve, or within the exterior boundaries of lands withdrawn from public entry, shall be and hereby are withheld from the operation of this title and shall not be condemned as against the State or the United States;

"3. Lands belonging to the United States or owned or held by the United States in trust, or otherwise, for any purpose, except lands owned or held for lighthouses, post offices or other government buildings, forts, arsenals, or other military purposes; and except lands mentioned in the proviso to subdivision two hereof;

"4. Property appropriated to public use; but such property shall not be taken unless for a more necessary public use than that to which it has already been appropriated; *provided*, that where any such property has been so appropriated by any individual, firm or private corporation, the use thereof for a public street or highway of a county, city and county, or incorporated city or town or the use thereof by a county, city and county, incorporated city or town irrigation or municipal water district, for the same public purpose to which it has been so appropriated, or for any other public purpose, shall be deemed more necessary uses than the public use to which such property has already been appropriated; ***and provided, further***, that where property already appropriated to a public use or purpose, by any person, firm or private corporation, is sought to be taken by a county, city and county, incorporated city or town, irrigation or municipal water district, for another public use or purpose, which is consistent with the continuance of the use of such property or some portion thereof for such existing purpose, to the same extent as such property is then used, or to a less or modified extent, then the right to use such property for such proposed public purpose, in common with such other use or purpose, either as then existing, or to a less or modified extent, may be taken by such county, city and county, incorporated city or town, irrigation or municipal water district, and the court may fix the terms and conditions upon which such property may be so taken, and the manner and extent of the use thereof for each of such public purposes, and may order the removal or relocation of any structures, or improvements therein or thereon, so far as may be required by such common use. But property appropriated to the use of any county, city and county, incorporated city or town or municipal water district, may not be taken by any other county, city and county, incorporated city or town, or municipal water district, while such property is so appropriated and used for the public purposes for which it has been so appropriated; ***and provided, further***, if the property sought to be taken has been already appropriated as a cemetery or burial place for the dead, and such appropriation was or is either a public or private use, and the public use for which it is sought to be taken is a public park in a city or city and county, or county, incorporated city, or city and county, village or town, and the legislative body of said city or city and county, or county, incorporated city or city and county, village or town, has prohibited further burials being made in said burial grounds, the property may be taken for such public parks subject to the condition that the city or city and county, or county, incorporated city or city and county, village or town shall maintain such burial places and care for the upkeep of the graves therein contained, in connection with such public park uses, as a burden upon the lands so sought to be condemned; *provided, however*, that the relatives of the interred dead who desire to disinter and remove their dead from the land sought to be condemned may do so upon giving written notice of their intention so to do, within sixty days after the city or city and county or county, incorporated city or city and county, village or town, has taken actual possession of the lands so condemned".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 11, after the word "publication" insert the following: "as provided by law".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6, line 1, commencing with the word "If", strike out all down to and including line 10, and insert in lieu thereof the following: "If the property sought to be condemned constitutes a cemetery or burial place for the dead, the facts that the taking is subject to the maintenance, care and upkeep of the graves therein contained as a burden upon the lands so sought to be condemned, shall be taken into consideration in determining the damages for the taking of the lands subject to such burden. Such burden shall be the burden of a public trust and may be enforced by an action instituted by any person having relatives interred therein".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 856—An Act to appropriate money for the use of the Railroad Commission of the State of California in the control of public utilities within incorporated municipalities.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 269—An Act to appropriate money for the construction and furnishing of a cottage for male patients at the Agnews State Hospital.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line [illegible] of the title after the word "[illegible]" insert the words "[illegible]".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line [illegible] of the title, after the word "[illegible]", strike out the word "[illegible]".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line [illegible] of the printed bill strike out the words "[illegible]" and insert in lieu thereof the words "[illegible] hundred ($22) and [illegible]".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 4 of the printed bill after the word "[illegible]" insert the words "or colleges".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 4 of the printed bill after the word "[illegible]" strike out the word "[illegible]".

Amendment adopted.

Bill read second time, ordered to print engrossment and third reading.

SECOND READING OF BILLS—OUT OF ORDER.

Senator Irwin asked for and was granted unanimous consent for the second reading at this time of Senate Bill No. 276, out of the regular order.

Senate Bill No. 276—An Act relating to the granting of certificates to practice medicine and surgery by the Board of Medical Examiners of the State of California, to graduates from legally chartered or reputable medical schools in the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

SECOND READING OF BILLS (RESUMED).

Senate Bill No. 777—An Act making an appropriation for the subsistence supplies, transportation and other expenses incidental to the encampment of the troops of the National Guard of California, upon the occasion of the Panama-Pacific International Exposition.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In lines 2, 3 and 4 of the title of the printed bill, after the word "the", strike out the remainder of the title, and insert in lieu thereof the following: "encampments and authorized parades of the National Guard of California, and cruises and authorized parades of the Naval Militia of California".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out the words "encampment of" in line 4, and all of lines 5, 6, 7, 8, 9 and 10 of the printed bill, and insert in lieu thereof the following: "encampments and authorized parades of the National Guard of California, and cruises and authorized parades of the Naval Militia of California. Claims against this appropriation will be audited and allowed by the Adjutant General in the same manner as other military claims. The State Controller is hereby authorized and directed to draw his warrants in favor of the person or persons authorized to receive the same, and the State Treasurer is directed to pay the same".

Amendment adopted.

AMENDMENT NUMBER THREE.

Add a new section to the printed bill, to be known as section 2, and to read as follows:

"SEC. 2. This Act, inasmuch as it provides for an appropriation for the usual current expenses of the State, shall, under the provisions of section 1 of article IV of the Constitution, take effect immediately".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 1053—An Act to amend section 456 of the Political Code of the State of California relating to employees in the office of the State Treasurer.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the last word in said line, to wit: the word "one".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 5, and substitute therefor the words "and one stenographer, all of".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, strike out the word "is", and substitute the words "shall be".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 10, of the printed bill, strike out the words "of the".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 11, of the printed bill, strike out the words "stenographer-secretary, one thousand five hundred dollars;".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 12, of the printed bill, strike out the word "clerk".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 14, of the printed bill, after the period (.) after the word "officers", insert the following: "All persons appointed by the State Treasurer who have the custody or handling of moneys or bonds shall be exempt from the provisions of the Civil Service Act".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Assembly Bill No. 92—An Act appropriating money to pay the claim of R. A. Sarle against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 158—An Act appropriating money for repairs and improvements to buildings and equipment at the California Polytechnic School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 161—An Act to provide for improvements, repairs and furnishings for the buildings and grounds of the Woman's Relief Corps Home located at Evergreen, Santa Clara County, and to appropriate money therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 162—An Act to provide for nurses and medical attendants for the inmates of the Woman's Relief Corps Home located at Evergreen, Santa Clara County, and to appropriate money therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 173—An Act to appropriate money for repairs and alterations to main buildings Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 174—An Act to appropriate money to pay the expense of improving the grounds of the Santa Barbara State Normal School of Manual Arts and Home Economics, including grading, installation of sewer, gas and water mains and conduits.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 188—An Act to appropriate money for water and steam piping and plumbing repairs at the Sonoma State Home.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 211—An Act appropriating money to pay claim of Bryant & May, Limited, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 244—An Act to appropriate money for the construction of farm buildings at the Stockton State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 249—An Act to appropriate money for repairs and improvements and erection of small buildings at the Preston School of Industry.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 281—An Act to appropriate money for plumbing repairs at the Mendocino State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 312—An Act to appropriate money for the development of water including the installation of pumping station and mains at the Southern California State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 323—An Act to appropriate money for the construction and furnishing of a cottage for males at the Stockton State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 382—An Act appropriating money to pay the claim of Frank D. Scott against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 436—An Act to appropriate money for the construction of garage and tool house at the California School for Girls located near Ventura.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 438—An Act to appropriate money for the improvement of grounds and purchase of necessary equipment therefor at the California School for Girls near Ventura.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 471—An Act to appropriate money to pay the deficiency in the appropriation for printing and distributing constitutional amendments for the sixty-fifth and sixty-sixth fiscal years.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 475—An Act appropriating money to pay the claim of Charles W. Williams against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 480—An Act to appropriate money for the construction and equipment of a building or buildings as a home for workingmen on what is known as the Smith-Brown ranch belonging to the Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 482—An Act to appropriate money for remodeling South Pay Cottage at the Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 514—An Act appropriating money to pay the claim of the Lake Tahoe Railway and Transportation Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 556—An Act to appropriate money to pay the claim of the Westinghouse Electric and Manufacturing Company upon a judgment rendered against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 565—An Act to appropriate money to meet part of the expenses in maintaining the navigability of the San Rafael deep water channel.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 577—An Act to appropriate money to pay the claim of the Clark & Henery Construction Company against the State of California for street work fronting the State Armory in the city of Sacramento.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 578—An Act to appropriate money to pay the claim of C. S. Baldwin against the State of California for cost in foreclosing swamp lands.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 598—An Act to appropriate money to pay the claim of Los Angeles County against the State of California for the support of orphans, half-orphans and abandoned children in the sixty-second fiscal year.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 599—An Act to appropriate money to continue in effect "An Act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same and making an appropriation for that purpose," approved June 14, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 602—An Act to appropriate money to meet additional expense for the support of orphans, half orphans and abandoned children for the sixty-fifth and sixty-sixth fiscal years.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 649—An Act to appropriate money to pay the claim of the Des Moines Bridge and Iron Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 710—An Act to amend section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, providing for the appointment by the Attorney General of clerks, phonographic reporter, service agents and stenographers, and fixing their salaries.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 711—An Act to appropriate money to pay the claim of Mrs. S. L. Bee against the State of California for interest on Indian war bonds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 712—An Act to appropriate money to pay the claim of Fred H. Figel against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 713—An Act to appropriate money to pay the funeral expenses of the late Controller Alfred B. Nye.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 725—An Act appropriating money to pay the claim of the San Joaquin Light and Power Corporation against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 782—An Act to appropriate money to pay the claim of Martha O. Ullner against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 828—An Act to appropriate money to construct and furnish two cottages for physicians at the Stockton State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 829—An Act to appropriate money to pay the claim of Benjamin Walters against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 989—An Act to create a state purchasing department, to define the authority, powers, and duties thereof; to provide for the appointment of and to define the authority, powers, and duties and to fix the compensation of the officers and employees thereof, and to appropriate money for the support of said department; and to repeal all Acts or parts of Acts in conflict with the provisions of this Act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1041—An Act to appropriate money for power house repairs and equipment at the Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1059—An Act to appropriate money to pay the claim of Ralph S. Roberts against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1061—An Act to appropriate money to pay the claim of the Pacific Telephone and Telegraph Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1062—An Act to appropriate money to pay the claim of the Great Western Power Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1063—An Act to appropriate money to pay the claim of the Union Home Telephone and Telegraph corporation against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1064—An Act to appropriate money to pay the claim of the Economic Gas Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1065—An Act to appropriate money to pay the claim of the Coast Counties Gas and Electric Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1066—An Act to appropriate money to pay the claim of the San Diego Home Telephone Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1067—An Act to appropriate money to pay the claim of the San Francisco-Oakland Terminal Railways against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1072—An Act to appropriate money to pay the claim of the Frank Lyman Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1001—An Act to reimburse Russell T. Joy for money paid by him to the State of California in the purchase of certain certificates of indemnity, or scrip, on account of his becoming subsequently disqualified to purchase State lands by reason of removal from the State of California, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1102—An Act appropriating money to pay the claim of Saint Francis Hospital, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1104—An Act appropriating money to pay the claim of the Southern Pacific Company, a corporation, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1110—An Act for the relief of M. B. Be

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1148—An Act appropriating money to supplement and be added to the cash revolving fund provided for the use of the State Engineer by Chapter 108 of the Statutes of 1913 approved May 8, 1913.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1215—An Act making an appropriation to pay the claim of Mrs. May Arminnie McCrea against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1340—An Act to appropriate money to pay the claim of the Long Beach Consolidated Gas Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1341—An Act to appropriate money to pay the claim of the Southern California Edison Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1343—An Act to appropriate money to pay the claim of the Santa Barbara Gas and Electric Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1528—An Act making an appropriation to pay the claim of Charles A. Tettle against the State of California.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1585—An Act to authorize the payment of the claim of Addie Zschockelt against the State of California, and making an appropriation therefor.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1592—An Act making an appropriation to pay the claim of Mater Misericordiae Hospital, a corporation, against the State of California.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 576—An Act to appropriate money to pay the claim of the Matson Navigation Company upon a judgment rendered against the State of California.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Amend on page 1 by striking out section 2.

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1092—An Act making appropriations for the support of the government of the State of California for the sixty-seventh and sixty-eighth fiscal years.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

SERIES A.

AMENDMENT NUMBER ONE.

On page 10 of the printed bill, line 20, strike out the words "four hundred fifty", and insert in lieu thereof the following, "six hundred".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 10 of the printed bill, line 24, strike out the words "three hundred fifteen", and insert in lieu thereof the following: "four hundred twenty".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 10 of the printed bill, line 35, after the word "of", strike out the word "two" and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 10 of the printed bill, lines 35 and 36, strike out the words "two thousand eight hundred eighty", and insert in lieu thereof the following, "five thousand four hundred".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 11 of the printed bill, line 3, strike out the words "two months" and insert in lieu thereof the following: "six weeks;".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 11 of the printed bill, line 4, strike out the words "one hundred eighty" and insert in lieu thereof the words "two hundred twenty-five".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 11 of the printed bill, lines 22 and 23, strike out the words "during session of the Legislature" and insert in lieu thereof the words "one month".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 11 of the printed bill, strike out lines 24 and 25.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 11 of the printed bill, strike out lines 28 and 29.

Amendment adopted.

SERIES B.

AMENDMENT NUMBER ONE.

On page 29 of the printed bill, strike out lines 7, 8, 9 and 10.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 24, line 34, strike out the word "twelve" and insert in lieu thereof the word "twenty-five".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 26, line 14 of the printed bill, insert the following: "for the payment of expenses incurred by the State Treasurer in the preparation of the University of California building bonds and in the advertising of the sale thereof, two thousand five hundred dollars".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 2, strike out the words "forty-five" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER FIVE

On page 2, line 8, strike out the word "forty-two" and insert in lieu thereof the word "fifty".

Amendment adopted.

AMENDMENT NUMBER SIX

On page 3, line 22, strike out the words "four thousand five hundred" and insert in lieu thereof the words "four thousand three hundred twenty".

Amendment adopted.

AMENDMENT NUMBER SEVEN

On page 13, line 17, of the printed bill, strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]".

Amendment adopted.

AMENDMENT NUMBER EIGHT

On page 13, line 19, of the printed bill, strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]".

Amendment adopted.

AMENDMENT NUMBER NINE

On page 15, line 23, of the printed bill, strike out the word "sections" and insert in lieu thereof the word "section".

Amendment adopted.

AMENDMENT NUMBER TEN

On page 17, line 26, of the printed bill, before the word "money", insert the following: "and also including thirty-one thousand five hundred [illegible] dollars to be used for the purpose of carrying out the [illegible] Act".

Amendment adopted.

AMENDMENT NUMBER ELEVEN

On page 21, line 13, of the printed bill, strike out the word "sixty" and insert in lieu thereof the word "thirty-[illegible]".

Amendment adopted.

AMENDMENT NUMBER TWELVE

On page 21 of the printed bill, strike out all of lines 21 and 22.

Amendment adopted.

SERIES C

AMENDMENT NUMBER ONE

On page 7, line 14, of the printed bill, strike out the words "expressage and telegraphing," and insert in lieu thereof the following: "expressage, telegraphing and contingent expenses."

Amendment adopted.

AMENDMENT NUMBER TWO

On page 28, line 21, of the printed bill, strike out the word "sixty-[illegible]" and insert in lieu thereof the following: "sixty-seventh".

Amendment adopted.

AMENDMENT NUMBER THREE

On page 14, line 36, of the printed bill, after the word "armory", insert a comma and the following: "cleaning and transportation of arms".

Amendment adopted.

AMENDMENT NUMBER FOUR

On page 15, line 14, of the printed bill, strike out the words "expenses maintaining training ships for Naval Militia" and insert in lieu thereof the following: "furnishing coal and other supplies, and for repairs to training ships, Naval Militia".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 15, line 20, of the printed bill, strike out the words "at encampments" and insert in lieu thereof the following: "at joint maneuver camps of National Guard and United States Army, and annual cruises of instruction of Naval Militia".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 29, of the printed bill, after the word "hundred", insert the following: "and forty".

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 254—An Act to amend section 499*a* of the Penal Code of the State of California, relating to the stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 927—An Act to amend an Act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," etc.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 741—An Act to amend section 10 of an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, as amended February 27, 1893.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1523—An Act providing for the improvement, development or protection of any harbor, bay, inlet, or other arm of the sea, existing within any county of this State, providing for the appointment of a harbor commission by the board of supervisors of any such county, etc.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, strike out the words "of the", and in line 11, strike out the words "commissioners then in office", and insert in lieu thereof the following: "by the board of supervisors".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 35, of the printed bill, strike out the comma and the syllable "sub", and also strike out all of lines 36 and 37, and insert in lieu thereof a semicolon and the following: "*provided, however*, that the provisions of this Act shall not apply to any harbor, bay, inlet or other arm of the sea, now maintained or operated by the State of California or any municipality thereof or to any harbor, bay, inlet, or other arm of the sea, in which the State of California has ceded or granted to any municipality of the State the whole or any portion of the salt marsh or tide lands".

Amendment adopted.

Bill read second time, ordered to print and third reading.

Assembly Bill No. 497—An Act to amend section 274 of the Penal Code, relating to furnishing or administering drugs, etc., with intent to produce miscarriage.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1053—An Act to amend section 1 of an Act entitled "An Act prohibiting the destruction of foodstuffs, food products or food articles," approved June 5, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 496—An Act to add a new section to the Penal Code of the State of California to be numbered 400b, relating to advertising the cure or treatment of venereal diseases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 846—An Act to amend an Act entitled "An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 11, 1913, by amending sections 1 and 2, both relating to cold storage.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 722—An Act to provide for the establishment of passenger service upon the State Railroad located on the Embarcadero in the city and county of San Francisco.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On line 3 of the title after the word "passenger" strike out the words "service upon the State railroad located", and insert in lieu thereof the words "transportation facilities upon".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 9, of the printed bill, after the word "necessary", strike out the period, and insert in lieu thereof a semicolon followed by these words: "*and provided, further*, that if the establishment and maintenance of said passenger service upon such railroad, shall after careful investigation be found by said Board of State Harbor Commissioners to be impracticable, or not feasible, such board shall establish or maintain such other passenger service or the means, facilities or public street improvement by which or over which such other passenger service can be operated and maintained by said board or by other persons, firms, associations or corporations."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, after the word "made", insert a comma and the following words: "fixed or determined".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 936—An Act to provide for visual instruction in the public schools of the State under the supervision of the State Board of Education and making an appropriation therefor, has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

ANDERSON, Chairman.

Senate Bill No. 936 ordered on file for second reading.

SENATOR KEHOE IN THE CHAIR.

At eleven o'clock and forty-five minutes p.m., Senator Kehoe of the First District, in the chair.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 936—An Act to provide for visual instruction in the public schools of the State under the supervision of the State Board of Education and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

Amend the title by striking out all thereof after the words "An Act" and insert in lieu thereof the following: "relating to visual instruction in the public schools of the State, granting to the State Board of Education certain powers in relation thereto and making an appropriation therefor".

Amendment adopted.

AMENDMENT NUMBER TWO

Strike out everything after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The State Board of Education may employ an expert, with such additional assistants as said board may deem necessary, and shall prepare or cause to be prepared a classified catalogue of motion picture films, lantern slides and other visual aids for use in the public schools of the State; and shall purchase, manufacture, or have manufactured, lease, borrow, exchange, or acquire by gift, films, lantern slides, pictures for opaque projection, photographs, or other visual aids for educational uses; and may furnish either direct or through public libraries, or through such other agencies as the board may select, information, materials and equipment for such visual education; *provided, however*, that said State Board of Education may whenever it deems the same to be for the advantage of the said public schools co-operate with other educational institutions and organizations either in this or any other State of the United States in purchasing, borrowing or leasing for or from or exchanging with such other educational institutions and organizations.

"SEC. 2. The sum of ten thousand dollars is hereby appropriated out of any moneys in the state treasury not otherwise appropriated for the purpose of carrying out the provisions of this Act; and the State Controller is hereby authorized and directed to draw warrants from time to time on the general fund of the State for amounts so expended under the direction of the State Board of Education, and the State Treasurer is hereby authorized and directed to pay the same".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

RECALL OF BILL FROM PRINT AND ENGROSSMENT.

Senator Thompson moved that Senate Bill No. 345 be recalled from print and engrossment and that the same be restored to its place on the second reading file.

Motion carried.

SECOND READING FILE—(OUT OF ORDER).

Senator Thompson asked for and was granted unanimous consent to take up for second reading at this time out of the regular order, for the purpose of amendment, Senate Bill No. 345—An Act to appropriate money for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

AMENDMENTS FROM THE FLOOR.

During second reading of the bill, the following amendments were offered, and their adoption moved by Senator Thompson:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the word "thirty" and insert in lieu thereof the word "twenty-five."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 13, strike out the word "thirty," and insert in lieu thereof the following: "twenty-five."

Amendment adopted.

ADJOURNMENT.

At eleven o'clock and fifty-nine minutes p.m., on motion of Senator Thompson, the Acting President declared the Senate adjourned until Monday, May 3, 1915, at ten o'clock a.m.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Monday, May 3, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Gates, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, May 1, 1915, the further reading was dispensed with, on motion of Senator Gerdes.

PRIVILEGES OF FLOOR EXTENDED.

On request of Senator Purkitt, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. D. A. Shellove, of Willows, and Mr. W. O. Edmonds, of Lakeport.

On request of Senator Finn, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Walter Macauley, of San Francisco.

On request of Senator Luce, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge J. Edward Keating, of San Diego.

COMMUNICATION.

The following communication was read, and ordered printed in the Journal:

To the Honorable Members of the Senate of California.

GENTLEMEN: Mrs. Rutherford asked me to write and try to express our appreciation of the kindness and sympathy shown us, during the illness and death of my brother, Frank M. Rutherford.

Most sincerely,

MRS. R. S. POWERS.

Oroville, May 1, 1915.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 29, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 904—An Act to amend sections 3607, 3608, 3617, 3627, 3628, 3629, 3641, 3643, 3650, 3663, 3678, 3679, 3701, 3728, 3734 and 3752 of the Political Code, and to repeal sections 3609, 3610, 3719, 3757 and 3769*a* of said code, and to add to said code a new section to be numbered 3714*a*, all relating to revenue and taxation—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

COGSWELL, Chairman.

Assembly Bill No. 904 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

On motion of Senator Thompson, Senate Bill No. 1078 was passed on file.

Senate Bill No. 595—An Act to amend section 4014 of the Political Code of the State of California.

On motion of Senator Irwin, Senate Bill No. 595 was passed on file.

Senate Bill No. 130—An Act to amend section 1365 of the Code of Civil Procedure relating to the order of persons entitled to administer upon estates.

On motion of Senator Thompson, Senate Bill No. 130 was passed on file.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan, Senate Bill No. 74 was passed on file.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 420—An Act to add a new section to the Political Code of the State of California, to be numbered 602*b* to provide a uniform system of classification of risks, premium rates and schedule ratings for the State Compensation Insurance Fund and all other insurance carriers in this State insuring employers or employees under the Workmen's Compensation, Insurance and Safety Act, chapter 176, Laws 1913, to establish adequate rates for such insurance; to permit the limited issuance of compensation participating policies, requiring the Industrial Accident Commission to furnish certain information for the use of the State Insurance Commissioner, requiring every insurance carrier writing such insurance to file an annual report of its loss experience, and empowering the State Insurance Commissioner to supervise, control and enforce the provisions of this Act, and fixing penalties for the violation thereof.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 420 passed by the following vote:

Ayes—Senators Anderson, Benedict, Brown, Carr, Chamberlin, Cogswell, Crowley, Duncan, Finn, Gerdes, Irwin, Jones, King, Lyon, Mott, Purkitt, Scott, Shearer, Slater, Stuckenbruck, and Thompson—21.

Noes—Senators Birdsall and Kehoe—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

By consent of the Senate the following report of standing committee was received and read, out of the regular order:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 24—An Act to amend an Act entitled 'An Act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony, and repealing an Act entitled 'An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation,' approved February ninth, nineteen hundred, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April first, eighteen hundred and ninety-seven; also repealing an Act entitled 'An Act providing for the appointment of an Auditing Board to the Commisioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony and making an appropriation of money for the purposes of this Act,' approved March seventeenth, eighteen hundred ninety-seven, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a Debris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March twenty-fourth, eighteen hundred and ninety-three, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures, etc.—has had the same under consideration, and respectfully reports the same back and recommends it do pass.

BIRDSALL, Chairman.

Assembly Bill No. 24 ordered on file for second reading.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 892—An Act authorizing the construction, improvement, maintenance and control of the uncompleted portions of the system of state highways prescribed and contemplated by an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California; specifying the work; fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D. 1910, and known and cited as the "State Highways Act;" specifying the work; fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said system; creating a revolving fund to be used by the State Department of Engineering for the purposes of this Act; creating a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

On motion of Senator Birdsall, Senate Bill No. 892 was passed on file.

Senate Bill No. 649—An Act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 649 passed by the following vote:

Ayes—Senators Anderson, Benedict, Birdsall, Brown, Carr, Chandler, [illegible], [illegible], Finn, [illegible], [illegible], Jones, Kehoe, King, Luce, Mott, Purkitt, Scott, [illegible], Strobridge, Stuckenbruck, and Thompson—22.

Noes—Senators [illegible] and [illegible]—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. [illegible]—An Act to repeal article III of chapter III of title VII of part IV of the Civil Code of the State of California, and enact a new article III of chapter III of title VII of part IV of the Civil Code of the State of California, relating to bills of lading;

Also, Senate Bill No. [illegible]—An Act to repeal title XV of part IV of division third of the Civil Code of the State of California, and to add a new title XV to part IV of division third of said code in place thereof, relating to negotiable instruments, and to make the law of negotiable instruments in the State of California uniform with the laws of other states.

And reports that the same have been correctly engrossed.

LUCE, Vice Chairman.

Also,

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 221—An Act to amend section 171 of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases; and reports that the same has been correctly engrossed.

LUCE, Vice Chairman.

Also,

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 445—An Act to amend section 1465a of the Code of Civil Procedure of the State of California, relative to notices of petitions to set aside exempt property for use of family;

Also, Senate Bill No. 205—An Act to provide for the establishment of State parks in the counties of California, providing for the issuance of county bonds in aid of the establishment of such parks, and submission of such bond issue to a vote, providing a method of acquiring such parks with or without condemnation proceedings, and providing for the government of such parks;

Also, Senate Bill No. 1187—An Act to amend an Act entitled "An Act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of ways in municipalities and providing for the improvement thereof in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of street improvement bonds to represent the assessment for the costs, damages and expenses of said improvement, and for the payment and effect of such bonds," approved June 16, 1913, by amending sections 1, 3, 4, 8, 23, 24 and 25 of said Act;

Also, Senate Bill No. 910—An Act to create a reclamation district to be called "Reclamation District No. 1660," and providing for the control and management thereof;

Also, Senate Bill No. 1052—An Act to appropriate money for equipment for the State Treasurer's office;

Also, Senate Bill No. 450—An Act assenting to the provisions and requirements of the Act of the Congress of the United States entitled "An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several states receiving the benefits of the Act of Congress approved July 2, 1862, and of Acts supplementary thereto, and the United States Department of Agriculture," approved by the President of the United States May 8, 1914, and authorizing and empowering the regents of the University of California to receive the grants of money appropriated under said Act, and to organize and conduct agricultural extension work in accordance with the terms and conditions expressed in said Act;

Also, Senate Bill No. 275—An Act appropriating the sum of four thousand dollars for the construction of buildings on the lands of the Agricultural Experiment Station of the University of California in the county of Imperial;

Also, Senate Bill No. 182—An Act to appropriate money for the construction and furnishing of two barracks for [illegible] employees at the Sonoma State Home;

Also, Senate Bill No. 398—An Act to appropriate money for the erection and furnishing of cottages at the Whittier State School;

Also, Senate Bill No. 417—An Act to appropriate money for the construction of farm buildings and improvements at the California School for Girls located near Ventura;

Also, Senate Bill No. 418—An Act to appropriate money for the construction and furnishing of a cottage for [illegible] at the California School for Girls located near Ventura;

Also, Senate Bill No. 368—An Act to appropriate money for the purchase of live stock at the state prison at San Quentin.

Also, Senate Bill No. 363—An Act to appropriate money for repairs and improvements at the state prison at San Quentin;

Also, Senate Bill No. 298—An Act to amend sections 1 and 4 of an Act approved April 27, 1911, and entitled "An Act to carry into effect the provisions of subdivision (c) of section 14 of article XIII of the Constitution of the State of California as the said article was amended on the 8th day of November in the year 1910 in so far as the same relates to the State University," and also to provide for the permanent support and improvement of the University of California; and to that end making a continuing appropriation and creating a permanent fund therefor; and repealing an Act entitled 'An Act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and to repeal an Act approved February 14, 1887, entitled 'An Act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an Act approved February 27, 1897, entitled 'An Act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California, by the levy of a rate of taxation, and the creation of a fund therefor,' approved March 20, 1909;

Also: Senate Bill No. 265—An Act appropriating the sum of forty thousand dollars for the support and maintenance of university extension work by the University of California;

Also: Senate Bill No. 241—An Act to appropriate money for the building and equipping of ten sanitary cottages for the Veterans' Home of California;

Also: Senate Bill No. 242—An Act to appropriate money for repairs and improvements to the buildings at the Veterans' Home of California;

Also: Senate Bill No. 1086—An Act appropriating money to pay the claim of James Edward Rogers against the State of California;

And reports that the same have been correctly engrossed.

LUCE, Vice-Chairman.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 654—An Act to amend section 475 of the Political Code, providing for the appointment by the Attorney General of clerks, phonographic reporter, service agent and stenographers, and fixing their salaries;

Also: Senate Bill No. 1060—An Act to provide for the establishment, maintenance and development of a petroleum experiment station by the University of California; to impose an annual excise fee upon the producers of crude petroleum for the support of such experiment station; to provide for the collection of such fee; to provide penalties for the non-payment thereof; and to appropriate the aggregate amount thereof for the purpose aforesaid;

Also: Senate Bill No. 1193—An Act to amend section 1624 of the Civil Code, and repealing article II of chapter III of title IV of part IV of division second of the Civil Code, and repealing sections 2308, 2309, 2310, 2311, 2312, 2313, 2314, 3353, 3354, 3355, 1739 and 1740, of the Civil Code, chapter II of title I of part IV of division third of the Civil Code, chapter III of title I of part IV of division third of the Civil Code, chapter IV of title I of part IV of division third of the Civil Code, and to add chapters II, III, IV, V, VI and VII of title I of part IV of division third of said Civil Code in place thereof, relating to the sale of personal property;

And reports that the same have been correctly re-engrossed.

LUCE, Vice-Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1192—An Act to repeal article III of chapter III of title VII of part IV of the Civil Code of the State of California, and to enact a new article III of chapter III of title VII of part IV of the Civil Code of the State of California, relating to bills of lading

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1192 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1194—An Act to repeal title XV of part IV of division third of the Civil Code of the State of California, and to add a new title XV of part IV of division third of said code in place thereof, relating to negotiable instruments, and to make the law of negotiable instruments in the State of California uniform with the law of other states

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1194 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Lyon, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Sturtevant, Thompson, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1193—An Act to amend section 1624 of the Civil Code, and repealing article II of chapter III of title IV of division II of the Civil Code, and repealing sections 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3353, 3354, 3355, 1739 and 1740 of the Civil Code, chapter II of title I of part IV of divison III of the Civil Code, chapter III of title I of part IV of division III of the Civil Code, chapter IV of title I of part IV of division III of the Civil Code, and to add chapters II, III, IV, V, VI and VII of title I of part IV of division III of said Civil Code in place thereof, relating to the sale of personal property.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1193 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, [illegible], Carr, Chandler, Cogswell, Crowley, Duncan, Flint, Flaherty, Gerdes, Jones, Kehoe, King, Lyon, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Sturtevant, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 943—An Act to amend section 1756 of the Political Code of the State of California, relating to the estimate of tax for maintenance of high school.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 943 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, [illegible], Breed, Carr, Chandler, Cogswell, Crowley, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Sturtevant, Thompson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 984—An Act to amend sections 9 and 10 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 984 passed by the following vote:

AYES—Senators Anderson, Benedict, [illegible], Birdsall, Breed, [illegible], Carr, Cogswell, Crowley, Finn, Flaherty, Flint, Gerdes, Jones, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Sturtevant, Thompson, and Wolfe—24.

NOES—Senators Ballard, and King—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 205—An Act to provide for the establishment of State parks in the counties of California, providing for the issuance of county bonds in aid of the establishment of such parks, and submission of such bond issues to a vote, providing a method of acquiring such parks with or without condemnation proceedings, and providing for the government of such parks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 205 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Mott, Purkitt, Scott, Slater, Stuckenbruck, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1060—An Act to provide for the establishment, maintenance and development of a petroleum experiment station by the University of California; to impose an annual excise fee upon the producers of crude petroleum for the support of such experiment station; to provide for the collection of such fee; to provide penalties for the non-payment thereof; and to appropriate the aggregate amount thereof for the purpose aforesaid.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Chandler moved to refer to Senator Flint as a Special Committee of One, to amend Senate Bill No. 1060 as follows:

AMENDMENT NUMBER ONE.

On page 3 of amended bill, strike out all of sections 7, 8, 9 and 10.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1060, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Committee.

Report read and, on motion of Senator Chandler, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 654—An Act to amend section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, providing for the appointment by the Attorney General of clerks, phonographic reporter, service agent and stenographers, and fixing their salaries.

On motion of Senator Thompson, Senate Bill No. 654 was passed on file.

Senate Bill No. 221—An Act to amend section 171 of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts incurred in certain cases.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 221 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Carr, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Scott, Shearer, Slater, Stuckenbruck, and Wolfe—21.

NOES—Senators Ballard, Benedict, Breed, Brown, Irwin, Mott, Purkitt, Strobridge, and Thompson—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Rush was, on motion of Senator Strobridge, granted leave of absence for this day.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 138—An Act to amend section 1920 of the Civil Code of the State of California, relating to interest on judgments.

Bill read third time.

The question being on the passage of the bill,

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Luce moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.

The Secretary announced the absentees.

Time, twelve o'clock m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At twelve o'clock and five minutes p.m., Senator Cogswell was brought to the bar of the Senate, and, on motion of Senator Strobridge, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At twelve o'clock and seven minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Luce.

The Secretary was directed to call the roll, on passage of bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 138 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, King, Luce, Lyon, Maddux, Scott, Slater, and Stuckenbruck—21.

NOES—Senators Anderson, Ballard, Benedict, Breed, Brown, Butler, Irwin, Kehoe, Mott, Purkitt, Shearer, Strobridge, Thompson, and Wolfe—14.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At twelve o'clock and ten minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1248—An Act to amend section 631 of the Code of Civil Procedure providing when and how trial by jury may be waived.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1248 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Scott, Strobridge, Stuckenbruck, Thompson, and Wolfe—26.

NOES—Senators Duncan, Irwin, and Purkitt—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Jones, Benson, and Luce as a Committee on Free Conference to meet with a like committee from the Assembly for the consideration of Assembly Bill No. 368.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 59—An Act to add a new section to the Civil Code to be numbered 2290, relating to the appointment of trustees.

Bill read third time previously.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Strobridge, the hour of recess was extended until twelve o'clock and forty-five minutes p.m.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

CONSIDERATION OF SENATE BILL NUMBER FIFTY-NINE—(RESUMED).

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 59 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Mott, Scott, Strobridge, Thompson, and Wolfe—23.

NOES—Senators Ballard, Butler, Chandler, Irwin, Maddux, Purkitt, Shearer, Slater, and Stuckenbruck—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 60 passed by the following vote:

AYES—Senators Anderson, [illegible], [illegible], Birdsall, Breed, Carr, Cogswell, [illegible], Crowley, Finn, Flaherty, Flint, Gates, Jones, Kehoe, Lyon, Maddux, Mott, Scott, Strobridge, Thompson, and Wolfe—22.

NOES—Senators Ballard, Butler, Chandler, Duncan, Irwin, and [illegible]—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER

Senator Maddux gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 60 was passed.

REPORT OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending section 31 of article IV thereof, relating to the loan by the State of its credit to public or private corporations;

Also: Senate Bill No. 816—An Act to amend section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said Commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties;

Also: Senate Bill No. 144—An Act to provide for the survey and construction of a state highway through the Pacheco Pass connecting the state highway in Santa Clara County at Gilroy with the state highway in Merced County, and making an appropriation therefor;

Also: Senate Bill No. 426—An Act to appropriate money to pay the cost of printing, publishing and distributing State textbooks free to the school children of the State in accordance with the provisions of the Constitution;

Also: Senate Bill No. 1149—An Act to appropriate money to pay the claim of Harve Oliver Waterman against the State of California;

Also: Senate Bill No. 44—An Act to make an appropriation for the purpose of purchasing additional rights of way, lands and trees on and along the course of the Lake Tahoe wagon road;

Also: Senate Bill No. 545—An Act to provide for the appointment of a Board of Pio Pico Mansion Trustees and for the acquisition of the Pio Pico Mansion property, and making an appropriation for the preservation and protection of said property;

Also: Senate Bill No. 148—An Act to provide for the establishment and maintenance of a Bureau of Tuberculosis under the direction of the State Board of Health, defining its power and duties, providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis, making an appropriation therefor, and repealing certain Act of the Legislature of the State of California;

Also: Senate Bill No. 18—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the Woman's Building, and making an appropriation therefor;

Also: Senate Bill No. 297—An Act providing for the construction and repairing of live stock barns and sheds on the State Fair Grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor;

Also: Senate Bill No. 35—An Act making an appropriation to make general plans for the improvement of the State Fair Grounds at Agricultural Park in the city of Sacramento and to make drawings, specifications and estimates therefor under the direction of the State Department of Engineering;

Also: Senate Bill No. 47—An Act declaring the county road extending from Auburn, State of California, in an easterly direction to a point near Emigrant Gap, a State highway and making an appropriation for the improvement thereof;

Also: Senate Bill No. 963—An Act to amend sections 1 and 2 of an Act entitled "An Act to secure the payment of the claims of materialmen, mechanics, or laborers, employed by contractors upon state, municipal or other public work," approved March 27, 1897, as amended by an Act approved May 1, 1911;

Also: Senate Bill No. 1262—An Act to amend section 170 of the Code of Civil Procedure of the State of California, relating to disqualification of judicial officers to sit or act;

Also: Senate Bill No. 1140—An Act to amend section 268 of the Political Code of the State of California, referring to the compensation of other officers and employees (salaries of officers and attaches of the Senate and Assembly);

Also: Senate Bill No. 1190—An Act to provide for the protection of stockholders, investors and creditors by requiring certain co-partnerships, joint stock companies and corporations to cause to be issued certified balance sheets and statements of income, profit and loss, and providing for adequate penalties for the violation of the provisions hereof;

Also: Senate Bill No. 1183—An Act to amend sections 9 and 10 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 752—An Act to amend section 4218 of the Political Code, relating to the duties of county surveyors and the furnishing of assessors' maps and block books;

Also: Senate Bill No. 813—An Act to carry into effect the provisions of subdivisions 6 and 7 of section 8 of article XI of the Constitution of the State of California as the said section of said article was amended on the third day of November in the year 1914; and also to provide for the alteration of the boundaries of and for the annexation of territory to consolidated cities and counties, for the incorporation of such annexed territory in and as a part thereof, and for the government of such annexed territory as an integral part of such cities and counties;

Also: Senate Bill No. 1266—An Act to provide for the assessment, levy and collection of taxes for the support of the State government for the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 472—An Act to provide readers for blind students in the University of California, and to assist deaf students attending the National College for the Deaf at Washington, D. C.;

Also: Senate Bill No. 430—An Act to amend section 386 of the Political Code, relating to the salary of the Executive Secretary of the Governor;

Also: Senate Bill No. 784—An Act making an appropriation to pay the claim of Mrs. Richard D. Barton against the State of California;

Also: Senate Bill No. 937—An Act appropriating money for the construction of a trail in the Sierra Nevada Mountains to be known as the "John Muir Trail."

Also: Senate Bill No. 1013—An Act transferring money from the disputed title to lands on San Diego Bay fund to the general fund of the State of California;

Also: Senate Bill No. 1189—An Act to provide for the purchase of a portrait of former Lieutenant Governor A. J. Wallace, and to make an appropriation therefor;

Also: Senate Bill No. 1241—An Act making an appropriation for the construction of curb and gutter around the Mission San Francisco del Solano;

Also: Senate Bill No. 1259—An Act authorizing the Governor of the State of California to appoint a commission to investigate and report at the forty-second session of the Legislature concerning unemployment and making an appropriation therefor;

Also: Senate Bill No. 88—An Act appropriating two thousand dollars for the restoration and rebuilding of the old Greek Chapel at Fort Ross, Sonoma County, California;

Also: Senate Bill No. 856—An Act to appropriate money for the use of the Railroad Commission of the State of California in the control of public utilities within incorporated municipalities;

Also: Senate Bill No. 276—An Act relating to the granting of certificates to practice medicine and surgery by the Board of Medical Examiners of the State of California, to graduates from legally chartered or reputable medical schools in the State of California;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams, and the protection of the banks thereof, and to provide for the means of payment thereof—and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class—and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

RECESS.

At twelve o'clock and forty-five minutes p.m. the President pro tem. declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

MESSAGES FROM THE ASSEMBLY (OUT OF ORDER).

On motion of Senator Strobridge the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that, pursuant to the recommendation of the Committee on Conference on Assembly Bill No. [illegible], the Speaker of the Assembly has on this day appointed Assemblymen [illegible] L., and Sisson as a Committee on Free Conference, to meet a like committee from your honorable body to further consider Assembly Bill No. [illegible]—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending sections 1, 5, 28, 57, 61, 72, 90 and 91, and by adding new sections to be known as sections 11*a* and 61*a*.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 163—An Act to provide for locating, constructing and maintaining a highway from Pescadero in the county of San Mateo to the California Redwood Park in Santa Cruz County, and making an appropriation therefor.

Also: Assembly Bill No. 1441—An Act to repeal section 2 of an Act entitled "An Act to repeal an Act entitled 'An Act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this Act,' approved March 20, 1905, and all Acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the Acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed by any of said Acts, has forfeited either its charter or right to do business in this State," approved June 10, 1913.

Also: Assembly Bill No. 1303—An Act to amend an Act entitled "'An Act to provide for the organization and management of county fire insurance companies,' approved April 1, 1897, amended and approved March 23, 1907; amended and approved April 15, 1909"; by amending sections 1, 2, 3, 5, 6, 7, 8 and 10 thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 163 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1441 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1303 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 30th passed Assembly Bill No. 799—An Act declaring hedges to be a private nuisance in certain instances and providing for the abatement thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 799 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, May 1, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 257—An Act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of an Act entitled "An Act regulating the employment and hours of labor of children; prohibiting the employment of minors under certain ages; prohibiting the employment of certain illiterate minors; providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an Act appropved April 14, 1911, as further amended by an Act approved June 2, 1914; and to add to said Act four new sections to be numbered 16, 17, 18 and 19, respectively, relating to the employment and hours of labor of children, providing for the administration of the provisions of the Act, and repealing all Acts inconsistent herewith—and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 257, ordered to the file of Unfinished Business.

NOTICE OF MOTION TO RECONSIDER.

Senator Birdsall gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 59 was passed.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Bill No. Bill No. 243—An Act to establish a standard for the packing and marketing of apples, fixing penalties for the violation of its provisions, and providing for its enforcement— has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KING, Chairman.

Assembly Bill No. 243 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1594—An Act to amend an Act entitled "An Act to amend section

4276 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-seventh class,'' approved June 16, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Assembly Bill No. 1594 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 597—An Act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass and be referred to Committee on Finance.

BUTLER, Chairman.

Assembly Bill No. 597 ordered re-referred to Committee on Finance.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 816—An Act providing for a two-platoon system in the fire departments of cities having paid fire departments.

By order of the President pro tem., Assembly Bill No. 816 was passed on file.

Assembly Bill No. 203—An Act to amend section 103½ of the Code of Civil Procedure, said amendment relating to clerks of justices' courts in cities or towns of the second and one half class and third class, and appointments, salaries and duties of same.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 203 passed by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Lyon, Maddux, Mott, Shearer, Strobridge, Stuckenbruck, and Thompson—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 380—An Act amending section 413 of the Code of Civil Procedure, relating to the service of summons, and making clear the intent of the law regarding the service of summons on non-residents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 380 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 589—An Act to amend section 7 of an act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof,'' approved March 6, 1907, as the title of said Act and said Act were amended

March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913.

Bill read third time previously.

The question being on the pasasge of the bill.

The roll was called, and Assembly Bill No. 589 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Butler, Carr, Chandler, Duncan, Flaherty, Flint, Irwin, Jones, King, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 701—An Act to amend an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911, by amending section 29 in subdivisions one and six and section 30, and by adding thereto two new sections to be numbered 30*a* and 30*b*, relating to the enforcement of uniform standards and rules to be observed by all persons, firms, or corporations dealing with, handling or transporting milk or cream bottles, cans and or other containers, and by amending the title to this Act; to repeal all Acts or parts of Acts inconsistent with this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 701 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Flaherty, Gerdes, Kehoe, King, Lyon, Maddux, Mott, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 739—An Act to amend sections 17 and 18 of an Act entitled "An Act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, and to amend said Act by adding thereto a new section to be numbered 15*a*, relating to public school teachers in state institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 739 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Chandler, Cogswell, Cohn, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Lee, Maddux, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR STROBRIDGE IN THE CHAIR.

At two o'clock and forty minutes p.m., Senator Strobridge, of the Thirteenth District, in the chair.

CONSIDERATION OF MOTION TO RECONSIDER.

On motion of Senator Butler, the Senate took up the consideration of his motion, made on a previous day, to reconsider the vote whereby Assembly Bill No. 1235—An Act to amend the Political Code by adding a new section thereto to be numbered 1618a, providing for the establishment of separate classes for the instruction of pupils who from any cause are deficient in their studies, was refused passage.

The question being on the motion to reconsider.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Butler moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Benedict, Birdsall, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—30.

The Secretary announced the absentees.

Time, three o'clock p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At three o'clock and ten minutes p.m., Senators Breed, Brown and Benson were brought to the bar of the Senate, and, on motion of Senator Kehoe, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and twelve minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Kehoe.

The Secretary was directed to call the roll on motion to reconsider.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Anderson, Behan, Benedict, Benson, Birdsall, Brown, Butler, Carr, Cogswell, Crowley, Finn, Flaherty, Flint, Jones, Kehoe, King, Lee, Lyon, Strobridge, Thompson, and Wolfe—21.

NOES—Senators Ballard, Breed, Chandler, Cohn, Duncan, Gerdes, Irwin, Maddux, Mott, Purkitt, Scott, Shearer, Slater, and Stuckenbruck—14.

LEAVE OF ABSENCE.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for the balance of this legislative day.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND TWO HUNDRED THIRTY-FIVE—(RESUMED).

The question being on the passage of Assembly Bill No. 1235.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Butler moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—29.

The Secretary announced the absentees.

Time, three o'clock and fifteen minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At three o'clock and twenty minutes p.m., Senators Scott, Wolfe, Finn, and Luce, were brought to the bar of the Senate, and on motion of Senator Cogswell, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and twenty-two minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Butler.

The Secretary was directed to call the roll, on passage of the bill, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 1235 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Carr, Cogswell, Crowley, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Strobridge, Thompson, and Wolfe—23.

Noes—Senators Breed, Chandler, Cohn, Duncan, Irwin, Maddux, Mott, Purkitt, Scott, Shearer, Slater, and Stuckenbruck—12.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1338—An Act to amend sections 3692, 3696, 3714, 3732, 3746, 3737 and 3756 of the Political Code, relating to the assessment, equalization and collection of taxes.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1338 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, King, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 875—An Act known as the juvenile court law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions, establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof, providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment of commitment where crimes have been committed by such persons, providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes, and repealing the juvenile court law, approved March 8, 1909, as amended by an Act approved April 5, 1911, and as amended by an Act approved June 16, 1913, and all amendments thereof and all Acts or parts of Acts inconsistent herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 875 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 67—An Act to protect any child or person enrolled or in attendance upon any public or private school, or other educational institution, within the State of California, from compulsory vaccination; and to prevent vaccination being made a condition precedent or a prerequisite to admission to or attendance upon any of the public or private schools or other educational institutions within the State of California, making violations thereof a misdemeanor, providing penalties; making exceptions as to private educational institutions; and repealing an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An Act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1889," approved March 7, 1911.

By order of the President pro tem. Assembly Bill No. 67 was passed on file.

Assembly Bill No. 206—An Act to amend section 626 of the Penal Code of the State of California, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 206 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Butler Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Maddux, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck and Wolfe—28.

NOES—Senator Shearer—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At four o'clock and five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1000—An Act to amend section 1955 of the Civil Code of the State of California, relating to the letting and hiring of personal property.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1000 passed by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, King, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Thompson, and Wolfe—21.

NOES—Senators Benedict, Benson, Butler, Carr, Jones, and Kehoe—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR CROWLEY IN THE CHAIR.

At four o'clock and fifteen minutes p.m., Senator Crowley, of the twenty-second District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1289—An Act to amend section 1244 of the Political Code, relating to certificates of election.

On motion of Senator Benson, Assembly Bill No 1289 was passed on file.

Assembly Bill No 1567—An Act to take title to and thereafter maintain as a State highway, the toll road in Tuolumne and Mariposa counties, known as the Big Oak Flat and Yosemite Road, also a section of Tuolumne County road to connect said toll road with the Sonora lateral of the state highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1567 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Boynton, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Finn, Gates, Irwin, Jones, Kehoe, King, Luce, Maddux, Purkitt, Scott, Shearer, Slater, Strobridge, and Thompson—29.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 1455—An Act authorizing any city, city and county, county, town, municipality or other political subdivision to acquire certain liens or property offered for sale for the non-payment of certain assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1455 passed by the following vote:

Ayes—Senators Anderson, Ballard, Brown, Boynton, Birdsall, Breed, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Finn, Gates, Irwin, Jones, Kehoe, King, Maddux, Purkitt, Scott, Slater, Strobridge, and Thompson—25.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At four o'clock and thirty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 62—An Act creating a reclamation district to be called and known as "Big Valley Reclamation District."

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Purkitt moved to refer to Senator Stuckenbruck as a Special Committee of One, to amend Assembly Bill No. 62 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 32, strike out the word "George" and all of lines 33 and 34 down to and including the word "to" after the comma and insert in lieu thereof the following: "who shall".

AMENDMENT NUMBER TWO.

On page 2, line 37, strike out the figures "1919" after the comma after the word "October" and insert in lieu thereof the figures "1915".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 62 with instructions to amend, respectfully reports the same back amended as per instructions.

STUCKENBRUCK, Committee.

Report read.

The question being on the adoption of the report of Special Committe of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Purkitt, Slater and Maddux.

The Secretary was directed to call the roll.

The roll was called, and the report refused adoption by the following vote:

AYES—Senators Ballard, Chandler, Irwin, Maddux, Purkitt, and Slater—[illegible]

NOES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Mott, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, and Wolfe—27.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 62 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, King, Luce, Lyon, Mott, Scott, Shearer, Strobridge, Thompson, and Wolfe—26.

NOES—Senators Ballard, Chandler, Irwin, Kehoe, Maddux, Purkitt, Slater, Stuckenbruck—8.

RECESS.

At five o'clock and fifty-five minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Thompson, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May [illegible] 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 30th passed Senate Bill No. 1007—An Act to provide for re-assessments by municipal corporations on property benefited by street work done under authority of the governing bodies thereof: providing for the method of making and collecting such assessments and for the payment of contractors and others performing labor or supplying materials for the work done out of funds so raised or bonds issued by municipal corporations.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 1007 ordered to enrollment.

Also:

SACRAMENTO, May [illegible] 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 196—An Act to amend section 200 of the Code of Civil Procedure of the State of California, designating persons who are exempt from jury duty.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 196 ordered to enrollment.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 1st passed Assembly Bill No. 318—An Act to provide for the acquiring of the State Commission Market, and the organization thereof, to provide for the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on commission; creating the "State Commission Market Fund," and appropriating money therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assisting Clerk.

Assembly Bill No. 318 read first time, and referred to Committee on Agriculture.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Shearer moved to reconsider the vote whereby Senate Bill No. 1242—An Act making an appropriation to pay the claim of C. S. Baldwin against the State of California—was passed.

The question being on the motion to reconsider.

The roll was called and the motion to reconsider carried by the following vote:

AYES—Senators Benedict, Boynton, Carr, Crowley, Flint, Flaherty, Gates, Hans, Jones, Kehoe, King, Lyon, Maddux, Mott, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—21.

NOES—None.

MOTION.

On motion of Senator Shearer, Senate Bill No. 1242 was ordered to the file of Unfinished Business.

SECOND READING OF ASSEMBLY BILLS—OUT OF ORDER.

By consent of the Senate, the following Assembly bills were taken up for second reading at this time, out of the regular order:

Assembly Bill No. 1571—An Act to add a new section to the Political Code, to be numbered 4041½, authorizing boards of supervisors to appoint an advisory board to cooperate with the county assessor in appraising taxable property in the county.

AMENDMENT FROM FLOOR.

During second reading of the bill the following amendment was offered and its adoption moved by Senator Thompson:

AMENDMENT NUMBER ONE.

On page 1, lines 4 to 9 of the bill as amended in the Assembly, April 29, 1915, strike out all of lines 4 to 8, inclusive, and down to and including the period in line 9, and insert in lieu thereof the following:

"4041½. Whenever, in the judgment of the board of supervisors of any county, it is deemed to be for the best interests of the county, on account of changes in land values, that there be appointed an advisory board to cooperate with the county assessor in making the annual assessment of real property therein for taxation purposes, the board of supervisors, by a four-fifths vote, may appoint such advisory board, which shall consist of three members."

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 571—An Act to provide for the appropriation of certain submerged lands lying along the water front of the city and county of San Francisco for aquatic sports.

Bill read second time, and ordered on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. SPEAKER: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 749—An Act to provide for the care, management and protection of state highways and providing penalties for violations of the provisions of the Act—has had the same under consideration, and respectfully reports the same back and recommends that same do pass.

BIRDSALL, Chairman.

Assembly Bill No. 749 ordered on file for second reading.

INTRODUCTION OF CONCURRENT RESOLUTION.

By consent of the Senate, the following concurrent resolution was introduced, out of the regular order:

By Senator Thompson: Senate Concurrent Resolution No. 23—Relative to leaves of absence of the Governor, Lieutenant Governor and members of the Senate and Assembly of the forty-first session of the Legislature of the State of California.

Concurrent resolution referred to Committee on Rules.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 445—An Act to amend section 1465*a* of the Code of Civil Procedure of the State of California, relative to notices of petitions to set aside exempt property for use of family.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 445 passed by the following vote:

AYES—Senators Benedict, Brown, Butler, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, King, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1187—An Act to amend an Act entitled "An Act to provide for the establishment and change of grade of public streets, lands, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessment for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, by amending sections 1, 3, 4, 8, 23, 24 and 25 of said Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1187 passed by the following vote:

AYES—Senators Benedict, Brown, Butler, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, King, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 910—An Act to create a reclamation district to be called "Reclamation District No. 1660," and providing for the control and management thereof.

On motion of Senator Cohn, Senate Bill No. 910 was passed on file.

Senate Bill No. 1052—An Act to appropriate money for equipment for the State Treasurer's office.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1052 passed by the following vote:

AYES—Senators Benedict, Breed, Brown, Butler, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, King, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 182—An Act to appropriate money for the construction and furnishing of building for male epileptics at the Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 182 passed by the following vote:

AYES—Senators Benedict, Breed, Brown, Butler, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 275—An Act appropriating the sum of four thousand dollars for the construction of buildings on the lands of the Agricultural Experiment Station of the University of California in the county of Imperial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 275 passed by the following vote:

AYES—Senators Beban, Benedict, Breed, Brown, Butler, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—26.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 19—An Act to amend section 4245 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 19 passed by the following vote:

AYES—Senators Beban, Benedict, Breed, Brown, Butler, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eight o'clock and forty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 398—An Act to appropriate money for the erection and furnishing of cottages at the Whittier State School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 398 passed by the following vote:

AYES—Senators Beban, Breed, Brown, Butler, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 417—An Act to appropriate money for the construction of farm buildings and improvements at the California School for Girls located near Ventura.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 417 passed by the following vote:

AYES—Senators Beban, Birdsall, Breed, Brown, Butler, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 418—An Act to appropriate money for the construction and furnishing of a cottage for males at the California School for Girls located near Ventura.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 418 passed by the following vote:

AYES—Senators Beban, Birdsall, Boyd, Brown, Butler, Carr, Cohn, [illegible], Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, King, [illegible], Lyon, [illegible], [illegible], Purkitt, Scott, Shearer, Slater, [illegible], Thompson, Tyrrell and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 368—An Act to appropriate money for the purchase of live stock at the state prison at San Quentin.

On motion of Senator Finn, Senate Bill No. 368 was passed on file.

Senate Bill No. 363—An Act to appropriate money for repairs and improvements at the state prison at San Quentin.

On motion of Senator Finn, Senate Bill No. 363 was passed on file.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Lyon the Senate took up for consideration Assembly amendments to Senate Bill No. 257—An Act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an Act approved April 14, 1911, as further amended by an Act approved June 2, 1913, and to add to said Act three new sections to be numbered 16, 17 and 18, respectively, relating to the employment and hours of labor of children, providing for the administration of the provisions of this Act and repealing all Acts inconsistent herewith.

During the consideration of the following Assembly amendments, Senator Lyon moved that they be printed in the Journal and that further consideration be postponed until the next legislative day, and that Senate Bill No. 257 be returned to the file of Unfinished Business.

Motion carried.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED FIFTY-SEVEN

(Amended April [illegible], 1915.)

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, after the word "certificate" insert the following: "and upon compliance with all the requirements for the issuance of an age and schooling certificate".

AMENDMENT NUMBER TWO.

On page 2, line 22, of the printed bill, strike out the word "within" and insert in lieu thereof the words "outside of".

AMENDMENT NUMBER THREE.

On page 5, line 5, of the printed bill, strike out the figure "(5)".

AMENDMENT NUMBER FOUR.

On page 5, line 6, of the printed bill, strike out the figure "(6)".

AMENDMENT NUMBER FIVE.

On page 5, line 7, of the printed bill, strike out the figure "(7)".

AMENDMENT NUMBER SIX.

On page 5, line 11, of the printed bill, after the word "schools", and before the period, insert the words "or in state institutions".

AMENDMENT NUMBER SEVEN.

On page 5, line 31, of the printed bill, strike out the word "and" and insert in lieu thereof the word "or".

AMENDMENT NUMBER EIGHT.

On page 6, lines 15 and 16, of the printed bill, strike out the words "in or in connection with any of the places enumerated in section one".

AMENDMENT NUMBER NINE.

On page 6, line 19, of the printed bill, after the comma, after the word "day", insert the following "except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week,".

AMENDMENT NUMBER TEN.

On page 8, line 31, of the printed bill, strike out the word "following" and insert in lieu thereof the word "foregoing".

AMENDMENT NUMBER ELEVEN.

On page 13, beginning with the word "no" in line 23, strike out all of lines 23 to 37, inclusive, including the word "no" and on page 14, strike out all of lines 1 to 14, inclusive, and insert in lieu thereof the following "No boy under twelve years of age, nor girl under eighteen years of age, shall be employed, permitted, or suffered to work at any time in or in connection with the street occupation of peddling, boot blacking, the sale or distribution of newspapers, magazines, periodicals or circulars nor in any other occupation pursued in any street or public place; *provided, however*, that nothing in this section shall be construed to apply to cities whose population is less than 23,000 according to the last federal census".

AMENDMENT NUMBER TWELVE.

On page 15, line 15, of the printed bill, after said line, add the following:

"SEC. 19. A new section is hereby added to said Act to be numbered nineteen and to read as follows:

''Sec. 19. If any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act, and each section, subsection, sentence, clause and pharse thereof, irrespective of the fact that any one or more other section, subsections, sentences, clauses or phrases be declared unconstitutional' ".

AMENDMENT NUMBER THIRTEEN.

On page 1, line 12, of the title of the printed bill, strike out the word "three" and insert in lieu thereof the word "four".

AMENDMENT NUMBER FOURTEEN.

On page 1, line 13, of the title of the printed bill, strike out the words "and eighteen" and insert in lieu thereof a comma and the words "eighteen and nineteen".

Adopted April 29, 1915.

AMENDMENT NUMBER ONE.

On page 12, line 12, strike out "curing and drying but not the canning" and insert in lieu thereof the following: "curing, drying and canning".

AMENDMENT NUMBER TWO.

On page 13, line 27, strike out "twelve years" and insert in lieu thereof the following: "ten years".

Adopted April 30, 1915.

AMENDMENT NUMBER ONE.

On page 6, line 16, strike out after the word "employed" all of the section down to and including the word "day" in line 18 and insert in lieu thereof the following "in laboring in any manufacturing, mechanical, or mercantile establishment or other place of labor, more than eight hours in one day or more than forty-eight hours in one week".

AMENDMENT NUMBER TWO.

On page 12, line 8, after the word "minors", insert the following "16 years of age or over".

AMENDMENT NUMBER THREE

On page 12, line 9, after the word "labor", insert the following: "Nor shall anything in this Act be construed to prohibit the employment of aliens in agricultural, horticultural, viticultural, or domestic labor."

THIRD READING OF SENATE BILLS—(RESUMED)

Senate Bill No. 298—An Act to amend sections 1 and 4 of an Act approved April 25, 1911, and entitled "An Act to carry into effect the provisions of subdivision (c) of section 14 of article XIII of the Constitution of the State of California as the said article was amended on the eighth day of November in the year one thousand nine hundred ten, in so far as the same relates to the State University; and also to provide for the permanent support and improvement of the University of California; and to that end making a continuing appropriation and creating an annual fund therefor, and repealing an Act entitled 'An Act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and to repeal an Act approved February 14, 1887, entitled 'An Act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an Act approved February 27, 1897, entitled 'An Act to provide additional support and maintenance and for the acquisition of necessary property and improvements of the University of California by the levy of a rate of taxation, and the creation of a fund therefor,' approved March 20, 1909."

Bill read third time.

The question being on the passage of the bill

The roll was called, and Senate Bill No. 298 passed by the following vote:

AYES—Senators Anderson, [illegible], [illegible], [illegible], Breed, [illegible], [illegible], Cogswell, Cohn, Crowley, [illegible], [illegible], [illegible], [illegible], [illegible], [illegible], [illegible], [illegible], Purkitt, Scott, Shearer, [illegible], [illegible], [illegible], and [illegible]—[illegible].

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. A. BEEK AT THE DESK.

THIRD READING OF SENATE BILLS—RESUMED

Senate Bill No. 265—An Act appropriating the sum of forty thousand dollars for the support and maintenance of university extension work by the University of California.

By order of the President pro tem., Senate Bill No. 265 was passed on file.

Senate Bill No. 247—An Act to appropriate money for the construction of a cottage for women patients at the Napa State Hospital.

By order of the President pro tem., Senate Bill No. 247 was passed on file.

Senate Bill No. 246—An Act to appropriate money for the construction of a cottage for men patients at the Napa State Hospital.

By order of the President pro tem., Senate Bill No. 246 was passed on file.

Senate Bill No 241—An Act to appropriate money for the building and equipping of ten sanitary cottages for the Veterans' Home of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 241 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR WOLFE IN THE CHAIR.

At nine o'clock p.m., Senator Wolfe, of the Nineteenth District, in the chair.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No 242—An Act to appropriate money for repairs and improvements to the buildings at the Veterans' Home of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 242 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1086—An Act appropriating money to pay the expenses of the Recreational Inquiry Committee in the preparation and distribution of the report of said committee.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1086 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Gerdes, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Tyrrell, and Wolfe—27

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 243—An Act to appropriate money for construction and equipment of bath rooms in the barracks at the Veterans' Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 243 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Kehoe, King,

Luce, Lyon, Maddux, Mott, Purkitt, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 244—An Act to appropriate money for plumbing and repairs to plumbing at the Veterans' Home of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 244 passed by the following vote:

Ayes—Senators Anderson, Behan, Benedict, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 245—An Act to appropriate money for wiring for electricity at the Veterans' Home of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 245 passed by the following vote:

Ayes—Senators Anderson, Behan, Benedict, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 250—An Act to appropriate money for the purchase of additional land at the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 250 passed by the following vote:

Ayes—Senators Anderson, Behan, Benedict, Boyce, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Gerdes, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 482—An Act to amend section 1 of an Act entitled "An Act to create the office of State Dental Surgeon, prescribing his duties, fix his manner of appointment, salary and term of office, and to make an appropriation for the expenses of his office," approved April 16, 1906.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 482 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Brown, Butler, Chandler, Cohn, Crowley, Flaherty, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Scott, Slater, Thompson, Tyrrell, and Wolfe—24.

NOES—Senators Cogswell, Duncan, King, Purkitt, and Stuckenbruck—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONSTITUTIONAL AMENDMENT NUMBER TWENTY-SIX.

A resolution to propose to the people of the State of California an amendment to section 7½ of article XI of the Constitution of the State of California, relating to charters of counties and amendments to such charters and to the surrender thereof.

The Legislature of the State of California at its forty-first regular session commencing on the fourth day of January, 1915, two-thirds of all the members elected to each of the two houses of said Legislature voting therefor, hereby proposes to the people of the State of California that section 7½ of article XI of the Constitution of the State be amended so as to read as follows:

SEC. 7½. Any county may frame a charter for its own government consistent with and subject to the Constitution (or, having framed such a charter, may frame a new one,) and relating to matters authorized by provisions of the Constitution, by causing a board of fifteen freeholders, who have been for at least five years qualified electors thereof, to be elected by the qualified electors of said county, at a general or special election. Said board of freeholders may be so elected in pursuance of an ordinance adopted by the vote of three-fifths of all the members of the board of supervisors of such county, declaring that the public interest requires the election of such board for the purpose of preparing and proposing a charter for said county, or in pursuance of a petition of qualified electors of said county as hereinafter provided. Such petition, signed by fifteen per centum of the qualified electors of said county, computed upon the total number of votes cost therein for all candidates for Governor at the last preceding general election at which a governor was elected, praying for the election of a board of fifteen freeholders to prepare and propose a charter for said county, may be filed in the office of the county clerk. It shall be the duty of said county clerk, within twenty days after the filing of said petition, to examine the same, and to ascertain from the record of the registration of electors of the county, whether said petition is signed by the requisite number of qualified electors. If required by said clerk, the board of supervisors shall authorize him to employ persons specially to assist him in the work of examining such petition, and shall provide for their compensation. Upon the completion of such examination, said clerk shall forthwith attach to said petition his certificate, properly dated, showing the result thereof, and if, by said certificate, it shall appear that said petition is signed by the requisite number of qualified electors, said clerk shall immediately present said petition to the board of supervisors, if it be in session, otherwise at its next regular meeting after the date of such certificate. Upon the adoption of such ordinance, or the presentation of such petition, said board of supervisors shall order the holding of a special election for the purpose of electing such board of freeholders, which said special election shall be held not less than twenty days nor more than sixty days after the adoption of the ordinance aforesaid or the presentation of said petition to said board of supervisors; *provided*, that if a general election shall occur in said county not less than twenty days nor more than sixty days after the adoption of the ordinance aforesaid, or such presentation of said petition to said board of supervisors, said board of freeholders may be elected at such general election. Candidates for election as members of said board of freeholders shall be nominated by petition, substantially in the same manner as may be provided by general law for the nomination, by petition of electors, of candidates for county offices, to be voted for at general elections. It shall be the duty of said board of freeholders, within one hundred and twenty days after the result of such election shall have been declared by said board of supervisors, to prepare and propose a charter for said county, which shall be signed in duplicate by the members of said board of freeholders, or a majority of them, and be filed, one copy in the office of the county clerk of said county and the other in the office of the county recorder thereof. Said board of supervisors shall thereupon cause said proposed charter to be published once in a daily newspaper of general circulation, printed, published and circulated in said county; *provided*, that in any county where no such daily newspaper is printed, published and circulated, such proposed charter shall be published once in a weekly newspaper, of general circulation, printed, published and circulated in such county; *and provided*, that in any county where neither such daily nor such weekly newspaper is printed, published and circulated, a copy of such proposed charter shall be posted by the county clerk in three public places in said county, and on or near the entrance to at least one public schoolhouse in each school district in said county, and the publication or the posting of such proposed charter shall be made within fifteen days after the filing of a copy thereof as aforesaid in the office of the county clerk. The board of supervisors shall cause copies of such charter to be printed in convenient pamphlet form, and shall, until the day fixed for the election upon such charter, advertise in one or more newspapers of general circulation, published in said county, a notice that such copies may be had upon application therefor. If there is no newspaper published within the county, then such notice shall be posted by the county clerk in three public places in said county and on or near the entrance to at least one public schoolhouse in each school district within the county. Said proposed charter shall be submitted by said board of supervisors to the qualified electors of said county at a special election held not less than thirty days nor more than sixty days after the completion of such publication or posting such charter; *provided*, that if a general election shall occur in said county not less than thirty days nor more than sixty days after the completion of such publication or after such posting, then such proposed charter may be so submitted at such general election. If a majority of said qualified electors voting thereon at such general or special election, shall vote in favor of such proposed charter, it shall be deemed to be ratified, and shall be forthwith submitted to the legislature, if it be in regular session, otherwise at its next regular session, or it may be submitted to the legislature in extraordinary session, for its approval or rejection as a whole, without power of alteration or amendment. Such approval may be made by concurrent resolution, and if approved by a majority vote of the members elected to each house, such charter shall become the charter of such county and shall become the organic law thereof relative to the matters therein provided, and supersede any existing charter framed under the provisions of this section and all amendments thereof, and shall supersede all laws inconsistent with such charter relative to the matters provided in such charter. A copy of such charter, certified and authenticated by the chairman and clerk of the board of supervisors under the seal of said board and attested by the county clerk of said county, setting forth the submission of such charter to the electors of said county, and its ratification by them, shall, after the approval of such charter by the Legislature, be made in duplicate, and filed, one in the office of the Secretary of State and the other, after being recorded in the office of the recorder of said county, shall be filed in the office of the county clerk, and thereafter all courts shall take judicial notice of said charter.

The charter, so ratified, may be amended by proposals therefor submitted by the board of supervisors of the county to the qualified electors thereof at a general or special election held not less than thirty days nor more than sixty days after the publication of such proposals once in a daily newspaper of general circulation, printed, published and circulated in such county; *provided*, that in any county where no such daily newspaper is printed, published and circulated, such proposed amendments shall be published once in a weekly newspaper, of general circulation, printed, published and circulated in such county; provided, that in any county where neither such daily nor such weekly newspaper is printed, published and circulated, a copy of such proposed amendments shall be posted by the county clerk in three public places in said county, and on or near the entrance to at least one public schoolhouse in each school district in said county. The board of supervisors shall cause copies of such proposed amendments to be printed in convenient pamphlet form, and shall until the date fixed for the election upon such proposed amendments, advertise in one or more newspapers of general circulation published in said county, a notice that such copies may be had upon application therefor. If there is no newspaper published within the county, then the county clerk shall post notices the same as is required herein before the adoption of a proposed charter. If a majority of such qualified electors voting thereon, at such general or special election, shall vote in favor of any such proposed amendment or amendments, or any amendment or amendments proposed by petition as hereinafter provided, such amendment or amendments shall be deemed to be ratified, and shall be forthwith submitted to the legislature, if it be in regular session, otherwise at its next regular session, or may be submitted to the legislature in extraordinary session, for approval or rejection as a whole, without power of alteration or amendment, and if approved by the legislature, as herein provided for the approval of the charter, such charter shall be amended accordingly. A copy of such amendment or amendments shall, after the approval thereof by the legislature, be made in duplicate, and shall be authenticated, certified, recorded and filed as herein provided for the charter, and with like force and effect. Whenever a petition signed by ten per centum of the qualified electors of any county, computed upon the total number of votes cast in said county for all candidates for Governor at the last general election, at which a Governor was elected, is filed in the office of the county clerk of said county, petitioning the board of supervisors thereof to submit any proposed amendment or amendments to the charter of such county, which amendment or amendments shall be set forth in full in such petition, to the qualified electors thereof, such petition shall forthwith be examined and certified by the county clerk, and if signed by the requisite number of qualified electors of such county, shall be presented to the said board of supervisors, by the said county clerk, as hereinbefore provided for petitions, petitions for the election of boards of freeholders. Upon the presentation of said petition to said board of supervisors, said board must submit the amendment or amendments set forth therein to the qualified electors of said county at a general or special election held not less than thirty days nor more than sixty days after the publication or posting of said proposed amendment or amendments in the same manner as hereinbefore provided in the case of the submission of any proposed amendment or amendments to such charter, proposed and submitted by the board of supervisors. In submitting any such charter, or amendments thereto, any alternative article or proposition may be presented for the choice of the electors, and may be voted on separately without prejudice to others.

Every special election held under the provisions of this section, for the election of boards of freeholders or for the submission of proposed charters, or any amendment or amendments thereto, shall be called by the board of supervisors, by ordinance, which shall specify the purpose and time of such election and shall establish the election precincts and designate the polling places therein, and the names of the be published three times in a daily newspaper, or twice in a weekly newspaper, if election officers for each such precinct. Such ordinance, prior to such election shall there be no such daily newspaper, printed, published and circulated in said county: *provided*, that if no such daily or weekly newspaper be printed or published in such county, then a copy of such ordinance shall be posted by the county clerk in three public places in such county and in or near the entrance to at least one public schoolhouse in each school district therein. In all other respects, each such election shall be held and conducted, the returns thereof canvassed and the result thereof declared by the board of supervisors in the same manner as provided by law for general elections. Whenever boards of freeholders shall be elected, or any such proposed charter, or amendment or amendments thereto, submitted, at a general election, the general laws applicable to the election of county officers and the submission of propositions to the vote of electors, shall be followed in so far as the same may be applicable thereto.

It shall be competent, in all charters, framed under the authority given by this section to provide, in addition to any other provisions allowable by this constitution, and the same shall provide, for the following matters:

1 For boards of supervisors, who may be designated the county council, and for the constitution, regulation and government thereof, for the times at which and the terms for which the members of said board shall be elected, for the number of members, not less than three, that shall constitute such boards, for their compensation and for their election, either by the electors of the counties at large or by districts: *provided*, that in any event said board shall consist of one member for each district, who must be a qualified elector thereof; and

2. For sheriffs, county clerks, treasurers, recorders, license collectors, tax collectors, public administrators, coroners, surveyors, district attorneys, auditors, assessors and superintendents of schools, for the election or appointment of said officers, or any of them, for the times at which and the terms for which, said officers shall be elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors, and, if appointed, for their qualifications or the fixing of their qualifications by the civil service boards, for the manner of their appointment; and

3. For the number of justices of the peace and constables for each township, or for the number of such judges and other officers of such inferior courts as may be provided by the Constitution or general law, for the election or appointment of said officers, for the times at which and the terms for which said officers shall be elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors, and if justices of the peace are appointed, for the manner of their appointment; and if constables are appointed, for their qualifications or the fixing of their qualifications by civil service boards, and the manner of their appointment; and

4. For the powers and duties of boards of supervisors and all other county officers, for their removal and for the consolidation and segregation of county offices, and for the manner of filling all vacancies occurring therein: *provided*, that the provisions of such charters relating to the powers and duties of boards of supervisors shall be subject to and controlled by general laws: *provided, however*, that such charter may provide that boards of supervisors may delegate to an executive committee or executive board, composed of members selected from its own body, certain of their administrative powers and duties, including the filling of appointments; and

4½. For the assumption and discharge by county officers of certain of the municipal functions of the cities and towns within the county, whenever, in the case of cities and towns incorporated under general laws, the discharge by county officers of such municipal functions is authorized by general law, or whenever, in the case of cities and towns organized under section 8 of this article, the discharge by county officers of such municipal functions is authorized by provisions of the charters, or by amendments thereto, of such cities or towns; and

5. For the fixing and regulation by such charter or by boards of supervisors, by ordinance, of the appointment and number of assistants, deputies, clerks, attaches and other persons to be employed, from time to time, in the several offices of the county, and for the prescribing and regulating by such charter or boards of the

powers, duties, qualifications and compensation of such persons, the times at which and terms for which they shall be appointed, and the manner of their appointment and removal; and

6. For the compensation of such fee and salary officers, deputies and other officers as may be provided by general law, or for the fixing of such compensation by boards of supervisors.

All elective officers of counties and of townships, of road districts and of highway construction divisions therein, shall be nominated and elected in the manner provided by general laws for the nomination and election of such officers.

All charters framed under the authority given by this section, in addition to the matters hereinabove specified, may provide as follows:

For boards and offices other than those required by the Constitution and laws of the State, or for the creation of any or all of such offices by boards of supervisors; for the election or appointment of persons to fill such offices, for the fixing of their qualifications, or for the fixing of their qualifications by such same boards, for the manner of such appointment, for the times at which and the terms for which such persons shall be so elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors.

For offices hereafter created by this Constitution or by general law, for the election or appointment of persons to fill such offices, for the fixing of their qualifications, or for the fixing of their qualifications by such same boards, for the manner of such appointment, for the times at which and the terms for which such persons shall be so elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors.

For the formation, in such counties, of road districts, for the care, maintenance, repair, inspection and supervision only of roads, highways and bridges; and for the formation, in such counties, of highway construction divisions for the construction only of roads, highways and bridges; for the inclusion in any such district or division, of the whole or any part of any incorporated city or town, upon ordinance passed by such incorporated city or town authorizing the same, and upon the assent to such inclusion by a majority of the qualified electors of such incorporated city or town, or portion thereof, proposed to be so included, at an election held for that purpose; for the organization, government, powers and jurisdiction of such districts or divisions, and for raising revenue therein, for such purposes, by taxation, upon the assent of a majority of the qualified electors of such districts, or divisions, voting at an election to be held for that purpose; for the incurring of indebtedness therefor by such counties, district or divisions for such purposes respectively, by the issuance and sale, by the counties, of bonds of such counties, districts or divisions, and the expenditure of the proceeds of the sale of such bonds, and for levying and collecting taxes against the property of the counties, districts or divisions, as the case may be, for the payment of the principal and interest of such indebtedness at maturity; *provided*, that any such indebtedness shall not be incurred without the assent of two-thirds of the qualified electors of the county, district or division, as the case may be, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also for a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same, and the procedure for voting, issuing and selling such bonds shall, except in so far as the same shall be provided, in such charters, conform to general laws for the authorizing and incurring by counties of bonded indebtedness, so far as applicable; provided, further, that provisions in such charters for the construction, care, maintenance, repair, inspection and supervision of roads, highways and bridges for which aid from the State is granted, shall be subject to such regulations and conditions as may be imposed by the Legislature.

Whenever any county has framed and adopted a charter, and the same shall have been approved by the Legislature, as herein provided, the general laws adopted by the Legislature in pursuance of sections 4 and 5 of this article, shall, as to such county, be superseded by said charter as to matters for which, under this section it is competent to make provision in such charter, and for which provision is made therein, except as herein otherwise expressly provided; and except that any such charter shall not affect the tenure of office of the elective officers of the county, or of any district, township or division thereof, in office at the time such charter goes into effect, and such officers shall continue to hold their respective offices until the expiration of the term for which they shall have been elected, unless sooner removed in the manner provided by law.

The charter of any county, adopted under the authority of this section, may be surrendered and annulled with the assent of two-thirds of the qualified electors of such county, voting at a special election, held for that purpose, and to be ordered and called by the board of supervisors of the county upon receiving a written petition, signed and certified as hereinabove provided for the purposes of the adoption of charters, requesting said board to submit the question of the surrender and annulment of such charter to the qualified electors of such county, and, in the event of the surrender and annulment of any such charter, such county shall thereafter be governed under general laws in force for the government of counties.

The provisions of this section shall not be applicable to any county that is consolidated with any city.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called and Senate Constitutional Amendment No. 25 adopted by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Constitutional amendment ordered engrossed and transmitted to the Assembly.

Senate Bill No. 816—An Act to amend section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties, and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said Commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 816 passed by the following vote:

AYES—Senators Benedict, Benson, Birdsall, Breed, Butler, Carr, Cogswell, Cohn, Crowley, Flaherty, Gerdes, Irwin, King, Luce, Lyon, Maddux, Mott, Scott, Shearer, Strobridge, Thompson, Tyrrell, and Wolfe—23.

NOES—Senators Purkitt and Stuckenbruck—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 17 of article VI of said Constitution;

Also: Senate Bill No. 974—An Act to amend section 631*d* of the Penal Code of the State of California, relating to the domestication of wild game;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 814—An Act to provide for the licensing of motor vehicles to operate upon the streets and public highways of the State of California and engage in the business of carrying passengers for hire by indiscriminately accepting and discharging them at successive points thereon; and making an appropriation for the purpose of carrying out the provisions of this Act—and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 293—An Act to appropriate money to construct outdoor classrooms for the training school at the San Jose State Normal School;

Also: Senate Bill No. 325—An Act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor;

Also: Senate Bill No. 331—An Act making an appropriation for the location, survey and construction of a State highway from Tahoe City, Placer County, along the northern boundary of Lake Tahoe to the western boundary of the State of Nevada at Crystal Bay in Placer County;

Also: Senate Bill No. 390—An Act to appropriate money for improvement of grounds at the San Diego State Normal School;

Also: Senate Bill No. 1118—An Act to provide for the repayment to such persons as are or may become entitled thereto of moneys paid by them or their assignors paid to the State of California in consequence of illegally imposed charges for the registration of motor vehicles or paid to the State by mistake or inadvertence in connection with the registration of such motor vehicles, and theretofore deposited in the state treasury to the credit of the Motor Vehicle Fund pursuant to the provisions of chapter 326 of California Statutes of 1913, approved May 31, 1913, and known as the Motor Vehicle Act, making an appropriation for such purpose, prescribing certain duties with respect thereto, and providing for the recapture by the State of proportionate deductions from the moneys which would otherwise be apportioned to the several counties under the provisions of said Motor Vehicle Act;

Also: Senate Bill No. 1083—An Act to amend section 718 of the Political Code relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law;

Also: Senate Bill No. 286—An Act to make an appropriation for the construction and completion of a state highway connecting the counties of Trinity, Shasta and Humboldt with the road system of Tehama County;

Also: Senate Bill No. 6—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento, California;

Also: Senate Bill No. 1158—An Act to empower the Fish and Game Commission of California, to control the business of catching and selling fish, and to buy fish, in order to distribute the same to the people;

Also: Senate Bill No. 341—An Act to provide for the creation of the State Commission Market, and the organization thereof, to carry on the business of receiving from the producers thereof the agricultural, poultry, dairy and other products of the State of California and selling and disposing of such products on commission, creating the "State Commission Market Fund" and appropriating money therefor;

Also: Senate Bill No. 773—An Act to repeal an Act entitled "An Act to amend section 1 of an Act entitled 'An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation and other expenses of the National Guard of California and the Emergency Camps, called into service by order of the Governor in the months of April, May, and June, 1906,' approved June 14, 1906;"

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 731—An Act creating and establishing a commission to codify, revise and perfect the law of the State concerning roads, streets, highways and bridges; prescribing the powers and duties of said commission;

Also: Senate Bill No. 33—An Act to require water companies to properly and adequately serve with water the inhabitants of the territory for the service of which they have a franchise;

Also: Senate Bill No. 1220—An Act to amend sections 1240, 1245 and 1248 of the Code of Civil Procedure, relating to eminent domain;

Also: Senate Bill No. 269—An Act to appropriate money for the construction and furnishing of a cottage or cottages for patients at the Agnews State Hospital;

Also: Senate Bill No. 777—An Act making an appropriation for the encampments and authorized parades of the National Guard of California, and cruises and authorized parades of the Naval Militia of California;

Also: Senate Bill No. 1053—An Act to amend section 456 of the Political Code of the State of California, relating to employees in the office of the State Treasurer;

Also: Senate Bill No. 936—An Act relating to visual instruction in the public schools of the State granting to the State Board of Education certain powers in relation thereto and making an appropriation therefor;

Also: Senate Bill No. 345—An Act to appropriate money for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committee were received and read, out of the regular order:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 1023—An Act to amend an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, by amending section 752 thereof relating to the election and term of office of officers of cities of the fifth class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Senate Bill No. 1023 ordered on file for second reading.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 27—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding a new section to said Act, to be known as section 6a, relating to doing of public work by municipalities—has had the same under consideration, and respectfully reports the same back and recommends that it be referred to Senator Tyrrell, as a committee of one to amend as per instructions.

AMENDMENTS TO SENATE BILL NUMBER TWENTY-SEVEN.

AMENDMENT NUMBER ONE.

Strike out everything after the enacting clause on page 1, and insert in lieu thereof the following:

"SECTION 1. The Act entitled 'An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities,' approved March 18, 1885, is hereby amended by adding thereto a new section to be known as section 6a, to read as follows:

" 'Sec. 6a. Any city may, if it elects so to do as hereinafter prescribed, do any work or make any improvement authorized by this Act by the direct employment of labor and the furnishing of materials; *provided*, the city council shall before causing the publication of the notice inviting sealed proposals or bids to be posted and published, by resolution direct the city engineer to file with the city clerk as hereinafter provided, sealed estimates of the cost of the work and labor and materials involved in such proposed work or improvement, which said notice inviting proposals or bids shall contain a statement that the city has passed such resolution and a statement that such direction has been given. In pursuance of such resolution, it shall be the duty of the city engineer to make, sign and file in a sealed envelope with the city clerk at or before the time set for the final reception of bids for any work to be done under the provisions of this Act, an itemized statement of the cost of the proposed work, including the cost of all labor and material furnished and used and all charges for maintenance and depreciation of plant, tools and other equipment used or employed in the performance of the work including all overhead expenses. At the time bids or proposals are opened and when such sealed estimate has been filed, in the event that the lowest regular proposal or bid of any responsible bidder shall exceed the amount of such estimate, but not otherwise, the city council may proceed as provided in section 5 of this Act or may by resolution reject all bids and elect to do the work directly by the direct employment of labor and furnishing all materials as hereinafter provided.

" 'When the lowest regular bid of any responsible bidder shall be exceeded by the amount of such sealed estimate, then proceedings shall be had as provided in said section 5. Failure of the city engineer from any cause to file such sealed estimate at the time and in the manner herein provided, shall not invalidate the proceedings, but the city council shall proceed as if no such estimate had been required. When the city council shall determine to do the work directly the work shall be awarded to the city and notice of such award shall be given in the same manner and for the same time as if the award had been made to a regular bidder, reserving to the property owners the right to take the contract as in other cases.

" 'Any city engineer or any officer or employee of such city who shall disclose the contents of any sealed estimate before the time fixed for opening bids, shall be guilty of a misdemeanor and shall forfeit his said office or employment.

" 'In case of election by the city council to have said work done directly by the city, as in this section provided, work shall be commenced within fifteen days after the time shall have expired [illegible] elect to take the work as provided in this Act. [illegible] to be entered into; but it shall be the duty of such [illegible] of award, to keep an accurate [illegible] material, and [illegible] of plant, [illegible] including [illegible] such expenses, [illegible] or [illegible] be at least [illegible]

"At any time prior to [illegible] file with said city council [illegible] r to the manner in which such work has been performed. [illegible] l, at the expiration of [illegible] in the Superior Court [illegible] issues only. In the event th[illegible] or resolution of int[illegible] of [illegible] in such event until [illegible] tly, [illegible] hearing on the matter of apportionment of the [illegible]

"Whenever [illegible] not furnish bonds for th[illegible] nent of labor or materials. [illegible] ed to the city clerk and such clerk is hereby [illegible] n the manner and form provided in said section of said Act [illegible] made on order of the city council of said city; and in all [illegible] tractor under this Act, such rights, duties, ob[illegible] city to be exercised and performed by such of[illegible] employees of the city as shall be [illegible] of such city, except as herein otherwise expressly provided."

TYRRELL, Chairman.
BALLARD.
CARR.
BENEDICT

On motion of Senator Finn, further consideration of the above report and amendments was postponed until the next legislative day.

RECALL OF BILL FROM COMMITTEE.

Senator King moved that Assembly Bill No. 318 be recalled from Committee on Agriculture and re-referred to Committee on Finance.

Motion carried.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 44—An Act to make an appropriation for the purpose of purchasing additional rights of way, land and trees on and along the course of the Lake Tahoe wagon road.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 44 passed by the following vote:

Ayes—Senators Benedict, Benson, Birdsall, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 297—An Act providing for the construction and repairing of live stock barns and sheds on the State Fair Grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cohn moved to refer to Senator Beban as a Special Committee of One to amend Senate Bill No. 297 as follows:

AMENDMENT NUMBER ONE.

By striking out on page 1, lines 8 to 12, inclusive.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 297, with instructions to amend, respectfully reports the same back, amended as per instructions.

BEBAN, Committee.

Report read and, on motion of Senator Cohn, adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 47—An Act declaring the county road extending from Auburn, State of California, in an easterly direction to a point near Emigrant Gap, a state highway, and making an appropriation for the improvement thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 47 passed by the following vote:

Ayes—Senators Benedict, Benson, Birdsall, Breed, Brown, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION OF RECONSIDERATION.

Senator Breed gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Constitutional Amendment No. 25 was this day adopted.

ASSISTANT SECRETARY F. W. KAVANAGH AT THE DESK.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 545—An Act to provide for the appointment of a Board of Pio Pico Mansion trustees and for the acquisition of the Pio Pico Mansion property, and making an appropriation for the preservation and protection of said property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 545 passed by the following vote:

Ayes—Senators Benedict, Beban, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Lee, Lyon, Maddux, Mott, Rush, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 148—An Act to provide for the establishment and maintenance of a bureau of tuberculosis under the direction of the State Board of Health, defining its powers and duties, providing for the granting of State aid to cities, counties, cities and counties and groups of counties for the support and care of persons afflicted with tuberculosis, making an appropriation therefor, and repealing certain Acts of the Legislature of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 148 passed by the following vote:

Ayes—Senators Anderson, Beban, Benedict, Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 18—An Act authorizing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the Woman's Building and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 18 passed by the following vote:

Ayes—Senators Anderson, Beban, Benedict, Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Lee, Maddux, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 838—An Act to provide for the establishment and maintenance of a department of sanitary engineering under the direction of the State Board of Health and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 838 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Breed, Brown, Butler, Cohn, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Scott, Strobridge, Tyrrell, and Wolfe—23.

NOES—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1149—An Act to appropriate money to pay the claim of Harve Oliver Waterman against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1149 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Breed, Butler, Carr, Crowley, Duncan, Finn, Flaherty, Gerdes, Jones, King, Luce, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1082—An Act to amend section 67*a* of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of two additional Superior Court judges in counties of the first class and providing for their compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1082 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Breed, Butler, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1250—An Act to appropriate money to pay the deficiency in the appropriation for the support of the Commission of Immigration and Housing of California for the sixty-sixth fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1250 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Breed, Butler, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 963—An Act to amend sections one and two of an Act entitled "An Act to secure the payment of the claims of materialmen, mechanics, or laborers, employed by contractors upon state, municipal or other public work," approved March 27, 1897, as amended by an Act approved May 1, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 963 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Boynton, Breed, Birdsall, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Gates, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1262—An Act to amend section 170 of the Code of Civil Procedure of the State of California, relating to disqualification of judicial officers to sit or act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1262 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Boynton, Birdsall, Breed, Brown, Carr, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Gates, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1265—An Act providing for the appointment of a commission to investigate and report at the forty-second session of the Legislature relative to the adoption of a system of land colonization and rural credits, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1265 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Boynton, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Gates, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1140—An Act to amend section 268 of the Political Code of the State of California, relating to the compensation of other officers and employees (salaries of officers and attaches of the Senate and Assembly).

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1140 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Cohn, Crowley, Finn, Flaherty, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Tyrrell and Wolfe—25.

NOES—Senator King—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At nine o'clock and twenty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS (RESUMED).

Senate Bill No. 745—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27th, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24th, 1911, as heretofore amended by an Act approved May 26, 1913, by amending section 4 of said Act, altering and extending the boundaries of the Sacramento and San Joaquin Drainage District.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Stuckenbruck moved to refer to Senator Purkitt, as a Special Committee of One, to amend Senate Bill No. 745 as follows:

AMENDMENT NUMBER ONE.

On page 20, line 19, after the semicolon after the figures "11", strike out all down to and including the semicolon after the word "miles", in line 34 of the same page, and insert in lieu thereof the following: "Thence east 1½ miles; thence south on the section line to the north line of the C. M. Webber grant, Rancho del Campo de los Franceses; thence northeasterly on the north line of said grant to the northwest corner of section 61 of said grant; thence south on the section line of said grant three miles to the southwest corner of section 63; thence east on the section line to the east line of said grant; thence north on the east line of said grant to the one-quarter section line east and west in section 23 of township 2 north, range 7 east, Mount Diablo base and meridian; thence east one mile to the center of section 24, township 2 north, range 7 east, Mount Diablo base and meridian; thence north one-half mile; thence east one and three-quarters miles; thence north one-half mile; thence east one-half mile; thence north one-half mile to the Baker Lane road on the south line of section 8, township 2 north, range 8 east, Mount Diablo base and meridian; thence east one and one-quarter miles to the southwest corner of section 10; thence north, one-quarter mile; thence east one mile; thence north one and three-quarters miles to the northeast corner of section 3, township 2 north, range 8 east, Mount Diablo base and meridian; thence east along the township line between townships 2 and 3 north, range 8 east, one and one-fourth miles".

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED

A roll call was demanded by Senators Purkitt, Shearer and Stuckenbruck.

The Secretary was directed to call the roll.

The roll was called, and the motion to refer to Special Committee of One carried by the following vote:

AYES—Senators Ballard, Beban, Benedict, Brown, [illegible], [illegible], [illegible], Duncan, Gerdes, Hans, Irwin, Luce, Maddux, Purkitt, Shearer, [illegible], Stuckenbruck, Tyrrell, and Wolfe—19.

NOES—Senators Anderson, Benson, [illegible], Carr, Cogswell, Cohn, [illegible], [illegible], Jones, Kehoe, King, Scott, Strobridge, and Thompson—14.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 745, with instructions to amend, respectfully reports the same back amended as per instructions.

PURKITT, Chairman.

Report read.

The question being on the adoption of the report of the Special Committee of One.

AYES AND NOES DEMANDED

A roll call was demanded by Senators Purkitt, Shearer and Stuckenbruck.

The Secretary was directed to call the roll.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Benson moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, [illegible], [illegible], [illegible], Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, [illegible], Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—35.

The Secretary announced the absentees.

Time, eleven o'clock and ten minutes p.m.

The President directed the Sergeant at Arms to close the doors.

The Sergeant at Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and thirty-five minutes p.m. Senator Flint was brought to the bar of the Senate, and on motion of Senator Gerdes, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At eleven o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Benson.

The Secretary was directed to call the roll, on adoption of report of Special Committee of One, of the Senators who had not answered to their names.

The roll was called, and the report of the Special Committee of One refused adoption by the following vote:

AYES—Senators Ballard, Benedict, Brown, Butler, Chandler, Duncan, Gerdes, Hans, Irwin, Luce, Maddux, Mott, Purkitt, Shearer, Slater, Stuckenbruck, Tyrrell, and Welch—18.

NOES—Senators Anderson, Beban, Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Jones, Kehoe, King, Scott, Strobridge, and Wolfe—18.

CONSIDERATION OF SENATE BILL NUMBER SEVEN HUNDRED FORTY-FIVE — (RESUMED).

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Purkitt moved to refer to Senator Stuckenbruck as a Special Committee of One, to amend Senate Bill No. 745, as follows:

AMENDMENT NUMBER ONE.

On page 10 of the printed bill commencing with the word "continuing" on line 12 thereof, strike out all of the remainder of said page and all of page 11 of the printed bill down to and including the word "Butte" on line 12 thereof, and insert in lieu thereof the following: "East on boundary line between Glenn and Colusa counties, through center of sections 17 and 18, township 18 north range 2 west to point on west line of Larkins Children's Rancho; thence continuing due east to Sacramento River; thence meandering down the center of Sacramento River to a point at which the center line running east and west through section 29, township 18 north range 1 west intersects said Sacramento River; thence easterly on line dividing Glenn and Colusa counties, through center of sections 29, 28, 27, 26, 25, township 18 north, range 4 west, Mount Diablo base and meridian; thence continue east on said county boundary line through center of sections 29 and 30, township 18 north range 1 east to intersection with center line of Butte Creek; thence northerly, following center of said Butte Creek and boundary line between Glenn and Butte counties to a point on west line of Aguas Frias Rancho, where north boundary of township 19 north range 1 east intersects with said center line of Butte Creek; thence west on line dividing Glenn and Butte counties to the northwest corner of section 6, township 19 north range 1 east; thence west on line dividing Glenn and Butte counties and south boundary Llano Seco Rancho, and north boundary sections 1 and 2, township 19 range 1 west to northwest corner of northeast ¼ of northwest ¼ of section 2 aforesaid; thence south 71° 45′ west along and with south boundary of Llano Seco Rancho, the boundary line dividing Butte and Glenn counties, to intersection with center line of Sacramento River. Said point being southwest corner of Butte County."

The question being on the motion to refer to Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Purkitt, Shearer, and Stuckenbruck.

The Secretary was directed to call the roll.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Purkitt moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators—Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

The Secretary announced the absentees.

Time, eleven o'clock and forty-two minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and forty-three minutes p.m. Senators Shearer and Lyon were brought to the bar of the Senate, and on motion of Senator Gerdes, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and forty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Purkitt.

The Secretary was directed to call the roll on motion to refer to a Special Committee of One, of Senators who had not answered to their names.

The roll was called, and the motion to refer to a Special Committee of One lost by the following vote:

AYES—Senators Ballard, Brown, Butler, Chandler, Duncan, Gerdes, Hans, Irwin, Maddux, Mott, Purkitt, Shearer, Slater, Stuckenbruck, and Wolfe—15.

NOES—Senators Anderson, Beban, Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Jones, Kehoe, King, Luce, Lyon, Scott, Strobridge, Thompson, and Tyrrell—21.

Senate Bill No. 745—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27th, 1911, directing the approval of plans of reclamation along the Sacramento River, or its tributaries upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24th, 1911, (as heretofore amended by an Act approved May 26, 1913) by amending section 4 of said Act, altering and extending the boundaries of the Sacramento and San Joaquin Drainage District.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 745 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Strobridge, Thompson, and Tyrrell—25.

NOES—Senators Ballard, Brown, Chandler, Duncan, Hans, Irwin, Maddux, Shearer, Slater, and Stuckenbruck—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Purkitt gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 745 was passed.

CONSIDERATION OF SENATE BILL—OUT OF ORDER.

Senator Jones asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order for the purpose of amendment—Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer to Senator Benson as a Special Committee of One to amend Senate Bill No. 720 as follows:

AMENDMENT NUMBER ONE.

On page 10 of the printed bill, after the end of line 17, insert a new paragraph as follows:

"(5) In townships having a population of twenty-two hundred and fifty and less than twenty-five hundred, constables shall each receive the sum of sixty (60) dollars per month as salary for all services rendered in both civil and criminal cases. All fees collected by them shall be paid monthly by them into the county treasury."

AMENDMENT NUMBER TWO.

On page 10, line 18, strike out the figure "5" and insert in lieu thereof the figure "6".

AMENDMENT NUMBER THREE.

On page 10, line 19, strike out the words "twenty-five hundred" and insert in lieu thereof the words "twenty-two hundred and fifty".

AMENDMENT NUMBER FOUR.

On page 10, line 26 of the printed bill, strike out the figure "6" and insert in lieu thereof the figure "7".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 720, with instructions to amend, respectfully reports the same back amended as per instructions.

BENSON, Committee.

Report read and, on motion of Senator Jones, adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Kehoe, the consideration of the motion to reconsider the vote whereby Senate Bill No. 29 was refused passage was continued until the next legislative day.

CONSIDERATION OF SENATE BILL—(OUT OF ORDER).

Senator Chandler asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, for purpose of amendment—Senate Bill No. 450—An Act assenting to the provisions and requirements of the Act of the Congress of the United States entitled "An Act to provide for co-operative agricultural extention work between the agricultural colleges in the several states receiving the benefits of the Act of Congress, approved July 2, 1862, and of Acts supplementary thereto, and the United States Department of Agriculture," approved by the President of the United States May 8, 1914, and authorizing and empowering the Regents of the University of California to receive the grants of money appropriated under said Act, and to organize and conduct agricultural extension work in accordance with the terms and conditions expressed in said Act, and making an appropriation for the purposes thereof.

Bill read third time.

MOTION TO APPOINT SPECIAL COMMITTEE OF ONE.

Senator Chandler moved to refer to Senator Flint as a Special Committee of One to amend Senate Bill No. 450 as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended on April 29, after [illegible] add a new section to be numbered 3 and to read as follows:

"SEC. 3. The Regents of the University of California are hereby directed to appropriate, expend and use for the support and maintenance of the work of organizing and conducting said agricultural work the sum of thirty one thousand two hundred and seventy-five dollars out of the amount appropriated for the support and maintenance of the College of Agriculture of the University of California, in the general appropriation bill passed at the present session. Such amount of thirty-one thousand two hundred and seventy-five dollars may be so expended by the Regents of the University of California in one or more fiscal years."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Special Committee of One to which was referred Senate Bill No. 450, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Committee.

Report read and, on motion of Senator Chandler, adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND FIFTY-THREE (1053)—OUT OF ORDER.

Senator Breed asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, for the purpose of amendment, Senate Bill No. 1053—An Act to amend section 456 of the Political Code of the State of California, relating to employees in the office of the State Treasurer.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Breed moved to refer to Senator Mott as a Special Committee of One to amend Senate Bill No. 1053 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 10 of the printed bill, after the word "thousand" insert the following: "five hundred".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Special Committee of One to which was referred Senate Bill No. 1053, with instructions to amend, respectfully reports the same back, amended as per instructions.

MOTT, Committee.

Report read and, on motion of Senator Breed, adopted.

Bill ordered to print, and re-engrossment.

CONSIDERATION OF SENATE BILL—(OUT OF ORDER).

Senator Cohn asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, for the purpose of amendment, Senate Bill No. 6—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento, California.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cohn moved to refer to Senator Beban as Special Committee of One to amend Senate Bill No. 6 as follows:

AMENDMENT NUMBER ONE.

By striking out on page 1, lines 6 to 10, inclusive.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 6, with instructions to amend, respectfully reports the same back, amended as per instructions.

BEBAN, Committee.

Report read and, on motion of Senator Cohn, adopted.

Bill ordered to print, and re-engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1160—An Act to amend sections 632 and 632*e* of the Penal Code, relating to the preservation of fish and to add a new section to the Penal Code to be numbered section 632*c*, relating to the importation into the State of California of domestically reared trout—has had the same under consideration, and respectfully recommends that it do pass.

FLINT, Chairman.

Assembly Bill No. 1160 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 383—An Act providing an alternative system for the nomination and election of officers of cities of the fifth and sixth class and providing for the preferential system of voting at such elections;

Also: Assembly Bill No. 1577—An Act to amend section 1239 of the Political Code relating to elections;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BENSON, Chairman.

Assembly Bills Nos. 383 and 1577 ordered on file for second reading.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1181—An Act to amend sections 1, 3 and 9 of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893,' approved March 19, 1907, as amended by an Act approved June 6, 1913—has had the same under consideration and respectfully reports the same back and recommends that it do pass as amended.

BENSON, Chairman.

Assembly Bill No. 1181 ordered on file for second reading.

CONSIDERATION OF SENATE BILL—OUT OF ORDER.

Senator Kehoe asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, for the purpose of amendment, Senate Bill No. 286—An Act to make an appropriation for the construction and completion of a state highway connecting the counties of Trinity, Shasta and Humboldt with the road system of Tehama County.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Kehoe moved to refer to Senator Anderson as a Special Committee of One, to amend Senate Bill No. 286 as follows:

AMENDMENT NUMBER ONE.

By striking out of page 2, line 5, all of the line after the word "available".

AMENDMENT NUMBER TWO.

Strike out of lines 6 and 7 of page 2, the following: ", and fifty thousand dollars on and after July 1, 1916."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Senate Bill No. 286, with instructions to amend, respectfully reports the same back amended as per instructions.

ANDERSON, Committee.

Report read and, on motion of Senator Kehoe, adopted.

Bill ordered to print, and re-engrossment.

RESOLUTION—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent for the consideration of following resolution out of the regular order:

WHEREAS, At the session of the Legislature of 1913, there was provided an Advisory Committee to confer with the State Engineer and the State Board of Control regarding location, construction and maintenance of state roads other than state highways constructed under and by virtue of the "State Highway Act" of California, which committee was appointed and has reported its investigations and findings to this session of the Legislature; and,

WHEREAS, Because of lack of funds, said committee was unable to cover all of the sections which should be considered in the determination of a complete road policy for the State; and

WHEREAS, Three members of the committee of four so appointed are members of this body, and because of the study and knowledge gained, under the original resolution, should logically complete the investigation; therefore,

Resolved, That said three members of the Senate constitute an Advisory Committee to confer with the State Engineer and the State Board of Control to complete the investigation regarding the location, construction and maintenance of State roads other than state highways constructed under and by virtue of the "State Highway Act" of California and report back with recommendations to the forty-second session of the Legislature.

Resolved, That the sum of twelve hundred dollars is hereby made available for the purpose of defraying the expenses of such committee, to be paid from the contingent fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrant in favor of the chairman of said committee for such expenditures as the same may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

THIRD READING OF SENATE BILLS (RESUMED).

Senate Bill No. 293—An Act to appropriate money to construct outdoor class rooms for the training school at the San Jose State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 293 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Carr, Cogswell, [illegible], Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 331—An Act making an appropriation for the location, survey and construction of a state highway from Tahoe City, Placer County, along the northern boundary of Lake Tahoe to the western boundary of the State of Nevada at Crystal Bay in Placer County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 331 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Brown, Carr, Cogswell, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 390—An Act to appropriate money for improvement of grounds at the San Diego State Normal School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 390 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Carr, Cogswell, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1083—An Act to amend section 718 of the Political Code, relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries.

and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1083 passed by the following vote:

Ayes—Senators Benson, Birdsall, Breed, Brown, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1158—An Act to empower the Fish and Game Commission of California to control the business of catching and selling fish, and to buy fish in order to distribute the same to the people.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1158 passed by the following vote:

Ayes—Senators Benson, Birdsall, Breed, Brown, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 472—An Act to provide readers for blind students in the University of California, and to assist deaf students attending the National College for the Deaf at Washington, D. C.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 472 passed by the following vote:

Ayes—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 430—An Act to amend section 386 of the Political Code, relating to the salary of the executive secretary of the Governor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 430 passed by the following vote:

Ayes—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 773—An Act making available and re-appropriating certain moneys for the expenses of the National Guard in case of insurrection, invasion, tumult, riot or imminent danger thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 773 passed by the following vote:

Ayes—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Senate Bill No. 784—An Act making an appropriation to pay the claim of Mrs. Richard D. Barton against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No 784 passed by the following vote:

Ayes—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Senate Bill No. 937—An Act appropriating money for the construction of a trail in the Sierra Nevada Mountains to be known as the "John Muir Trail."
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 937 passed by the following vote:

Ayes—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Senate Bill No. 1013—An Act transferring money from the disputed title to lands on San Diego Bay fund to the general fund of the State of California.
Bill read third time.
On motion of Senator Luce, Senate Bill No. 1013 was passed on file.
Senate Bill No. 731—An Act creating and establishing a commission to codify, revise and perfect the law of the State concerning roads, streets, highways and bridges; prescribing the powers and duties of said commission; providing for the expense of said commission and appropriating money therefor.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 731 passed by the following vote:

Ayes—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Senate Bill No. 1241—An Act making an appropriation for the construction of curb and gutter around the Mission San Francisco Del Solano.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1241 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1189—An Act to provide for the purchase of a portrait of former Lieutenant Governor A. J. Wallace and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1189 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1259—An Act authorizing the Governor of the State of California to appoint a commission to investigate and report at the forty-second session of the Legislature concerning unemployment and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1259 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 88—An Act appropriating two thousand dollars for the restoration and rebuilding of the old Greek Chapel at Fort Ross, Sonoma County, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 88 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SENATE BILL—(OUT OF ORDER).

Senator Luce asked for and was granted unanimous consent to take up for consideration at this time, out of the regular order, for purpose of amendment, Senate Bill No. 1013—An Act transferring money from the disputed title to lands on San Diego Bay fund to the general fund of the State of California.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Luce moved to refer to Senator Jones as a Special Committee of One, to amend Senate Bill No. 1013 as follows:

AMENDMENT NUMBER ONE.

In line 1 of the printed bill, before the word "The", insert:
"SECTION 1."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 3, 1915

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1013, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read and, on motion of Senator Luce, adopted.

Bill ordered to print, and re-engrossment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 856—An Act to appropriate money for the use of the Railroad Commission of the State of California in the control of public utilities within incorporated municipalities.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 856 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 269—An Act to appropriate money for the construction and furnishing of a cottage or cottages for patients at the Agnews State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 269 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 777—An Act making an appropriation for the subsistence supplies, transportation and other expenses incidental to the encampment of the troops of the National Guard of California, upon the occasion of the Panama Pacific International Exposition.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 777 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Lee, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 936—An Act to provide for visual instruction in the public schools of the State under the supervision of the State Board of Education and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 936 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Lee, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 345—An Act to appropriate money for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 345 passed by the following vote:

AYES—Senators Benson, Birdsall, Breed, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, King, Lee, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR STROBRIDGE IN THE CHAIR.

At eleven o'clock and fifty minutes p.m., Senator Strobridge, of the Thirteenth District, in the chair.

MESSAGES FROM THE ASSEMBLY CHAMBER—(OUT OF ORDER).

On motion of Senator Thompson, the following Assembly messages were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to section 7½ of article XI of the Constitution of the State of California, relating to charters of counties and amendments to such charters and to the surrender thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Constitutional Amendment No. 34 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 1st passed Assembly Bill No. 285—An Act to provide changes in the method of vote canvassing at general and municipal elections, and adding election booth equipment, by amending sections 1072, relating to compensation of election officers, 1127, relating to election precincts 1142, 1203, 1252, 1253, 1255 and 1257 of the Political Code, relating to the same subject, and adding of a new section to the Political Code, to be numbered 1253*a*, also relating to the same subject; repealing section 1129 of the same Code, relating to election precincts; and repealing all Acts or parts of Acts in conflict herewith.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 285 read first time, and referred to Committee on Elections.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 94—An Act appropriating money for building and furnishing an observatory in the City and County of San Francisco, arranging for its upkeep by said city and county;

Also, Assembly Bill No. 268—An Act appropriating the sum of four thousand dollars for the construction of buildings on the lands of the Agricultural Experiment Station of the University of California in the county of Imperial;

Also, Assembly Bill No. 1391—An Act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 94 and 268 read first time, and referred to Committee on Finance.

Assembly Bill No. 1391 read first time, and referred to Committee on Municipal Corporations.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 46—An Act appropriating money to pay the claim of Johan Alfred Matsson against the State of California;

Also: Assembly Bill No. 596—An Act appropriating the sum of thirteen thousand dollars to defray the expenses, during the sixty-seventh and sixty-eighth fiscal years, of organizing, controlling, equipping, instructing and maintaining the high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911;

Also: Assembly Bill No. 844—An Act to amend section 4241 of the Political Code of the State of California, relating to the salaries and compensations of officers of counties of the twelfth class;

Also: Assembly Bill No. 994—An Act to amend section 4243 of the Political Code, relating to the compensation of officers of counties of the fourteenth class;

Also: Assembly Bill No. 1364—An Act to appropriate money to pay the claim of Thomas Bair against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 46, 596 and 1364 read first time, and referred to Committee on Finance.

Assembly Bills Nos. 844 and 994 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 540—An Act to amend an Act entitled "An Act regulating the sanitation and ventilation in and at camps where five or more persons are employed, and providing a penalty for the violation thereof," approved May 29, 1913;

Also, Assembly Bill No. 693—An Act to appropriate money for the purchase of machinery and equipment for the State printing plant;

Also, Assembly Bill No. 718—An Act to prevent blindness from ophthalmia neonatorum, to vest certain powers and duties in the State Board of Health and health officers, to impose certain duties upon physicians, midwives, nurses and other persons, and to provide for the enforcement of this Act, and the repeal of chapter XIV, Statutes of 1897, entitled "An Act to regulate medical practice, to prevent blindness in infants," and other Acts in conflict herewith;

Also, Assembly Bill No. 1504—An Act providing for the calling by the Governor of a conference on irrigation, reclamation, water storage, flood control and drainage, and making an appropriation to pay the expenses thereof;

Also, Assembly Bill No. 644—An Act appropriating money for the completion of the California State Building at the Panama-California Exposition.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 540 and 718 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 693, 1504 and 644 read first time, and referred to Committee on Finance.

ADJOURNMENT.

At eleven o'clock and fifty-nine minutes p.m., on motion of Senator Thompson, the Acting President declared the Senate adjourned until Tuesday, May 4, 1915, at eleven o'clock a.m.

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Tuesday, May 4, 1915.

Pursuant to adjournment the Senate met at eleven o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by Secretary Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry L. Stark.

LEAVES OF ABSENCE.

Senator Owens was, on motion of Senator Shearer, granted leave of absence for this day.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, May 3, 1915, the further reading was dispensed with, on motion of Senator Rush

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 920—An Act to amend section 4028 of the Political Code, relating to qualifications and election of supervisors—has had the same under consideration, and respectfully reports the same back, with amendments, and recommends that it do not pass, as amended.

BREED, Chairman.

Senate Bill No. 920 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1303—An Act to amend an Act entitled, "'An Act to provide for the organization and management of county fire insurance companies,' approved April 1, 1897, amended and approved March 23, 1907; amended and approved April 15, 1909"; by amending sections 1, 2, 3, 5, 6, 7, 8, and 10 thereof—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Insurance.

BREED, Chairman.

Assembly Bill No. 1303 ordered re-referred to Committee on Insurance.

Also:

SACRAMENTO, May 4, 1915

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to section 7½ of article XI of the Constitution of the State of California, relating to charters of counties and amendments to such charters and to the surrender thereof—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

BREED, Chairman.

Assembly Constitutional Amendment No. 34 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 3, 1915

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 815—An Act concerning the custody, maintenance and support of indigent, dependent and poor persons, orphans, and half-orphans, and for the education of such persons and other worthy persons, under twenty-one years of age; fixing the responsibility of parents and relatives, stepfathers and father of illegitimate persons therefor, etc.—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Finance.

KEHOE, Chairman.

Assembly Bill No. 815 ordered re-referred to Committee on Finance.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 718—An Act to prevent blindness from ophthalmia neonatorum; to vest certain powers and duties in the State Board of Health and health officers; to impose certain duties upon physicians, midwives, nurses and other persons; and to provide for the enforcement of this Act, and to repeal [illegible] XIV, Statutes of 1907, entitled "An Act to prevent [illegible] blindness in infants" and other Acts in conflict herewith—has had the same under consideration and respectfully reports the same back and recommends that it do pass.

BUTLER, Chairman.

Assembly Bill No. 718 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 540—An Act to amend an Act entitled "An Act regulating the [illegible] and conditions [illegible] [illegible] employed," and providing a penalty for the violation thereof," approved May 29, 1913—has had the same under consideration and respectfully reports the same back and recommends that it do pass and be re-referred to Committee on Finance.

BUTLER, Chairman.

Assembly Bill No. 540 ordered re-referred to Committee on Finance.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Boyd moved to reconsider the vote whereby Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to section 7½ of article XI of the Constitution of the State of California, relating to charters of counties and amendments to such charters and to the surrender thereof—was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Senators Beban, Benedict, Benson, Boyd, Brown, Butler, Carr, Chandler, Cogswell, [illegible], [illegible], Duncan, Flint, [illegible], [illegible], [illegible], [illegible], Kehoe, Maddux, Rush, Shearer, [illegible], Strobridge, Stuckenbruck, Thompson, and Wolfe—27.

NOES—None.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NUMBER TWENTY-FIVE.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to section 7½ of article XI of the Constitution of the State of California, relating to charters of counties and amendments to such charters and to the surrender thereof.

Constitutional amendment read.

During the reading of the constitutional amendment, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 11, page 1, after the word "provisions" insert the following: "of this article".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 14, page 3, strike out the word "once" and in lieu thereof, insert the following: "for at least ten times".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 17, page 3, strike out the word "once" and insert in lieu thereof "for at least three times".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 25, page 3, after the words "and the", insert the word "first".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 1, page 5, strike out the word "once" and insert in lieu thereof "for ten times".

Amendment adopted.

AMENDMENT NUMBER SIX.

In line 5, page 5, strike out the words "once in a" and insert in lieu thereof "for at least three times, in at least one".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 5, strike out all of line 18, beginning with the words "if there" and all of lines 19 and 20.

Amendment adopted.

AMENDMENT NUMBER EIGHT.

In line 33, page 6, strike out the word "three" and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER NINE.

In line 3, page 7, strike out the word "each" and insert in lieu thereof the word "every".

Amendment adopted.

AMENDMENT NUMBER TEN.

Strike out all of lines 17 and 18, on page 7, and insert in lieu thereof the following: "3. For boards of supervisors, and for the constitution, regulation and govern-".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

In line 29, page 7, after the comma, after the word "schools" insert the following: "and other county officers to fill county offices which have been, or shall hereafter be created by this constitution or by general law.".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

In line 33, page 7, strike out the words "or the" and also all of line 34, page 7, down to the word "for" and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

In line 2, page 8, after the comma, after the word "law" insert the following: "or for the fixing of the salaries of such justices of the peace, and constables, or judges and other officers of such inferior courts, by boards of supervisors".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

Strike out lines 6 to 9 inclusive, on page 8, and insert in lieu thereof the following: "supervisors, and if appointed, for their qualifications and the manner of their appointment; and".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

Strike out all of lines 15 and 16 on page 8 and insert in lieu thereof the following: "(4) boards of supervisors and all other county officers shall be subject to and controlled by general laws; *provided, however*, that the powers and duties of the district attorney in civil matters, the powers and duties of the county clerk in matters of elections and the registration of voters, and the powers and duties of members of the boards of supervisors as ex officio road commissioners, may be respectively segregated and assigned to new offices created for that purpose; *provided further, however*, that such charter may provide".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

In line 30, page 8, after the word "of" strike out the words "such charter or by".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

Strike out all of lines 16, 17 and 18, on page 9, and insert in lieu thereof the following: "appointment of persons to fill such offices, for their qualifications, and if appointed, for the manner of their removal".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

Strike out lines 25 and 26 on page 9, and insert in lieu thereof the following: "offices, for their qualifications, and if appointed, for the".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

In line 2, page 11, strike out the words "sections four and five of".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

In line 9, page 11, strike out the words "in office at the time such charter goes into effect" and insert in lieu thereof the following: "[illegible] in office or elected at the time such charter is adopted by vote of the electors of such county as herein provided".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

In line 12, page 11, strike out the period at the end of the line and insert in lieu thereof the following: ", but such charter may provide for the continuation of the tenure of office of all officers elected after the adoption of such charter by the electors of such county, but prior to the approval of such charter by the legislature".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

Between lines 24 and 25, page 11, insert the following: "All provisions of any charter of any county heretofore adopted and amendments thereto, which are in accordance herewith, and all acts done in accordance with such charter provisions, are hereby confirmed and declared valid."

Amendment adopted.

Constitutional amendment ordered to print.

RUSH ORDER TO PRINTER.

On motion of Senator Wolfe, the Secretary was directed to issue a rush order for printing Senate Constitutional Amendment No. 25.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate reports of Standing Committee were received and read, out of the regular order:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 634—An Act to amend an Act entitled "An Act creating a reclamation district to be called and known as 'Reclamation District No. 1500;' providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts, lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500,' approved April 30th, 1913, in effect August 10, 1913, conferring powers and duties upon the trustees of said district and upon the Reclamation Board of this State, substituting the Reclamation Board for the board of supervisors of Sutter County, and declaring that the work herein provided is public work for the public benefit—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

CHANDLER, Chairman.

Senate Bill No. 634 ordered on file for second reading.

Also:

SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1495—An Act to create a levee district to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by the construction of levees along the West bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district;

Also: Assembly Bill No. 1151—An Act to create a reclamation district to be called "Reclamation District No. 1660," and providing for the control and management thereof;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

CHANDLER, Chairman.

Assembly Bills Nos. 1495 and 1151 ordered on file for second reading:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 163—An Act to provide for locating, surveying and maintaining a highway from Pescadero in the county of San Mateo to the California Redwood Park in Santa Cruz County, and making an appropriation therefor;

Also: Assembly Bill No. 80—An Act to establish the Yolo and Lake Highway; to define its course; to provide for its survey and construction; and to make an appropriation therefor;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended, and be re-referred to Committee on Finance.

BIRDSALL, Chairman.

Assembly Bills Nos. 163 and 80 ordered re-referred to Committee on Finance.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1152—An Act to amend an Act entitled "An Act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the [illegible] fiscal year, and making certain acts a felony, and repealing an Act entitled "An Act to create a Commissioner of Public Works, defining his duties and powers, and fixing his compensation," approved February 28, 1893, and all Acts amendatory thereof; also repealing an Act entitled "An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year," approved April 1, 1897; also repealing an Act entitled "An Act providing for the appointment of an Advisory Board to the Commissioner of Public Works, [illegible] drainage, [illegible] and rectify [illegible] to condemn land and property for the purpose [illegible] approved March 17, 1899, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled "An Act to provide for the [illegible] of a Debris Commissioner [illegible] approved March 23, 1893, and all Acts or parts of Acts [illegible]; also repealing an Act entitled "An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act," approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending sections 6, 8, 11 and 27 thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1152 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 688—An Act to amend section 1126 of the Code of Civil Procedure, relating to justices' courts and justices in townships having a population of [illegible].

Also, Assembly Bill No. 1374—An Act to provide for the [illegible] persons [illegible] the State of California [illegible] the registration of motor vehicles [illegible] deposited in the State treasury [illegible] to the provisions of chapter 266 of California Statutes of 1913, approved May 27, 1913, and known as the Motor Vehicle Act, making an appropriation for such purpose, [illegible] Motor Vehicle Act.

Also, Assembly Bill No. 1481—An Act to amend section 597 of the Political Code, relating to the examination of insurance companies by the Insurance Commissioner.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 688 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1374 read first time, and referred to Committee on Finance.

Assembly Bill No. 1481 read first time, and referred to Committee on Insurance.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 654—An Act to amend section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

providing for the appointment by the Attorney General of clerks, phonographic reporter, service agent and stenographers, and fixing their salaries.

On motion of Senator Thompson, Senate Bill No. 654 was ordered to the file of Unfinished Business.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Rules, to which was referred Senate Concurrent Resolution No. 23—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-first session of the Legislature of the State of California—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

THOMPSON, Chairman.

Senate Concurrent Resolution No. 23 ordered on file.

CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Thompson asked for and was granted unanimous consent for the consideration at this time of Senate Concurrent Resolution No. 23, out of the regular order.

SENATE CONCURRENT RESOLUTION NUMBER TWENTY-THREE.

Relative to leave of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-first session of the Legislature of the State of California.

Resolved by the Senate, the Assembly concurring, That leave of absence from the State of California for a longer period than sixty days, during their term of office, is hereby granted to his Excellency, Hiram W. Johnson, Governor of the State of California, to John M. Eshleman, Lieutenant Governor of the State of California; and to the following members of the Senate and Assembly of the forty-first session of the Legislature of the State of California:

Senators John N. Anderson, John W. Ballard, D. J. Beban, Henry S. Benedict, Frank H. Benson, E. S. Birdsall, A. H. Breed, William E. Brown, Edwin M. Butler, A. E. Campbell, William J. Carr, W. F. Chandler, Prescott F. Cogswell, P. C. Cohn, John Jos. Crowley, W. E. Duncan, Jr., Thos. F. Finn, Lawrence J. Flaherty, William R. Flint, Fred C. Gerdes, George J. Hans, J. L. C. Irwin, Herbert C. Jones, William Kehoe, Lyman M. King, Edgar A. Luce, Henry H. Lyon, L. J. Maddux, D. W. Mott, James C. Owens, Claude F. Purkitt, Benjamin F. Rush, William S. Scott, Wm. B. Shearer, Herbert W. Slater, Ed. K. Strobridge, J. W. Stuckenbruck, Newton W. Thompson, Edward J. Tyrrell, and Edward I. Wolfe.

Assemblymen Frank W. Anderson, Paul J. Arnerich, George W. Ashley, William A. Avey, Alfred L. Bartlett, George Beek, Richmond P. Benton, Knox Boude, A. E. Boyce, Henry Ward Brown, Maurice B. Browne, Bismarck Bruck, Joe C. Burke, James J. Byrnes, Victor J. Canepa, L. B. Cary, Harry A. Chamberlin, Walter W. Chenoweth, W. M. Collins, Grant Conard, Lewis L. Dennett, George W. Downing, Lawrence Edwards, Roger G. Edwards, Edward S. Ellis, Harry A. Encell, Daniel Ferguson, Howard J. Fish, Lee Gebhart, George Gelder, Chas. W. Gedsil, W. W. Harris, Henry Hawson, D. R. Hayes, J. J. Hayes, Geo. H. Johnson, Fred E. Judson, Wm. P. Kennedy, Robert I. Kerr, Ira E. Kramer, W. A. Long, L. L. Lostutter, Chas. W. Lyon, C. C. McCray, J. J. McDonald, Walter A. McDonald, James S. McKnight, H. E. McPherson, J. E. Manning, Jos. E. Marron, B. B. Meek, Frank H. Mouser, J. A. Pettis, John S. Phelps, Peter C. Phillips, N. J. Prendergast, John F. Quinn, H. B. Ream, E. S. Rigdon, Frank N. Rodgers, Jos. A. Rominger, James J. Ryan, Geo. W. Salisbury, Wm. T. Satterwhite, Milton L. Schmitt, Chas. E. Scott, Fred C. Scott, L. D. Scott, Wm. R. Sharkey, A. F. Shartel, Elmer L. Sisson, Lewis A. Spengler, L. N. Tabler, H. J. Widenmann, Robert E. Wills, Harry A. Wishard, Henry W. Wright, T. M. Wright, and C. C. Young.

Concurrent resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 23 adopted by the following vote:

AYES—Senators Anderson, Beban, Benson, Breed, Butler, Carr, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—25.
NOES—None.

Concurrent resolution ordered engrossed, and transmitted to the Assembly.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners, providing for the appointment of the same, defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

On motion of Senator Thompson, Senate Bill No. 1078 was passed on file.

Senate Bill No. 595—An Act to amend section 4014 of the Political Code of the State of California.

On motion of Senator Irwin, Senate Bill No. 595 was passed on file.

Senate Bill No. 1204—An Act providing for the manner of construction and equipment of window sashes in certain classes of windows.

Bill read third time previously.

The question being on the passage of the bill:

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Scott moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Maddux, Mott, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

The Secretary announced the absentees.

Time, eleven o'clock and thirty-five minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and forty minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Scott.

The Secretary was directed to call the roll, on passage of the bill, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 1204 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Breed, Butler, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, King, Lyon, Rush, Scott, Shearer, Slater, Stuckenbruck, Tyrrell, and Wolfe—22.

NOES—Senators Ballard, Carr, Cogswell, Flint, Jones, Kehoe, Luce, Maddux, Mott, Strobridge, and Thompson—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of the banks thereof, and to provide for the means of payment thereof.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1049 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, [illegible], Brown, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, [illegible], Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—Senator Ballard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Duncan, Senate Bill No. 74 was passed on file.

Senate Bill No. 814—An Act to provide for the licensing of motor vehicles engaged in the carrying of passengers for hire upon the public highways in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 814 passed by the following vote.

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Maddux, Mott, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 36—An Act to amend section fifty-nine of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 1246—An Act to establish the Alpine State road; to define its course; to provide for its supervision, construction, maintenance, improvement and repair and to repeal an Act entitled "An Act to establish the Alpine State highway; to define its course; to provide for its supervision, construction, repair and maintenance, and to make an appropriation therefor," approved April 15, 1911, and an Act entitled "An Act to declare a part of the Sonora and Mono wagon road, commencing east of Sonora, at a point known as Long Barn, in Tuolumne County, and running thence across the summit of the

Sierra Nevada Mountains to Bridgeport, in Mono County, a state highway," approved March 12, 1901.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1246 passed by the following vote:

AYES—Senators Benedict, Benson, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flint, Gates, Hans, King, Lyon, Mott, Rush, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—24.

NOES—Senators Ballard, Duncan, Irwin, Luce, Maddux, and Shearer—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Stuckenbruck gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1246 was passed.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Lyon the Senate took up for consideration Assembly amendments to Senate Bill No. 257—An Act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of certain illiterate minors, providing for the enforcement hereof by the Commissioner of the Bureau of Labor Statistics and providing penalties for the violation hereof," approved February 20, 1905, as amended by an Act approved April 14, 1911, as further amended by an Act approved June 2, 1913, and to add to said Act three new sections to be numbered 16, 17 and 18, respectively, relating to the employment and hours of labor of children, providing for the administration of the provisions of this Act and repealing all Acts inconsistent herewith.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED FIFTY-SEVEN.

Adopted April 26, 1915.

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, after the word "certificate", insert the following: "and which complies with all the requirements for the issuance of an age and school certificate".

AMENDMENT NUMBER TWO.

On page 2, line 22, of the printed bill, strike out the word "after" and insert in lieu thereof the words "outside of".

AMENDMENT NUMBER THREE.

On page 5, line 5, of the printed bill, strike out the figure "(5)".

AMENDMENT NUMBER FOUR.

On page 5, line 6, of the printed bill, strike out the figure "(6)".

AMENDMENT NUMBER FIVE.

On page 5, line 7, of the printed bill, strike out the figure "(7)".

AMENDMENT NUMBER SIX.

On page 5, line 11, of the printed bill, after the word "schools", and before the period, insert the words "or in State institutions".

AMENDMENT NUMBER SEVEN.

On page 5, line 31, of the printed bill, strike out the word "and" and insert in lieu thereof the word "or".

AMENDMENT NUMBER EIGHT.

On page 6, lines 15 and 16, of the printed bill, strike out the words "in or in connection with any of the places enumerated in section one".

AMENDMENT NUMBER NINE.

On page 6, line 19, of the printed bill, after the comma, after the word "day", insert the following: "except when it is necessary to make repairs to prevent the interruption of the ordinary running of the machinery, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week".

AMENDMENT NUMBER TEN.

On page 8, line 31, of the printed bill, strike out the word "following" and insert in lieu thereof the word "foregoing".

AMENDMENT NUMBER ELEVEN.

On page 13, beginning with the word "no" in line 23, strike out all of lines 23 to 37, inclusive, including the word "no", and on page 14, strike out all of lines 1 to 14, inclusive, and insert in lieu thereof the following: "No boy under twelve years of age, nor girl under eighteen years of age, shall be employed, permitted or suffered to work at any time in or in connection with the street occupation of peddling, boot blacking, the sale or distribution of newspapers, magazines, periodicals or circulars nor in any other occupation pursued in any street or public place; *provided, however*, that nothing in this section shall be construed to apply to cities whose population is less than 23,000 according to the last federal census".

AMENDMENT NUMBER TWELVE.

On page 15, line 15, of the printed bill, after said line, add the following:

"SEC. 19. A new section is hereby added to said Act to be numbered nineteen and to read as follows:

"'Sec. 19. If any section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional'."

AMENDMENT NUMBER THIRTEEN.

On page 1, line 12, of the title of the printed bill, strike out the word "three" and insert in lieu thereof the word "four".

AMENDMENT NUMBER FOURTEEN.

On page 1, line 13, of the title of the printed bill, strike out the words "and eighteen" and insert in lieu thereof a comma and the words "eighteen and nineteen".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 257?"—adopted April 26, 1915.

The roll was called, and Assembly amendments to Senate Bill No. 257, adopted April 26, 1915, were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Hans, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Also:

ADOPTED APRIL 29, 1915.

AMENDMENT NUMBER ONE.

On page 12, line 12, strike out "curing and drying but not the canning" and insert in lieu thereof the following: "curing, drying and canning".

The question being "Shall the Senate concur in Assembly Amendment No. 1 to Senate Bill No. 257, adopted April 29, 1915?"

The roll was called, and the Senate refused to concur in Assembly Amendment No. 1 to Senate Bill No. 257, adopted April 29, 1915, by the following vote:

AYES—None.

NOES—Senators Anderson, Ballard, Benedict, Benson, Brown, Butler, Carr, Chandler, Cohn, Crowley, Finn, Flint, Gerdes, Hans, Irwin, Jones, King, Luce, Lyon, Purkitt, Rush, Scott, Stuckenbruck, Thompson, Tyrrell, and Walker—26.

Also:

ADOPTED APRIL 29, 1915.

AMENDMENT NUMBER TWO.

On page 13, line 27, strike out "twelve years" and insert in lieu thereof the following: "ten years".

ADOPTED APRIL 30, 1915.

AMENDMENT NUMBER ONE.

On page 6, line 16, strike out after the word "employed" all of the lines down to and including the word "day" in line 18 and insert in lieu thereof the following: "in laboring in any manufacturing, mechanical or mercantile establishment, or other place of labor, more than eight hours in one day or more than forty-eight hours in one week".

AMENDMENT NUMBER TWO.

On page 12, line 8, after the word "minors", insert the following: "16 years of age or over".

AMENDMENT NUMBER THREE.

On page 12, line 9, after the word "labor", insert the following: "; Nor shall anything in this Act be construed to prohibit the employment of minors in agricultural, horticultural, viticultural, or domestic labor".

The question being, "Shall the Senate concur in Assembly Amendment No. 2 to Senate Bill No. 257, adopted April 29, 1915, and Assembly Amendments Nos. 1, 2 and 3, adopted April 30, 1915?"

The roll was called, and the preceding Assembly amendments to Senate Bill No. 257 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Brown, Butler, Carr, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Shearer, Slater, Stuckenbruck, Tyrrell, and Wolfe—28.

NOES—None.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 892—An Act authorizing the construction, improvement, maintenance and control of the uncompleted portions of the system of State highways prescribed and contemplated by an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of State highways in the State of California; specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D. 1910, and known and cited as the "State Highways Act," specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said system; creating a revolving fund to be used by the State Department of Engineering for the purposes of this Act; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people.

On motion of Senator Birdsall, Senate Bill No. 892 was passed on file.

SENATE CONSTITUTIONAL AMENDMENT NUMBER SEVENTEEN.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 31 of article IV thereof, relating to the loan by the State of its credit to public or private corporations.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session commencing on the fourth day of January, 1915, two-thirds of all the members elected to each of the two houses of the State Legislature voting in favor thereof, hereby proposes to the people of the State of California that section 31 of article IV of the Constitution of the State of California be amended so as to read as follows:

"SEC. 31. The Legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the State, or of any county, city and county, city, township, or other political corporation or subdivision of the State now existing, or that may be hereafter established, in aid of or to any person, association, or corporation, whether municipal or otherwise, or to pledge the credit thereof in any manner whatever, for the payment of liabilities of any individual, association, municipal or other corporation whatever; nor shall it have power to make any gift, or authorize the making of any gift, of any public money or thing of value, to any individual, municipal or other corporation whatever; *provided*, that nothing in this section shall prevent the Legislature granting aid pursuant to section 22 of this article; and it shall not have power to authorize the State, or any political subdivision thereof, to subscribe for stock, or to become a stockholder in any corporation whatever. The Legislature shall have power to provide for a system of land colonization and may authorize the establishment of an adequate system of rural credits in aid of the agriculture of the State, including provisions for the issuance of bonds secured by first mortgages on farm real estate. Bonds so issued shall be exempt from taxation and shall be accepted as security for the deposit of public moneys. The Legislature may provide for participation by the State in such system of rural credits by establishing a trust fund and may authorize the trustees of such fund to issue bonds upon the collateral or other securities of such fund, and may guarantee, on behalf of the State, the principal and interest of such bonds, and may authorize said trustees to buy, sell and deal generally in rural credit bonds secured by first mortgages on farm real estate, and may pass all laws that may be necessary to give full force and effect to the provisions of this section, anything in this Constitution to the contrary notwithstanding."

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 17 adopted by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Brown, Butler, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Lyon, Maddux, Mott, Rush, Scott, Slater, Stuckenbruck, Tyrrell, and Wolfe—27.

NOES—Senator Ballard—1.

Constitutional amendment ordered engrossed, and transmitted to the Assembly.

Senate Constitutional Amendment No. 36—A resolution proposing to the people of the State of California to amend section 12 of article XIII of the Constitution of the State of California relative to poll tax.

By order of the President, Senate Constitutional Amendment No. 36 was passed on file.

Senate Bill No. 95—An Act to amend section 2982 of the Political Code, relating to the secretary and assistant of the Secretary of the State Board of Health.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 95 passed by the following vote:

Ayes—Senators Anderson, Beban, Benedict, Boynton, Birdsall, Butler, Carr, Chamberlin, Crowley, Finn, Flaherty, Gates, Gerdes, Hans, Jones, Luce, Lyon, Mott, Rush, Scott, Thompson, Tyrrell, and Wolfe—23.

Noes—Senators Ballard, Duncan, [illegible], Purkitt, Shearer, Slater, and Strobridge—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At twelve o'clock and thirty minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 830—An Act to amend section 2141 of the Political Code, relating to the powers of the State Commission in Lunacy—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance.

CROWLEY, Chairman.

Assembly Bill No. 830 ordered re-referred to Committee on Finance.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 994—An Act to amend section 4243 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

Also, Assembly Bill No. 844—An Act to amend section 4241 of the Political Code of the State of California, relating to the salaries and compensation of officers of counties of the twelfth class.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BREED, Chairman.

Assembly Bills Nos. 994 and 844 ordered on file for second reading.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 20, 1915.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 567—An Act relating to bonds of county waterworks districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of county waterworks districts as security for the performance of any act may be authorized—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

HANS, Chairman.

Senate Bill No. 567 ordered on file for second reading.

Also:

SACRAMENTO, April 30, 1915.

MR. PRESIDENT: Your Committee on Banking to which was referred Senate Bill No. 1260—An Act to amend an Act entitled "An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," by amending section 4 of said Act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

HANS, Chairman.

Senate Bill No. 1260 ordered on file for second reading.

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Concurrent Resolution No. 23—Relative to leaves of absence of the Governor, Lieutenant Governor and the members of the Senate and Assembly of the forty-first session of the Legislature of the State of California—and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1060—An Act to provide for the establishment, maintenance and development of a petroleum experiment station by the University of California; to impose an annual excise fee upon the producers of crude petroleum for the support of such experiment station; to provide for the collection of such fee; to provide penalties for the non-payment thereof; and to appropriate the aggregate amount thereof for the purpose aforesaid;

Also: Senate Bill No. 297—An Act providing for the construction and repairing of live stock barns and sheds on the State Fair Grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor;

And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

SENATOR BREED IN THE CHAIR.

At two o'clock and ten minutes p.m., Senator Breed, of the Fifteenth District, in the chair.

SECOND READING OF ASSEMBLY BILLS (OUT OF ORDER).

On motion of Senator Anderson the Senate took up at this time, out of the regular order, the second read of Assembly Bill No. 904—An Act to amend sections 3607, 3608, 3617, 3627, 3628, 3629, 3641, 3643, 3650, 3663, 3678, 3679, 3701, 3728, 3734 and 3753 of the Political Code, and to repeal sections 3609, 3610, 3719, 3757 and 3769*a*, of said Code, and to add to said code a new section to be numbered 3714*a*, all relating to revenue and taxation.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 20, strike out the period following the word "land" and insert in lieu thereof a comma and the following: "including estates for years in real property, the fee of which is vested in any municipal corporation or school district or in the State of California or in any legal subdivision of the State of California or in the United States".

Amendment adopted.

AMENDMENT NUMBER TWO

On page 6, strike out lines 28 to 31 [illegible] following: [illegible] according to the system of numbering in such city or town, and the improvements thereon.

"3. All property [illegible] in an assessment book separate and distinct from the assessment book containing the assessment of property situate outside the limits of such [illegible]

Amendment adopted

AMENDMENT NUMBER THREE

On page 6 [illegible]

Amendment adopted

AMENDMENT NUMBER FOUR

On page 6 [illegible]

Amendment adopted

AMENDMENT NUMBER FIVE

On page 7 [illegible]

Amendment adopted

AMENDMENT NUMBER SIX

On page 7 [illegible] figure "7".

Amendment adopted

AMENDMENT NUMBER SEVEN

On page 7, in line [illegible] strike out the figures [illegible] figure "8".

Amendment adopted

AMENDMENT NUMBER EIGHT

On page 7, in line [illegible] figure "9".

Amendment adopted

AMENDMENT NUMBER NINE

On page 7, in line 7, strike out the figures "12" [illegible] figures "10".

Amendment adopted

AMENDMENT NUMBER TEN

On page 7, line 15, strike out the figures [illegible] figures "11".

Amendment adopted.

AMENDMENT NUMBER ELEVEN

On page 7, in line 17, strike out the figures [illegible] figures "12".

Amendment adopted.

AMENDMENT NUMBER TWELVE

On page 7, in line 18, strike out the figures [illegible] figures "13".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 7, in line 26, strike out the figures "16" and insert in lieu thereof the figures "14".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 10, in line 16, after the word "an" insert the word "itemized".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 10, in line 18, strike out all after the word "for" and strike out all of lines 19 and 20 and insert in lieu thereof the words "each account or district extended on the assessment book".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 2, in line 13 strike out the word "hereafter" and insert in lieu thereof the word "hereinafter".

Amendment adopted.

Bill read second time, ordered to print and third reading.

Assembly Bill No. 24. An Act to amend an Act entitled "An Act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain acts a felony, and repealing an Act entitled 'An Act creating a Commissioner of Public Works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an Auditing Board to the Commissioner of Public Works authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain Acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a Debris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof,'' approved March 11, 1907, and all Acts or parts of Acts amendatory thereof' by amending sections 5 and 12 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and particularly to the engineer appointed for service in the harbor of San Francisco under the State Board of Harbor Commissioners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 244—An Act to establish a standard for the packing and marketing of apples, fixing penalties for the violation of its provisions, and providing for its enforcement.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1604—An Act to amend an Act entitled "An Act to amend section 4270 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the forty-second class," approved June 16, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 749—An Act to provide for the care, management and protection of state highways and providing penalties for violations of the provisions of the Act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1160—An Act to amend sections 632 and [illegible] of the Penal Code, relating to the preservation of fish, and to add a new section to the Penal Code to be numbered section [illegible], relating to the importation into the State of California artificially raised trout.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 383—An Act providing an alternative system for the nomination and election of officers of cities of the fifth and sixth class and providing for the preferential system of voting at such elections.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1577—An Act to amend section 1226 of the Political Code, relating to elections.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1181—An Act to amend sections 3 and 9 of an Act entitled "An Act to regulate the conduct of election campaigns and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 1, strike out the words "[illegible]" and insert in lieu thereof the following: "an [illegible]."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 2, strike out the period at the end of the line and insert in lieu thereof a comma and add the following: "and the [illegible] expenses of such persons as may personally accompany the candidate in the [illegible] of his candidacy."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 25, after the word "imprisonment" strike out the comma and insert in lieu thereof a period, and strike out all the remainder of the line and all of lines 26 and 27.

Amendment adopted.

Bill read second time, ordered to print, and third reading.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

On motion of Senator Anderson, the Senate took up at this time out of the regular order, the second reading of Senate bills.

Senate Bill No. 1023—An Act to amend an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, by amending section 752 thereof relating to the election and term of office of officers of cities of the fifth class.

Bill read second time, ordered engrossed, and on file for third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1522—An Act to amend sections 4041 and 4088 of the Political Code of the State of California.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator King moved to refer to Senator Flint, as a Special Committee of One, to amend Assembly Bill No. 1522 as follows:

AMENDMENT NUMBER ONE.

On page 7, between lines 25 and 26, of the printed bill, insert the following:

"15*a*. To employ persons to investigate the assessments of real property for the purpose of equalizing the same".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1522, with instructions to amend, respectfully reports the same back, amended as per instructions.

FLINT, Committee.

Report read and, on motion of Senator King, adopted.

Bill ordered to print.

RUSH ORDER TO PRINTER.

On motion of Senator King, the Secretary was directed to issue a rush order for printing Assembly Bill No. 1522.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1289—An Act to amend section 1244 of the Political Code, relating to certificates of election.

Bill read third time.

By order of the Acting President, Assembly Bill No. 1289 was passed on file.

Assembly Bill No. 1587—An Act to amend section 4237 of the Political Code, relating to the salaries and fees of officers in counties of the eighth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1587 passed by the following vote:

AYES—Senators Anderson, Birdsall, Breed, [illegible] and [illegible]—[illegible].

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, relating to the salaries of the Board of State Harbor Commissioners and assistants, said amendment relating to the salary of the president of the board and his duties, and the fund out of which the said salaries and the compensation of employees of the board shall be payable.

On motion of Senator Hans, Senate Bill No. [illegible] was passed on file.

Assembly Bill No. 619—An Act prescribing a certain kind of water glass for use on steam locomotives, providing a penalty for neglect to use such glass, and prescribing a rule of evidence in civil suits for damages occasioned by such negligence.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 619 passed by the following vote:

AYES—Senators Anderson, [illegible] and [illegible]—[illegible].

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act to regulate the use of derailing switches or other derailing devices in the operation of railroads in the State of California; providing for the use of sign boards in connection with such derailing switches or devices for the purpose of designating the location of the same to approaching trains, their engine men and crews; providing penalties for the violation of its provisions; and providing for the enforcement of this Act by the Railroad Commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

AYES—Senators Anderson, [illegible] and [illegible]—[illegible].

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act to amend section 6 of an Act entitled "An Act to provide for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts," approved March 22, 1905, as amended by an Act approved March 3, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1003 passed by the following vote:

AYES—Senators Anderson, Birdsall, Breed, Brown, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 882—An Act to amend section 2153 of the Political Code, relating to superintendents of state hospitals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 882 passed by the following vote:

AYES—Senators Birdsall, Breed, Brown, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 615—An Act to appropriate the sum of $11,433.82 out of the San Francisco Harbor Improvement Fund in the state treasury to pay the assessment levied for said amount on property belonging to the State of California by the city and county of San Francisco for a local improvement.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 615 passed by the following vote:

AYES—Senators Anderson, Birdsall, Breed, Brown, Chandler, Cogswell, Cohn, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Strobridge, Stuckenbruck, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1018—An Act to amend section 2684 of the Political Code, relating to the viewing of road changes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1018 passed by the following vote:

AYES—Senators Anderson, Birdsall, Breed, Brown, Chandler, Cogswell, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Strobridge, Stuckenbruck, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1418—An Act to amend sections 717 and 718 of the Civil Code relating to the leasing of agricultural lands and to the leasing of lands for agricultural and horticultural purposes, and to the leasing of property of a municipality, a minor or incompetent person, and to the leasing of city or town lots.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1418 passed by the following vote:

Ayes—Senators Anderson, [illegible] and Wolfe—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 707—An Act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State; providing that suits may be brought against the State to determine by judgment the amount and ownership of claims for such unpaid expenses and per diem.

On motion of Senator Cohn, Senate Bill No. 707 was passed on file.

Assembly Bill No. 1253—An Act to amend section 4144 of the Political Code, relating to the time when contracts, plans and specifications may be returned or destroyed by recorders.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1253 passed by the following vote:

Ayes—Senators Anderson, [illegible] and Wolfe—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1125—An Act to authorize municipal corporations of the sixth class to abandon parks and sell and convey the land embraced therein, and reinvest the proceeds from the sale thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1125 passed by the following vote:

Ayes—Senators Anderson, [illegible] and Wolfe—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 726—An Act to amend section 4 of an Act entitled "An Act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom for fish preservation and restoration,'' approved June 16, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 726 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, King, Lyon, Mott, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1535, substitute for Assembly Bills Nos. 456 and 1126—An Act to amend sections 3, 5, 6, 7, 11, 12, 18, 21, 23, 25, 27, 42, 43, 60, 63, 66, 67, 74 and 75, of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and repealing section 36, and sections 84, 85, 86, 87, 88 and 89 thereof, relating to work in unincorporated territory.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1535 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY EDWIN F. SMITH AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 455—An Act to provide for the issuance of street improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property secured thereby and for the payment of the bonds so issued.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 455 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, King, Luce, Lyon,

Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—30.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 727—An Act to amend section 4 of an Act entitled "An Act to regulate and license the hunting of wild birds and animals and to provide revenue therefrom for game and fish preservation and restoration," approved March 27, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 727 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Birdsall, Boyle, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gates, Irwin, Jones, King, Luce, Maddux, Mott, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—31.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1301—An Act to add a new chapter to title V of part III of the Political Code to be known as chapter IVc, relating to the establishment of a county mosquito extermination commission, and to define their powers and duties and to read as follows.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1301 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Birdsall, Boyle, Brown, Butler, Carr, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, King, Luce, Lyon, Mott, Scott, Shearer, Strobridge, and Wolfe—23.
Noes—Senators Cary, Chandler, Cogswell, Maddux, and Stuckenbruck—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 229—An Act creating a reclamation district to be called and known as "Upper Lake Reclamation District," providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Upper Lake Reclamation District, and excluding from any reclamation district any land lying within the boundaries of said Upper Lake Reclamation District.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Purkitt moved to refer to Senator Stuckenbruck as a Special Committee of One, to amend Assembly Bill No. 229 as follows:

AMENDMENT NUMBER ONE.

On page 2, strike out all of lines 18 and 19 down to the last word "and", on line 19, and insert in lieu thereof "who shall."

AMENDMENT NUMBER TWO.

On line 22, page 2, of the printed bill, strike out the figures "1919" and insert in lieu thereof "1915."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 3, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 220, with instruction to amend, respectfully reports the same back, amended as per instructions.

STUCKENBRUCK, Committee.

Report read.

The question being on the adoption of the report of the Special Committee of One.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Lyon, Strobridge, and Scott.

The Secretary was directed to call the roll.

The roll was called, and the report of the Special Committee of One refused adoption by the following vote:

AYES—Senators Ballard, Chandler, Irwin, Maddux, Purkitt, Slater, and Stuckenbruck—7.

NOES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Mott, Rush, Scott, Strobridge, and Wolfe—25.

The question being on the passage of Assembly Bill No. 220.

The roll was called, and Assembly Bill No. 220 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, King, Luce, Lyon, Mott, Rush, Scott, Shearer, Strobridge, Stuckenbruck, and Wolfe—28.

NOES—Senators Irwin, Kehoe, Maddux, Purkitt, and Slater—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 221—An Act creating a reclamation district to be called and known as "Tule Lake Reclamation District," providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Tule Lake Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Tule Lake Reclamation District.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Purkitt moved to refer to Senator Stuckenbruck as a Special Committee of One to amend Assembly Bill No. 221 as follows:

AMENDMENTS TO ASSEMBLY BILL NUMBER TWO HUNDRED TWENTY-ONE.

AMENDMENT NUMBER ONE.

On page 2, line 24, strike out all after the word "trustees", all of lines 25 and line 26 down to and including the word "to", and insert in lieu thereof the words "who shall".

AMENDMENT NUMBER TWO.

On page 2, line 29, strike out the figures "1919", and insert in lieu thereof "1915".

Motion lost.

The question being on the passage of Assembly Bill No. 221.

The roll was called, and Assembly Bill No. 221 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, King, Lyon, Luce, Rush, Scott, Shearer, Strobridge, [illegible], Tyrrell, and Wolfe—[illegible].

Noes—Senators [illegible].

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; creating a liability on the part of the employers to pay damages in certain cases; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 487 passed by the following vote:

Ayes—Senators [illegible] and Wolfe—[illegible].

Noes—Senators Anderson, [illegible], and Thompson—[illegible].

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT OF THE SENATE IN THE CHAIR

At four o'clock and thirty minutes p.m., Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—[illegible]

Assembly Bill No. 816—An Act providing for a two-platoon system in the fire departments of cities having paid fire departments.

Bill read third time.

The question being on the passage of Assembly Bill No. 816.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Butler moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, [illegible], King, [illegible], Scott, Shearer, [illegible], Tyrrell, and Wolfe—[illegible].

The Secretary announced the absentees.

Time, four o'clock and forty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and fifty minutes p.m., Senators Cogswell, Benedict and Thompson, were brought to the bar of the Senate, and on motion of Senator Crowley, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE [illegible].

At four o'clock and fifty-eight minutes p.m., further proceedings under call of the Senate were dispensed with, on motion of Senator Lyon.

The Secretary was directed to call the roll on passage of the bill of Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 814 refused passage by the following vote:

Ayes—Senators [illegible] and Wolfe—19.

Noes—Senators Ballard, Benedict, Benson, Boyd, Carr, [illegible] and Tyrrell—1[illegible].

NOTICE OF MOTION TO RECONSIDER.

Senator Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 814 was refused passage.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

Mr. President: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1145—An act [illegible]

TYRRELL, Chairman.

Assembly Bill No. 1145 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

Mr. President: Your Committee on Finance, to which was referred Senate Bill No. [illegible]

March 24. [illegible]

an Act entitled 'An Act to create the office of [illegible] approved April [illegible] March 11, 1907 [illegible] and employees of the Department of Engineering [illegible]

Also: Senate Bill No. 137—An Act to amend an Act entitled [illegible] in relation to [illegible]

Has had the same under consideration, and respectfully recommends that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 41 and 137 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915.

Mr. President: Your Committee on Finance, to which was referred Senate Bill No. 528—An Act [illegible] against the State of California [illegible] the Constitution of the State of California, has had the same under consideration, and respectfully recommends that it do pass as amended.

STROBRIDGE, Chairman.

Senate Bill No. 528 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915.

Mr. President: Your Committee on Finance, to which was referred Senate Bill No. 186—An Act to amend section [illegible] of the Political Code [illegible]

Also: Senate Bill No. 647—An Act [illegible] of W. H. [illegible] against the State of California;

Also: Senate Bill No. 922—An Act appropriating money to pay the claim of Dr. W. B. [illegible] against the State of California;

Also: Senate Bill No. 718—An Act to amend section 737 of the Political Code, relating to [illegible]

Has had the same under consideration, and respectfully recommends that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 186, 647, 922 and 718 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 437—An Act [illegible] property of the California School for Girls [illegible] has had the same under consideration, and respectfully recommends that it do pass as amended.

STROBRIDGE, Chairman.

Senate Bill No. 437 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915.

Mr. President: Your Committee on Finance, to which was referred Assembly Bill No. 417—An Act [illegible] State prison at Folsom;

Also: Assembly Bill No. 418—An Act to appropriate money for the expense of [illegible] of the State prison at Folsom;

Also: Assembly Bill No. [illegible]—An Act [illegible] State prison at Folsom;

Also: Assembly Bill No. [illegible]—An Act [illegible] State prison at San Quentin [illegible]

Also: Assembly Bill No. 597—An Act [illegible] and appropriating money to be used for such purpose;

Also, Assembly Bill No. 344—An Act providing for the location and construction of a state highway in Imperial County, and making an appropriation therefor;
Has had the same under consideration, and respectfully recommends that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 417, 418, 419, 601, 597 and 344 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 676—An Act providing for the location and construction of a state highway in Imperial County, and making an appropriation therefor;

Also, Assembly Bill No. 122—An Act providing that one-half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Scannell" and "Dennis T. Sullivan," shall be borne and paid by the State of California out of the general fund;

Also, Assembly Bill No. 130—An Act appropriating money to pay the claim of W. H. Carlin against the State of California;

Also, Assembly Bill No. 204—An Act making an appropriation of money to pay the claim of R. T. Macklin against the State of California for injuries received while in the service of the State;

Also, Assembly Bill No. 213—An Act appropriating money for the construction of a new dormitory building at the Santa Barbara State Normal School of Manual Arts and Home Economics;

Also, Assembly Bill No. 320—An Act appropriating the sum of forty thousand dollars for the support and maintenance of university extension work by the University of California;
Has had the same under consideration, and respectfully recommends that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 676, 122, 130, 204, 213 and 320 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 322—An Act to appropriate money for wiring for electricity at the Stockton State Hospital;

Also, Assembly Bill No. 415—An Act to appropriate money for furnishing and decorating the warden's residence at the state prison at Folsom;

Also: Assembly Bill No. 422—An Act to appropriate money for repairs, improvements and equipment at the Whittier State School;

Also: Assembly Bill No. 435—An Act to appropriate money for the construction and furnishing of two typical cottages and one receiving building at the California School for Girls located near Ventura;

Also: Assembly Bill No. 465—An Act to appropriate money for the purchase of live stock at the state prison at San Quentin;

Also: Assembly Bill No. 466—An Act to appropriate money for repairs and improvements at the state prison at San Quentin;

Also: Assembly Bill No. 478—An Act to appropriate money for the construction and furnishing of a cottage for women patients at the Napa State Hospital;
Has had the same under consideration, and respectfully recommends that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 322, 415, 422, 435, 465, 466 and 478 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 479—An Act to appropriate money for the construction and furnishing of a cottage for men patients at the Napa State Hospital;

Also: Assembly Bill No. 594—An Act to appropriate money for the payment of compensation benefits accruing by reason of personal injury resulting from accident to State officers and employees while performing services accruing out of and incidental to their employment;

Also, Assembly Bill No. 614—An Act appropriating money for the purpose of insuring the state printing plant;

Also, Assembly Bill No. 709—An Act to appropriate money to meet the expenses of compiling, printing and distributing constitutional amendments;

Also: Assembly Bill No. 1156—An Act appropriating money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying and improving the channels of the Sacramento, San Joaquin and Feather rivers and such other streams of the State as the Department of Engineering may determine, improving the navigability of such rivers and providing for the necessary rights of way [illegible] tion, and making surveys, investigations and plans for flood control.

Have had the same under consideration, and respectfully recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 479, 594, 614, 709 and 1156 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915.

Mr. President: Your Committee on Finance, to which were referred Assembly Bill No. 318—An Act to provide for the creation of the State Commission Market and the organization thereof, to carry on the business of receiving from the producers thereof the agricultural, dairy and fish products of the State of California, and selling and disposing of such products on consignment, creating the "State Commission Market Fund," and appropriating money therefor.

Also: Assembly Bill No. 540—An Act to amend an Act entitled "An Act regulating the [illegible] and providing a penalty for the violation thereof," approved May 2?, 1913.

Also: Assembly Bill No. 1504—An Act providing for the calling by the Governor of a conference on irrigation, reclamation, water storage, flood control, and drainage, and making an appropriation to pay the expenses thereof.

Also: Assembly Bill No. 1364—An Act to appropriate money to pay the claim of Thomas Fair against the State of California.

Also: Assembly Bill No. 693—An Act to appropriate money for the purchase of machinery and equipment for the state grinding plant.

Have had the same under consideration, and respectfully recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 318, 540, 1504, 1364 and 693 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915.

Mr. President: Your Committee on Finance, to which were referred Assembly Bill No. 596—An Act appropriating the sum of sixteen thousand dollars to defray the expenses during the sixty-seventh and sixty-eighth fiscal years, of organizing, equipping, uniforming and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies, and to further carry out the purposes of an Act entitled "An Act to provide for the organization, [illegible] of high school cadet companies and for the promotion of rifle practice therein, and appropriating the sum of ten thousand dollars therefor," approved April 8, 1911.

Also: Assembly Bill No. 268—An Act appropriating the sum of four thousand dollars for the construction of buildings on the lands of the Agricultural Experiment Station of the University of California in the county of Imperial;

Also: Assembly Bill No. 46—An Act appropriating money to pay the claim of John Alfred Matsson against the State of California;

Have had the same under consideration, and respectfully recommend that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 596, 268 and 46 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915.

Mr. President: Your Committee on Finance, to which was referred Assembly Bill No. 1274—An Act to provide for the repayment to such persons as are or may become entitled thereto of moneys by them or their assignors, paid to the State of California in consequence of illegally imposed charges for the registration of motor vehicles, or paid to the State by mistake or inadvertence in connection with the registration of such motor vehicles, and thereafter deposited in the state treasury to the credit of the motor vehicle fund pursuant to the provisions of chapter 326 of [illegible] Vehicle Act; making an appropriation for such purpose; [illegible] and providing for the retention by the State of [illegible] and respectfully recommends that it do pass.

STROBRIDGE, Chairman.

Assembly Bill No. [illegible] ordered on file for second reading.

Also—

[illegible]

[illegible]

STROBRIDGE, Chairman.

Assembly Bill No. 1152 ordered on file for second reading.

Also—

[illegible]

[illegible]

STROBRIDGE, Chairman.

Assembly Bills Nos. 60 and 815 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 232—An Act to amend section [illegible] of an Act entitled "An Act to create a State Board of Control [illegible]," approved March [illegible], and amended [illegible] approved May 1, 1911.

Also, Assembly Bill No. 280—An Act [illegible]

Also, Assembly Bill No. 411—An Act [illegible]

Also, Assembly Bill No. 412—An Act [illegible]

Also, Assembly Bill No. 413—An Act [illegible]

Also, Assembly Bill No. 416—An Act [illegible]

Has had the same under consideration and respectfully reports the same back and recommends that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 232, 280, 411, 412, 413 and 416 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 109—An Act making an appropriation to pay the claim of Miller & Lux Incorporated against the State of California.

Also, Assembly Bill No. 110—An Act making an appropriation to pay the claim of Miller & Lux Incorporated against the State of California.

Also, Assembly Bill No. 111—An Act making an appropriation to pay the claim of Miller & Lux Incorporated against the State of California.

Also, Assembly Bill No. 112—An Act making an appropriation to pay the claim of Miller & Lux Incorporated against the State of California.

Has had the same under consideration and respectfully reports the same back and recommends that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 109, 110, 111 and 112 ordered on file for second reading.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At five o'clock and five minutes p. m. Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

REPORT OF STANDING COMMITTEES—(CONTINUED).

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 583—An Act to amend [illegible] of an Act entitled "An Act to provide for the [illegible]," approved March [illegible], and all acts amendatory thereof.

Also, Assembly Bill No. 582—An Act to amend section [illegible] of an Act entitled "An Act to provide for the [illegible]," approved March [illegible], 1893.

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

TYRRELL, Chairman.

Assembly Bills Nos. 583 and 582 ordered on file for second reading.

REPORT OF COMMITTEE ON FREE CONFERENCE.

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Free Conference concerning Assembly Bill No. [illegible], entitled "An Act to amend an Act entitled 'An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes, approved March 31, 1897," by amending sections 1, 5, 28, 57, 61, 72, 90 and 91, and by adding new sections to be known as sections 41*a* and 61*a*", report that we have met a like committee of the Assembly consisting of Assemblymen Dennett, Sisson and Edwards, L., and we report that the Free Conference has agreed upon and recommends that the said Assembly Bill No. 368, as amended in the Senate April 27, 1915, be amended as follows:

AMENDMENT NUMBER ONE.

On page 3, line 2, of the printed bill, strike out the words "and one director shall" and all of lines 3, 4 and 5, and insert in lieu thereof the following: "and that the directors may be elected by the district at large, or by divisions, as such petition shall provide, but in any event such directors shall be elected to represent separate divisions and shall be residents of the respective divisions they are elected to represent".

JONES,
BENSON,
LUCE,
Senate Committee on Free Conference.
DENNETT,
EDWARDS, L.,
SISSON,
Assembly Committee on Free Conference.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Brown, Butler, Carr, Chandler, Cohn, Crowley, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Maddux, Mott, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

NOES—None.

RESOLUTION—(OUT OF ORDER).

By consent of the Senate the following resolutions were taken up at this time, out of the regular order:

BY COMMITTEE ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

Resolved, That the Controller be, and he is hereby, authorized and directed to draw his warrants on the Contingent Fund of the Senate in favor of the various firms or persons named below for the amounts set opposite their names as per itemized statements herein, and the State Treasurer is hereby directed to pay the same:

Underwood Typewriter Company—		
Rent of 27 typewriters, March and April, 2 months @ $3.00 each per month	$162 00	
Rent of 13 tables, 2 months @ 50c each per month	13 00	
		$175 00
W. F. Purnell—		
1 dictionary	$2 80	
1 6 x 4 index	3 00	
½ dozen indexed day books	2 40	
1 dozen band daters	1 00	
		9 20
H. S. Crocker Company—		
2 mucilage pots	$0 75	
150 vertical folders	1 13	
		1 88
Sacramento Glass and Crockery Company—		
1 wash basin		40
Schneider, Chappell & Jones—		
Setting 1 light, plate glass, room 104	$3 70	
Setting 1 light, plate glass, room 103	2 45	
Setting 1 light, wire inserted, room 102	2 45	
		8 60
Burgess & Olsen—		
Taking up and relaying canvas and sewing carpet, Senate Chamber		3 50
Cascade Towel Supply—		
Towels for January	$8 40	
Towels for February	1 00	
Towels for March	7 80	
Towels for April	8 80	
		26 00

Pacific Telephone and Telegraph Company—

Phone rental for March	[illegible]	
Phone rental for April	[illegible]	
		[illegible]

Sturgis & [illegible]—

Rubber stamps	[illegible]

BEHAN, Chairman.

Resolution read.

Senator Behan moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Behan, Benedict, Birdsall, Breed, B[illegible], Chandler, [illegible], King, [illegible] and [illegible]—2[illegible].

NOES—None.

Also:

[illegible]

SACRAMENTO, May [illegible], 1915.

Resolved, That the [illegible]

Payot, [illegible]

[illegible]	$10 [illegible]	
[illegible] dozen board files, @ $2 88	14 40	
[illegible]	[illegible]	
	$[illegible]	One-half [illegible]

[illegible] Stationery Company—

[illegible]	$1[illegible]	
[illegible]	[illegible]	
200 [illegible]	[illegible]	
	$[illegible]	One-half [illegible]

W. F. [illegible]—

[illegible]	[illegible]	
[illegible]	[illegible]	
4 [illegible]	[illegible]	
1 [illegible]	[illegible]	
1 [illegible]	[illegible]	
50 [illegible]	[illegible]	
100 [illegible]	[illegible]	
100 [illegible]	[illegible]	
100,000 Gem clips, @ 22½c M	22 50	
5 [illegible]	[illegible]	
	$[illegible]	One-half [illegible]

Pacific Coast [illegible] Company—

100 [illegible]	$[illegible]	One-half [illegible]

H. S. Crocker Company—

[illegible]	$[illegible]	
[illegible]	[illegible]	
1 [illegible]	[illegible]	
1 [illegible]	[illegible]	
1 [illegible]	[illegible]	
1 [illegible]	[illegible]	
8 [illegible]	[illegible]	
35 [illegible]	[illegible]	
[illegible]	[illegible]	
3 [illegible]	[illegible]	
4 [illegible]	[illegible]	
15 [illegible]	[illegible]	
10 [illegible]	[illegible]	
20 [illegible]	[illegible]	
	$401 7[illegible]	One-half 200 8[illegible]

American Cash Store—			
2 cases Domino matches, @ $2.50	$5 00	—One-half	$2 50
W. P. Fuller & Co.—			
2 dozen brushes, @ $1 15	$2 30	—One-half,	1 15
Zellerbach Paper Company—			
44,400 sanitary drinking cups, @ $4.25 M	$188 70	—One-half,	94 35
Blake, Moffitt & Towne—			
3,000 No. 2 RH fasteners, @ 60c	$1 80		
25,000 Fay clips, @ 10c	2 50		
10 cases toilet paper, @ $5.75	57 50		
	$61 80	—One-half,	30 90
A. Carlisle & Co.—			
40 boxes No. 4 bank pins, @ 20c	$8 00	—One-half,	4 00
Total			$469 99

BEBAN, Chairman.

Resolution read.

Senator Beban moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Beban, Benedict, Birdsall, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Irwin, Maddux, Mott, Purkitt, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—21.

NOES—None.

LEAVE OF ABSENCE.

Senator Ballard was, on motion of Senator Benedict, granted leave of absence for the balance of this legislative day.

CONSIDERATION OF ASSEMBLY BILL NUMBER NINE HUNDRED EIGHTY-NINE—(OUT OF ORDER).

Senator Breed asked for and was granted unanimous consent to take up for consideration at this time Assembly Bill No. 989, out of the regular order, for the purpose of amendment. Assembly Bill No. 989—An Act to create a state purchasing department, to define the authority, powers, and duties thereof; to provide for the appointment of and to define the authority, powers and duties and to fix the salaries and wages of the officers and employees thereof, to provide funds for the support and expenditures thereof, to provide for the manner of payment of obligations incurred thereby; to create a revolving fund therefor; to provide for the appointment of, to define the authority, powers, and duties of, and to fix the salaries of a State Purchasing Agent, an Assistant State Purchasing Agent, and a State Testing Engineer; and to repeal all Acts or parts of Acts in conflict with the provisions of this Act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Breed moved to refer to Senator Mott as a Special Committee of One to amend Assembly Bill No. 989 as follows:

AMENDMENT NUMBER ONE.

On page 2, line 8, of the printed bill, after the word "funds", insert "of the State University or funds".

Motion carried.

REPORT OF STANDING COMMITTEE ON [illegible]

SENATE CHAMBER, SACRAMENTO, May 4, [illegible]

MR. PRESIDENT: Your Senate Committee on [illegible], to which was referred [illegible] Bill No. [illegible] [illegible]

[illegible], Chairman

Report read and, on motion of Senator [illegible], adopted.

Bill ordered to print.

RECESS

At [illegible] o'clock and fifteen minutes p.m., on motion of Senator [illegible], the President pro tem. declared the Senate at recess until eight o'clock p.m.

RECONVENED

At eight o'clock p.m., the Senate reconvened.

Hon. [illegible] W. [illegible], President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. [illegible] at the desk.

SECOND READING OF BILLS—OUT OF ORDER

Senator [illegible] asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from committees on this legislative day.

Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, relating to qualifications and election of supervisors.

COMMITTEE AMENDMENTS

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page [illegible], lines [illegible], 7 and [illegible] [illegible]

Amendment adopted.

AMENDMENT NUMBER TWO

On page [illegible], line 13, [illegible]

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 634—An Act to amend an Act entitled "An Act creating a reclamation district to be called and known as 'Reclamation District No. 1500', providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts, lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500," approved April 30th, 1913, in effect August 10th, 1913, conferring powers and duties upon the trustees of said district and upon the Reclamation Board of this State, substituting the Reclamation Board for the board of supervisors of Sutter County, and declaring that the work herein described is public work for the public benefit.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of section 2 and insert in lieu thereof the following:

"Sec. 2. The management and control of said Reclamation District No. 1500 is hereby made subject to the provisions of article I of chapter I of title VIII of part III of the Political Code of the State of California relating to swamp and overflowed lands and reclamation districts, or any amendments or revisions thereof, except as otherwise provided in this Act, the management and control of said Reclamation District No. 1500 shall be vested in five trustees, who shall hold office until their successors are elected or appointed and qualified. F. W. K[illegible], Edward H. Gerber, Charles F. Silva, P. J. Hiatt and A. T. Spencer are hereby appointed trustees for the said reclamation district to act until their successors are elected or appointed and qualified. An election of five trustees shall be held in said district on the third Tuesday in October, [illegible], and on the third Tuesday in October every four years thereafter, and shall hold office until their successors are elected or appointed and qualified. In case of any vacancy in the office of trustee of said district, the Governor of this State shall appoint a qualified person as trustee who shall hold said office until the next election. All the trustees, whether appointed by the Governor of this State, or named herein, or elected as herein provided, shall hold office at the pleasure of the Governor of this State. The office and principal place of business of said district shall be in the city of Sacramento, and in such place as the board of trustees thereof may from time to time fix. The board of supervisors of the county of Sutter shall have jurisdiction of all matters concerning said district to the same extent as if the said district was formed under the provisions of the said Political Code of the State of California, except as otherwise provided in this Act. All funds of said district shall be deposited in the county treasury of said county of Sutter and shall be disbursed by the treasurer of said county in payment of the warrants of said district. Said district shall have power to make by-laws in conformity with the provisions of law, and shall have all the rights and powers which are now or may hereafter be conferred by the provisions of the Political Code, or by other laws of the State of California upon reclamation or swamp land districts, and shall also have the right and power of purchasing real and personal property and rights of way within the boundaries of said district, or outside thereof, as may be necessary or desirable to carry out the purposes of said district or to acquire the same by condemnation proceedings in the manner provided by law, and shall also have the right and power to join with other reclamation districts, levee districts or swamp land districts or other persons in the construction and maintenance of levees and reclamation works, and to contract for the same, and also to do all other acts and things that may be incident to or necessary to the reclamation of the lands of said district, as the board of trustees thereof may determine. All of the provisions of the Political Code of the State of California, unless inconsistent with the provisions of this Act, are made a part of this Act, and shall be deemed to be incorporated herein. The said reclamation district hereby created shall have the power, in addition to the power hereby conferred, to do all other acts or things that any reclamation district or swamp land district within the State of California has power to do under any existing law or any law hereafter enacted. The said district may at any time petition in writing by its board of trustees the Reclamation Board to change the line of location or construction of any levee in this Act, or in the Act of which this is amendatory, described, or any other levees, or to build any additional or supplemental levee or levees, and the Reclamation Board may, by its order, allow such petition in whole or in part, and allow such change or the building of any additional or supplemental levee."

Amendment adopted.

AMENDMENT NUMBER TWO

On page 8, line 26, strike out the figure "2" and insert in lieu thereof the figure "3".

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 367—An Act relating to bonds of county waterworks districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of county waterworks districts as security for the performance of any act may be authorized.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1269—An Act to amend an Act entitled "An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," by amending section 1 of said Act.

COMMITTEE AMENDMENT

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE

Amend the title by inserting in line 11, after the comma and quotation marks following the word "authorized" the following: "approved June 13, 1913,".

Amendment adopted.

Bill read second time, ordered to print, engrossment and third reading.

Senate Bill No. 21—An Act to amend an Act entitled "An Act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year, making certain acts a felony, and repealing an Act entitled 'An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation,' approved February 9, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an

Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1895, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a Debris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled, 'An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof,'' approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending sections 6a and 17 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 147—An Act to amend an Act entitled ''An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement or any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erection and building,' approved March 28, 1876, approved March 22, 1909,'' by adding a new section to be known as section 4.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 828—An Act making an appropriation to pay the claim of James C. Owens against the State of California, under the provisions of section 1 of article XXIII of the Constitution of the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, amend the title by striking out the following "the claim of James C. Owens against the State of California," and insert in lieu thereof the following: "claims against the State of California arising".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, section 1, lines 3, 4 and 5, strike out the following: "six thousand seven hundred thirty and ten one-hundredths dollars to pay the claim of James C. Owens against the State of California," and insert in lieu thereof the following: "seven thousand dollars to pay claims against the State of California arising".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, strike out all of section 2 of said bill.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 186—An Act to amend section 751½ of the Political Code, relating to appointment and salary of stenographer of the Clerk of the Supreme Court.

AMENDMENT FROM THE FLOOR.

During second reading of the bill the following amendment was offered and its adoption moved by Senator [illegible].

AMENDMENT [illegible].

In line 1, before the word "Section" insert the words "Section 1."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 547—An Act making an appropriation to pay the claim of W. H. Taylor against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 923—An Act appropriating money to pay the claim of Dr. W. D. [illegible] against the State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 718—An Act to amend section 157 of the Political Code, relating to the salary of superior judges.

Bill read second time, ordered engrossed, and on file for third reading.

Assembly Bill No. 718—An Act to prevent blindness from ophthalmia neonatorum, to vest certain powers and duties in the State Board of Health and health officers; to impose certain duties upon physicians, midwives, nurses, and other persons; and to provide for the enforcement of this Act, and the repeal of chapter XIV, Statutes of [illegible], entitled "An Act to regulate medical practice to prevent blindness in infants," and other Acts in conflict herewith.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 1495—An Act to create a levee district to be called and designated Sacramento River West Side Levee District, to prevent the overflow of flood waters from the Sacramento River from flooding onto the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same, providing for the election and appointment of officers of said levee district, defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1151—An Act to create a Reclamation District to be called "Reclamation District No. 1600," and providing for the control and management thereof.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 994—An Act to amend section 4243 of the Political Code relating to the compensation of officers of counties of the fourteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 844—An Act to amend section 4241 of the Political Code of the State of California, relating to the salaries and compensations of officers of counties of the twelfth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1145—An Act to amend section 777 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto, relating to contracts for public works in cities of the fifth class.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 1, page 1, of the printed bill insert the word "an" between the words "of act" and strike out the figures "2348".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 437—An Act to appropriate money for the construction of fences on the property of the California School for Girls located near Ventura.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, strike out the words "two thousand five hundred" and insert in lieu thereof the words "five thousand".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 417—An Act to appropriate money for repairs and improvements at the state prison at Folsom.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 418—An Act to appropriate money for the expense of changing from coal to oil burners at the state prison at Folsom.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 419—An Act to appropriate money for the purchase of live stock for the state prison at Folsom.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 601—An Act to create a revolving fund for the manufacturing departments at the state prison at San Quentin and to appropriate money therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 597—An Act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 344—An Act providing for the location and construction of a state highway in Imperial County, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 676—An Act providing for the location and construction of a state highway in Imperial County, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 122—An Act providing that one-half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Scannell" and "Dennis Sullivan" shall be borne and paid by the State of California, out of the general fund.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 150—An Act appropriating money to pay the claim of W. H. Carlin against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 204—An Act making an appropriation of money to pay the claim of E. T. Meakin against the State of California for injuries received while in the service of the State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 213—An Act appropriating money for the construction of a machinery building at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 320—An Act appropriating the sum of forty thousand dollars for the support and maintenance of university extension work by the University of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 322—An Act to appropriate money for wiring for electricity at the Stockton State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 415—An Act to appropriate money for furnishing and decorating the warden's residence at the state prison at Folsom.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 422—An Act to appropriate money for repairs, improvements and equipment at the Whittier State School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 435—An Act to appropriate money for the construction and furnishing of two typical cottages and one receiving building at the California School for Girls located near Ventura.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 465—An Act to appropriate money for the purchase of live stock at the state prison at San Quentin.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 466—An Act to appropriate money for repairs and improvements at the state prison at San Quentin.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 478—An Act to appropriate money for the construction and furnishing of a cottage for women patients at the Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 479—An Act to appropriate money for the construction and furnishing of a cottage for men patients at the Napa State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 594—An Act to appropriate money for the payment of compensation benefits accruing by reason of personal injury resulting from accident to State officers and employees while performing services accruing out of and incidental to their employment.

Bill read second time, and ordered on file for third reading.

Assembly Bill No 614—An Act appropriating money for the purpose of insuring the State printing plant.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 709—An Act to appropriate money to meet the expenses of compiling, printing and distributing constitutional amendments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1156—An Act to appropriate money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying and improving the channels of the Sacramento, San Joaquin and Feather rivers and such other waters of the State as the Department of Engineering may determine; improving the navigability of such waters and acquiring land for necessary rights of way therefor; making surveys, investigations and report upon the feasibility of canalizing the rivers of the State and constructing canals for navigation, and making surveys, investigations and plans for flood control.

Bill read second time, and ordered on file for third reading.

Assembly Bill No 318—An Act to provide for the creation of the "State Commission Market" and the organization thereof, to carry on the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California and selling and disposing of such products on commission, creating the "State Commission Market Fund" and appropriating money therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No 540—An Act to amend an Act entitled "An Act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof," approved May 29, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1504—An Act providing for the calling by the Governor of a conference on irrigation, reclamation, water storage, flood control, and drainage, and making an appropriation to pay the expenses thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1364—An Act to appropriate money to pay the claim of Thomas Bair against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No 693—An Act to appropriate money for the purchase of machinery and equipment for the state printing plant.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 596—An Act appropriating the sum of eighteen thousand dollars to defray the expenses, during the sixty-seventh and sixty-eighth fiscal years, of organizing, controlling, equipping, instructing and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor," approved April 5, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 268—An Act appropriating the sum of four thousand dollars for the construction of buildings on the lands of the Agricultural Experiment Station of the University of California in the county of Imperial.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 46—An Act appropriating money to pay the claim of John Alfred Matson against the State of California.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 80—An Act to establish the Yolo and Lake Highway; to define its course, to provide for its location and survey, and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 81—An Act concerning the control, maintenance and support of indigent, dependent and poor persons, orphans and half-orphans, and for the education of such persons and other worthy persons under twenty-one years of age; fixing the responsibility of parents and relatives, stepfathers and fathers of illegitimate persons therefor; authorizing and empowering the maintenance of funds therefor in the county and state treasuries, to be derived from private benefactions to be known as a "Children's Relief Fund" and as a "Scholarship Fund"; making appropriations for a commission to secure private benefactions therefor; authorizing gifts, legacies, and devises therefor without limitation, in trust or otherwise, and defining the powers and duties of the Superior Court and board of supervisors in relation to such persons and such funds.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 270—An Act to amend section 7 of an Act entitled "An Act to create a State Board of Charities and Corrections, prescribing its duties and powers and appropriating money therefor," approved March 25, 1903, and amended by Act approved May 1, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 284—An Act to appropriate money for the replacement of the main pipe line and connections thereto at the Mendocino State Hospital.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 411—An Act to appropriate money for the construction of farm buildings at the state prison at Folsom.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 412—An Act to appropriate money for the purchase and installation of refrigerating plant at the state prison at Folsom.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 413—An Act to appropriate money for the expense of purchasing and installing new bake oven at the state prison at Folsom.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 416—An Act to appropriate money for reconstruction of electrical equipment connected with the power house at the state prison at Folsom.

Bill read second time, and ordered on file for third reading.

SECRETARY EDWIN F. SMITH AT THE DESK.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 109—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 110—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 111—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 112—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 583—An Act to amend section 863 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all Acts amendatory thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 582—An Act to amend section 765 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read second time, and ordered on file for third reading.

THIRD READING OF ASSEMBLY BILLS—(OUT OF ORDER).

On motion of Senator Strobridge, the Senate took up at this time the third reading of Assembly bills out of the regular order.

Assembly Bill No. 1264—An Act regarding the purchase of supplies and advertising by counties, defining the duties and powers of officers, relating thereto, and establishing a legal square and a legal rate.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1264 passed by the following vote:

Ayes—Senators Anderson, Butler, Carr, Chandler, Cohn, Duncan, Finn, Flaherty, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, and Thompson—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1565 (Substitute for Assembly Bill No. 1368)—An Act to provide for the formation, government, operation and dissolution of mosquito abatement districts in any part of the State, to facilitate the extermination of mosquitoes, flies and other insects; and to provide for the assessments, levy, collection and disbursement of taxes therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Anderson, Butler, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, [illegible], Kehoe, King, [illegible], Maddux, [illegible], Rush, [illegible], and [illegible]—[illegible]

Noes—[illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act appropriating money to pay the claim of [illegible] against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act appropriating money for repairs and improvement to buildings and equipment at the California Polytechnic School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators [illegible]—[illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act to provide for improvements, repairs and furnishings for the buildings and grounds of the Woman's Relief Corps Home located at Evergreen, Santa Clara County, and to appropriate money therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 161 passed by the following vote:

Ayes—Senators [illegible], Stuckenbruck, and Th[illegible]—[illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 162—An Act to provide for nurses and medical attendants for the inmates of the Woman's Relief Corps Home, located at Evergreen, Santa Clara County, and to appropriate money therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 162 passed by the following vote:

AYES—Senators Anderson Butler, Carr, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, King, Luce, Lyon, Mott, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

SENATOR SCOTT IN THE CHAIR.

At nine o'clock and ten minutes p.m., Senator Scott of the Twentieth District, in the chair.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 173—An Act to appropriate money for repairs and alterations to main buildings Santa Barbara State Normal School of Manual Arts and Home Economics.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 173 passed by the following vote:

AYES—Senators Anderson, Butler, Carr, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 174—An Act to appropriate money to pay the expense of improving the grounds of the Santa Barbara State Normal School of Manual Arts and Home Economics, including grading, installation of sewer, gas, and water mains and conduits.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 174 passed by the following vote:

AYES—Senators Anderson, Butler, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 188—An Act to appropriate money for water and steam piping and plumbing repairs at the Sonoma State Home.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 188 passed by the following vote:

AYES—Senators Anderson, Butler, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—22.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—[illegible]

By consent of the Senate, the following reports of standing committee were received and read out of the regular order.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May [illegible], 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1410—An Act to amend sections [illegible] of the Civil Code, [illegible] has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Banking.

KEHOE, Chairman.

Assembly Bill No. 1410 ordered re-referred to Committee on Banking.

Also:

SACRAMENTO, May [illegible], 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. [illegible]—An Act [illegible]

Also: Assembly Bill No. [illegible]—An Act [illegible]

Also: Assembly Bill No. [illegible]—An Act [illegible]

Also: Assembly Bill No. [illegible]—An Act [illegible]

Also: Assembly Bill No. 277—An Act to amend section [illegible] of the Code of Civil Procedure of the State of California, [illegible]

Also: Assembly Bill No. 607—An Act to amend section [illegible] of the Code of Civil Procedure, [illegible]

Also: Assembly Bill No. 771—An Act to amend section 1333 of the Penal Code, [illegible]

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 722, 799, 334, 486, 277, 607 and 771 ordered on file for second reading.

Also:

SACRAMENTO, May [illegible], 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 21—An Act [illegible]

KEHOE, Chairman.

Assembly Bill No. 21 ordered on file for second reading.

Also:

SACRAMENTO, May [illegible], 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 265—An Act [illegible]

KEHOE, Chairman.

Assembly Bill No. 265 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 211—An Act appropriating money to pay claim of Bryant & May, Limited, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 211 passed by the following vote:

AYES—Senators Anderson, Butler, Carr, Chandler, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 244—An Act to appropriate money for the construction of farm buildings at the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 244 passed by the following vote:

AYES—Senators Anderson, Butler, Carr, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Strobridge, and Thompson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 249—An Act to appropriate money for repairs and improvements and erection of small buildings at the Preston School of Industry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 249 passed by the following vote:

AYES—Senators Anderson, Butler, Carr, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 281—An Act to appropriate money for plumbing repairs at the Mendocino State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 281 passed by the following vote:

AYES—Senators Anderson, Butler, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At nine o'clock and thirty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—CONTINUED.

Assembly Bill No. 312—An Act to appropriate money for the development of water, including the installation of pumping station and mains at the Southern California State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 312 passed by the following vote:

Ayes—Senators Anderson, [illegible] Carr, Chandler, Crowley, [illegible] Flaherty, Flint, [illegible] Mott, Purkitt, Rush, [illegible] Strobridge, Sturtevant, and Thompson—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act to appropriate money for the construction and furnishing of a cottage for males at the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Anderson, [illegible] Carr, Chandler, [illegible] Flint, [illegible] Mott, Purkitt, Rush, [illegible] Strobridge, Sturtevant, and Thompson—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON [illegible] AND [illegible].

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on [illegible] and [illegible] Senate Bill No. [illegible]—An Act [illegible] of the Southern California [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible] of the Act of the Congress of the United States [illegible] United States Department of [illegible] University of California [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible] of the State of California [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible] Sacramento, California.

Also, Senate Bill No. [illegible]—An Act [illegible] counties of Trinity, Shasta and Humboldt with the road system of [illegible] County.

Also Senate Bill No. 1013—An Act transferring money from the disputed title to lands on San Diego Bay fund to the general fund of the State of California;

And reports that the same have been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1023—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, by amending section 752 thereof relating to the election and term of office of officers of cities of the fifth class; and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to section 7½ of article XI of the Constitution of the State of California, relating to charters of counties and amendments to such charters and to the surrender thereof—and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 382—An Act appropriating money to pay the claim of Frank D. Scott against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 382 passed by the following vote:

AYES—Senators Butler, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Irwin, Jones, Kehoe, King, Lyon, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 436—An Act to appropriate money for the construction of garage and tool house at the California School for Girls, located near Ventura.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 436 passed by the following vote:

AYES—Senators Butler, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 438—An Act to appropriate money for the improvement of grounds and purchase of necessary equipment therefor at the California School for Girls near Ventura.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 438 passed by the following vote:

AYES—Senators Anderson, Butler, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—23.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

SENATOR STUCKENBRUCK IN THE CHAIR.

At nine o'clock and thirty-five minutes p.m., Senator Stuckenbruck, of the Tenth District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 471—An Act to appropriate money to pay the deficiency in the appropriation for printing and distributing constitutional amendments for the sixty-fifth and sixty-sixth fiscal years.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 471 passed by the following vote:

AYES—Senators Anderson, Brown, Butler, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Irwin, Kehoe, Lyon, Mott, Purkitt, Rush, Scott, Shanahan, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—23.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 475—An Act appropriating money to pay the claim of Charles W. Williams against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 475 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Brown, Butler, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Irwin, Kehoe, Lyon, Mott, Purkitt, Rush, Scott, Shanahan, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—25.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 480—An Act to appropriate money for the construction and equipment of a building or buildings as a home for workingmen on what is known as the Smith-Brown Ranch, belonging to the Napa State Hospital.
Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 480 passed by the following vote:

AYES—Senators Anderson, Brown, Butler, Chandler, Cogswell, Crowley, Flaherty, Flint, Irwin, Kehoe, Lyon, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—22.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 482—An Act to appropriate money for remodeling South Pay Cottage at the Napa State Hospital.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 482 passed by the following vote:

AYES—Senators Anderson, Benson, Brown, Butler, Chandler, Cogswell, Crowley, Duncan, Flaherty, Flint, Irwin, Kehoe, Lyon, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—23.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 514—An Act appropriating money to pay the claim of the Lake Tahoe Railway and Transportation Company against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 514 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Brown, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Irwin, Kehoe, Lyon, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Strobridge, Stuckenbruck, and Wolfe—26.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 556—An Act to appropriate money to pay the claim of the Westinghouse Electric and Manufacturing Company upon a judgment rendered against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 556 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—26.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 565—An Act to appropriate money to meet part of the expenses in maintaining the navigability of the San Rafael deep water channel.
Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 565 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Brown, Butler, Chandler, Carr, Crowley, Duncan, Finn, Flaherty, Gates, Irwin, Jones, Kehoe, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell and Wolfe—[illegible].
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 577—An Act to appropriate money to pay the claim of the Clark & Henery Construction Company against the State of California for street work fronting the State Armory in the city of Sacramento.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 577 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Boynton, Brown, Butler, Chandler, Campbell, Carr, Crowley, Duncan, Finn, Flaherty, Gates, Irwin, Jones, Kehoe, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Tyrrell and Wolfe—27.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 578—An Act to appropriate money to pay the claim of C. S. Baldwin against the State of California for cost in foreclosing swamp lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 578 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Boynton, Brown, Butler, Chandler, Campbell, Crowley, Duncan, Finn, Flaherty, Gates, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell and Wolfe—28.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 598—An Act to appropriate money to pay the claim of Los Angeles County against the State of California for the support of orphans, half-orphans and abandoned children in the sixty-second fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 598 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Boynton, Brown, Butler, Chandler, Crowley, Duncan, Finn, Flaherty, Gates, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell and Wolfe—27.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 599—An Act to appropriate money to continue in effect "An Act to authorize the State Board of Prison Directors to provide for assisting paroled and discharged prisoners and to secure employment for the same and making an appropriation for that purpose," approved June 14, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 599 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Brown, Butler, Chandler, Crowley, Duncan, Flaherty, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 711—An Act to appropriate money to pay the claim of Mrs. S. L. Bee against the State of California for interest on Indian war bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 711 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Butler, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 712—An Act to appropriate money to pay the claim of Fred H. Figel against the State of California.

On motion of Senator Strobridge, Assembly Bill No. 712 was ordered to the file of Unfinished Business.

Assembly Bill No. 713—An Act to appropriate money to pay the funeral expenses of the late Controller Alfred B. Nye.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 713 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Brown, Butler, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Resh, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Wolfe—27.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 725—An Act appropriating money to pay the claim of the San Joaquin Light and Power Corporation against the State of California.

Bill read third time.

The question being on the 'passage of the bill.

The roll was called, and Assembly Bill No. 725 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Butler, Chandler, Cogswell, Crowley, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 828—An Act to appropriate money to construct and furnish two cottages for physicians at the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 828 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, [illegible], Butler, Chandler, Cogswell, Crowley, Finn, Flaherty, [illegible], Hans, Irwin, Jones, Kehoe, King, [illegible], Mott, Purkitt, Rush, Scott, Shanahan, Sharkey, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR

At ten o'clock p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—RESUMED

Assembly Bill No. 829—An Act to appropriate money to pay the claim of Benjamin Walters against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 829 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Butler, Cogswell, Crowley, Duncan, Finn, Flaherty, [illegible], Hans, Irwin, Jones, Kehoe, King, Lyon, [illegible], Mott, Purkitt, Rush, Scott, Shanahan, Sharkey, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1041—An Act to appropriate money for power house repairs and equipment at the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1041 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Boynton, Brown, Butler, Chandler, Cogswell, Duncan, Finn, Flaherty, [illegible], Hans, Irwin, Kehoe, King, Lyon, [illegible], Mott, Purkitt, Rush, Scott, Shanahan, Sharkey, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE GOVERNOR—OUT OF ORDER

On motion of Senator Wolfe the following message from the Governor was taken up and read out of the regular order:

To the Senate of the State of California:

In accordance with section 16 of article IV of the constitution, I return, herewith, without my approval, Senate Bills [illegible] and [illegible].

The two bills are alike but amend different sections of two separate laws. They provide substantially that no city, town or municipal corporation shall incur indebtedness for public improvements which shall in the aggregate exceed twenty-five per cent of the assessed value of the taxable property, and shall any city, town or municipal corporation incur for public improvements, other than for the purchase or original construction of public works for supplying its inhabitants with water, an indebtedness which shall, in the aggregate, exceed fifteen per cent of the assessed value of the taxable property.

The law, as it has existed for many years, authorizes an indebtedness for public works and improvements aggregating fifteen per cent of the taxable property, and the amendment increases this percentage to twenty-five per cent, when the increase may be required in the purchase or construction of public works for supplying the inhabitants with water.

No measure pending before the present Legislature has evoked such a storm of telegraphic protest as these two bills. The brokers of the State, those engaged in dealing in securities and generally those connected with finance, including banks, are unanimous in opposition. The savings banks of San Francisco, those of Los Angeles, and many of the interior, vehemently assert that the bills, if they become laws, will depreciate the securities of our State and particularly outstanding bonds of our cities, and those which may be hereafter issued.

Briefly stated, the argument in objection is that for many years the law of our State has fixed as the maximum percentage of indebtedness that may be incurred fifteen per cent. of the taxable property; that upon the faith of this law, bonds of municipalities have been issued and sold; that bonds that might be issued hereafter, in excess of this fifteen per cent., would be on a parity with those heretofore issued and a twenty-five per cent. indebtedness, even though the increase from fifteen were for the construction of water works, would be an excessive indebtedness to be permitted to municipalities. In this connection the laws of various states are cited and the maximum indebtedness permitted to be incurred by cities is claimed to be much less than that which has been permitted in California under the present law.

It is asserted too, that the increase permitted by the proposed laws would lead to greater prodigality in the issuance of bonds by municipalities and that already the municipalities of our State have been sufficiently prodigal in this direction. In corroboration of the views of these objectors, telegrams have been sent me from the various bond houses and banks in New York and Chicago dealing in securities, and I think I am well within the fact, when I say that the protests from California and the east embrace nearly all brokers and banks interested in California bonds. Among others protesting are very many individuals who are interested neither as brokers nor bankers; but who view with the utmost concern any increase in municipal indebtedness.

With many of the arguments presented I have little sympathy. When brokers put upon the market the securities of public utilities that are of doubtful value, when these same brokers and others interested in public utilities demand the right to bond public service corporations for practically the entire value of the property of their corporations, their protests against our cities bonding themselves for twenty-five per cent. of the assessed value of taxable property carry little weight. It is a matter of record in this State, that many of our public service corporations have asked the right to issue securities equaling in amount seventy-five per cent. and upwards, of the value of their corporate property. A city, with its public improvements, offers as security not only the public improvement, but all of the other property of the city; and to assert that bonding a city to twenty-five per cent. of its taxable property, when included is the very utility for which the bonds are issued, is excessive, and that bonding a private corporation for seventy-five per cent., and more, of the value of its one property is safe and legitimate, presents a paradoxical view only susceptible of explanation by those familiar with high finance.

Again, we are rapidly approaching the state of public ownership in our cities, and that this consummation may ultimately be reached, we finally will be required to raise the percentage of indebtedness that cities may incur. This, of course, will not be done by the Legislature, in those cities like San Francisco and Los Angeles, where provisions of charters control; but in many of the other cities of our State operating under our general law, we must finally, if those cities desire to acquire their public utilities, increase the percentage of the indebtedness permitted them. Considerations like those that I have just briefly indicated, impel me to sign these bills; but I can not be unmindful of the fact that, at present, we are in a time of stress and depression, and I would not wish by any act of ours now to lessen in any degree or depreciate at all, the bonds that have been or may be issued by the cities of our State.

In not approving these bills, I am but postponing the struggle which must ultimately be had upon this question. I postpone it not because I believe the arguments against the increase in percentage of indebtedness of municipalities to be wholly sound, but because, at this particular time, the necessity for action may not exist, and because of the delicate financial condition in which securities the world over are today. If any particular city wishes to increase the percentage of indebtedness which it may incur, the result may be accomplished by amendment of its charter, and thus postponement until the next session of the Legislature can work no harm to any expending municipality; while action now may, although I do not believe it would, seriously affect many of our cities.

For the reasons, therefore, that I have given, I veto the two bills.

HIRAM W. JOHNSON, Governor.

Dated: Sacramento, May 4, 1915.

The question being: "Shall Senate Bill No. 1057 become a law notwithstanding the Governor's objections?"

The roll was called, and the Governor's objections sustained by the following vote:

Ayes—None.

Noes—Senators Anderson, Ballard, Benedict, Boynton, Breed, Butler, Chandler, [illegible], Flaherty, Finn, Hans, Irwin, Jones, Kehoe, King, Lyon, [illegible], Mott, Purkitt, Rush, Scott, [illegible], Strobridge, Stuckenbruck, Thompson, Tyrrell and [illegible].

The question being: "Shall Senate Bill No. 1058 become a law notwithstanding the Governor's objections?"

The roll was called and the Governor's objections sustained by the following vote:

Ayes—None.

Noes—Senators Anderson, Ballard, Benedict, Boynton, Breed, Butler, Chandler, [illegible], Flaherty, Finn, Hans, Irwin, Jones, Kehoe, King, Lyon, [illegible], Mott, Purkitt, Rush, Scott, [illegible], Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—[illegible].

SECRETARY EDWIN F. SMITH AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1059—An Act to appropriate money to pay the claim of Ralph S. Roberts against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1059 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Boynton, Breed, Butler, Chandler, Cogswell, [illegible], Duncan, Finn, Flaherty, Hans, Irwin, Jones, Kehoe, King, Lyon, [illegible], Mott, Purkitt, Rush, Scott, [illegible], [illegible], Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1061—An Act to appropriate money to pay the claim of the Pacific Telephone and Telegraph Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1061 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Boynton, Breed, Butler, Carr, Chandler, Cogswell, Duncan, Flaherty, Finn, Hans, Irwin, Kehoe, King, Lyon, [illegible], Mott, Purkitt, Rush, Scott, Shearer, [illegible], Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR SHEARER IN THE CHAIR.

At one o'clock and twenty minutes p.m. Senator Shearer of the Second District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1062—An Act to appropriate money to pay the claim of the Great Western Power Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1062 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Carr, Chandler, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Lee, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1063—An Act to appropriate money to pay the claim of the Union Home Telephone and Telegraph Corporation against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1063 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Carr, Chandler, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Lee, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1064—An Act to appropriate money to pay the claim of the Economic Gas Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1064 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Carr, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Lee, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1065—An Act to appropriate money to pay the claim of the Coast Counties Gas and Electric Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1065 passed by the following vote:

AYES—Senators Ballard, Benedict, Benson, Breed, Butler, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Lee, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1066—An Act to appropriate money to pay the claim of the San Diego Home Telephone Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1066 passed by the following vote:

Ayes—Senators [illegible]—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1067—An Act to appropriate money to pay the claim of the San Francisco-Oakland Terminal Railways against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1067 passed by the following vote:

Ayes—Senators [illegible] and Wolfe—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Wolfe asked for and was granted leave of absence for the balance of this legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED).

Assembly Bill No. 1072—An Act to appropriate money to pay the claim of the Frank Lyman Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1072 passed by the following vote:

Ayes—Senators [illegible] and Wolfe—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1101—An Act to reimburse Russell T. Joy for money paid by him to the State of California in the purchase of certain certificates of indemnity or scrip, on account of his becoming subsequently disqualified to purchase State lands by reason of removal from the State of California, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1101 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Butler, Carr, Chandler, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—27.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 1102—An Act appropriating money to pay the claim of Saint Francis Hospital, a corporation, against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1102 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Butler, Carr, Chandler, Crowley, Duncan, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—28.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1104—An Act appropriating money to pay the claim of the Southern Pacific Company, a corporation, against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1104 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Butler, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—27.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Duncan asked for and was granted leave of absence for the balance of this legislative day.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1148—An Act appropriating money to supplement and be added to the cash revolving fund provided for the use of the State Engineer by chapter 108 of the Statutes of 1913, approved May 8, 1913.
Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1148 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Boyd, Butler, Crowley, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—24.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 1110—An Act for the relief of M. B. Bell.
On motion of Senator Thompson, Assembly Bill No. 1110 was passed on file.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At ten o'clock and thirty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1215—An Act making an appropriation to pay the claim of Mrs. May Armintie McCrea against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1215 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Boyd, Butler, Crowley, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—24.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 1340—An Act to appropriate money to pay the claim of the Long Beach Consolidated Gas Company against the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1340 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Boyd, Butler, Crowley, Flaherty, Hans, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—23.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

SENATOR PURKITT IN THE CHAIR.

At ten o'clock and thirty-five minutes p.m., Senator Purkitt, of the Fourth District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1341—An Act to appropriate money to pay the claim of the Southern California Edison Company against the State of California.
Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1341 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Butler, Crowley, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1343—An Act to appropriate money to pay the claim of the Santa Barbara Gas and Electric Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1343 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Butler, Crowley, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1528—An Act making an appropriation to pay the claim of Charles A. Tuttle against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1528 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Butler, Crowley, Flaherty, Flint, Hans, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1585—An Act to authorize the payment of the claim of Addie Zschockelt against the State of California, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1585 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Crowley, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1592—An Act making an appropriation to pay the claim of Mater Misericordiae Hospital, a corporation, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1592 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Brown, Butler, Chandler, Flaherty, Finn, Hans, Irwin, Jones, Kehoe, King, Lyon, Mullally, Purkitt, Rush, Scott, Shearer, Slater, Sturtevant, Thompson, and Tyrrell—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 570—An Act to appropriate money to pay the claim of the Matson Navigation Company upon a judgment rendered against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 570 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Brown, Butler, Chandler, Flaherty, Finn, Hans, Irwin, Jones, Kehoe, King, Lyon, Mullally, Mott, Purkitt, Rush, Scott, Shearer, Slater, Sturtevant, Thompson, and Tyrrell—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1892—An Act making appropriations for the support of the government of the State of California for the sixty-seventh and sixty-eighth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1892 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Butler, Chandler, Flaherty, Finn, Irwin, Kehoe, King, Lyon, Mullally, Mott, Purkitt, Rush, Scott, Shearer, Slater, Sturtevant, Thompson, and Tyrrell—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY [illegible] IN THE CHAIR.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 254—An Act to amend section 498 of the Penal Code of the State of California, relating to the stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 254 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Brown, Butler, Carr, Chandler, Crowley, Finn, Flaherty, Hans, Jones, Kehoe, King, Lyon, Mullally, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Sturtevant, Thompson, and Tyrrell—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 927—An Act to amend an act entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to properly man their trains," etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 927 passed by the following vote:

AYES—Senators Anderson, Benson, Brown, Butler, Carr, Chandler, Crowley, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Strobridge, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 741—An Act to amend section 10 of an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1899, as amended February 27, 1893.

Bill read third time.

By order of the Acting President, Assembly Bill No. 741 was passed on file.

Assembly Bill No. 1523—An Act providing for the improvement, development or protection of any harbor, bay, inlet, or other arm of the sea, existing within any county of this State, providing for the appointment of a harbor commission by the board of supervisors of any such county, etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1523 passed by the following vote:

AYES—Senators Anderson, Benson, Breed, Brown, Butler, Carr, Chandler, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 497—An Act to amend section 274 of the Penal Code of the State of California, relating to administering drugs, etc., with intent to produce miscarriage.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 497 passed by the following vote:

AYES—Senators Anderson, Benson, Breed, Brown, Butler, Carr, Crowley, Finn, Flint, Irwin, Jones, Kehoe, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—22.

NOES—Senator Chandler—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1031—An Act to amend section one of an Act entitled "An Act prohibiting the destruction of foodstuffs, food products or food articles," approved June 5, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1031 passed by the following vote:

Ayes—Senators Anderson, Benson, Breed, Brown, Butler, Chandler, Crowley, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 496—An Act prohibiting the advertisement or publication of any advertisement that any person will cure or treat or attempt to cure or treat any venereal disease or diseases of the sexual organs, or the advertisement of any medicine, medical preparation, remedy or prescription for such diseases or ailments and providing a penalty therefor.

By order of the Acting President, Assembly Bill No. 496 was passed on file.

Assembly Bill No. 846—An Act to amend an Act entitled "An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," etc.

Bill read third time.

By order of the Acting President, Assembly Bill No. 846 was passed on file.

Assembly Bill No. 602—An Act to appropriate money to meet additional expenses for the support of orphans, half-orphans and abandoned children for the sixty-fifth and sixty-sixth fiscal years.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 602 passed by the following vote:

Ayes—Senators Anderson, Benson, Breed, Brown, Butler, Carr, Chandler, Crowley, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 649—An Act to appropriate money to pay the claim of the Des Moines Bridge and Iron Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 649 passed by the following vote:

Ayes—Senators Anderson, Benson, Breed, Brown, Butler, Carr, Chandler, Crowley, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR HANS IN THE CHAIR.

At eleven o'clock and thirty minutes p.m., Senator Hans, of the Fourteenth District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 710—An Act to amend section 475 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, providing for the appointment by the Attorney General of clerks, phonographic reporter, service agent and stenographers, and fixing their salaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 710 passed by the following vote:

Ayes—Senators Anderson, Benson, Breed, Brown, Butler, Carr, Chandler, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 722—An Act to provide for the establishment of passenger service upon the State railroad located on the Embarcadero, in the city and county of San Francisco.

By order of the Acting President, Assembly Bill No. 722 was passed on file.

Assembly Bill No. 571—An Act to provide for the appropriation of certain submerged lands lying along the water front of the city and county of San Francisco for aquatic sports.

By order of the Acting President, Assembly Bill No. 571 was passed on file.

Assembly Bill No. 1571—An Act to add a new section to the Political Code, to be numbered 4041*b*, authorizing boards of supervisors to appoint an advisory board to co-operate with the county assessor in appraising taxable property in the county.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1571 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Carr, Chandler, Crowley, Finn, Flaherty, Hans, Irwin, Jones, Kehoe, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—25.

Noes—Senator Stuckenbruck—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 368—An Act to appropriate money for the purchase of live stock at the state prison at San Quentin.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 268 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Boyd, Breed, Brown, Butler, Chandler, Crowley, Finn, Flaherty, Gates, Hans, Irwin, Jones, Kehoe, Maddux, Purkitt, Rush, Scott, Shanahan, Slater, Strobridge, and Stuckenbruck—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 363—An Act to appropriate money for repairs and improvements at the state prison at San Quentin.

On motion of Senator Strobridge, Senate Bill No. 363 was ordered to the file of Unfinished Business.

Senate Bill No. 247—An Act to appropriate money for the construction of a cottage for women patients at the Napa State Hospital.

On motion of Senator Strobridge, Senate Bill No. 247 was ordered to the file of Unfinished Business.

Senate Bill No. 246—An Act to appropriate money for the construction of a cottage for men patients at the Napa State Hospital.

On motion of Senator Strobridge, Senate Bill No. 246 was ordered to the file of Unfinished Business.

Senate Bill No. 144—An Act to provide for the survey and construction of a State highway through the Pacheco Pass connecting the State Highway in Santa Clara County at Gilroy with the State Highway in Madera County, and making an appropriation therefor.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benson moved to refer to Senator Jones, as a Special Committee of One, to amend Senate Bill No. 144 as follows:

AMENDMENT NUMBER ONE.

In section 1, on page 1, of the printed bill, line 8, strike out the words "at or near Gilroy," and insert in lieu thereof the following words: "via the State Highway in Madera County."

AMENDMENT NUMBER TWO.

On page 1, section 2, line 10 of the printed bill, strike out the (s) after the word "Trustees."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 144, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read and, on motion of Senator Benson, adopted.

Bill ordered to print, and re-engrossment.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 426—An Act to appropriate money to pay the cost of printing, publishing and distributing State textbooks free to the school children of the State in accordance with the provisions of the constitution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 426 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Carr, Chandler, Crowley, Finn, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 297—An Act providing for the construction and repairing of live stock barns and sheds on the State Fair Grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 297 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Breed, Brown, Butler, Carr, Chandler, Crowley, Flaherty, Flint, Hans, Irwin, Jones, Kehoe, Maddux, Mott, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 35—An Act making an appropriation to make general plans for the improvement of the State Fair Grounds at Agricultural Park in the city of Sacramento and to make drawings, specifications and estimates therefor under the direction of the State Department of Engineering.

On motion of Senator Strobridge, Senate Bill No. 35 was ordered on the file of Unfinished Business.

Senate Bill No. 1263—An Act defining and regulating the sale of cotton duck or canvas and articles composed in whole or in part of cotton duck or canvas; requiring the same to be properly marked as to weight, size and use of fillers or other preparations; and prescribing penalties for violation hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1263 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Carr, Chandler, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, Maddux, Mott, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 729 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Boynton, Breed, Butler, Carr, Chandler, Crowley, Finn, Flaherty, [illegible], Hans, Jones, Kehoe, Mullally, Mott, Purkitt, Rigdon, Scott, [illegible], Strobridge, [illegible], Thompson, and Tyrrell—[illegible].
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1190—An Act to provide for the protection of stockholders, investors and creditors by requiring certain copartnerships, joint stock companies and corporations to cause to be made certified balance sheets and statements of income, profit and loss, and providing for adequate penalties for the violation of the provisions hereof.

On motion of Senator Butler, Senate Bill No. 1190 was passed on file.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Purkitt moved to reconsider the vote whereby Senate Bill No. 745—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27th, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24th, 1911, (as heretofore amended by an Act approved May 26, 1913) by amending section 4 of said Act, altering and defining the boundaries of the Sacramento and San Joaquin Drainage District, was passed.

Senator Purkitt moved to postpone further consideration of the motion to reconsider until the next legislative day.

Motion lost.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider lost by the following vote:

Ayes—Senators Ballard, Chandler, Mullally, Purkitt, and [illegible]—[illegible].
Noes—Senators Anderson, Benedict, Boynton, Breed, Butler, Carr, Crowley, Finn, Flaherty, [illegible], Hans, Jones, Kehoe, [illegible], Mott, [illegible], Scott, Strobridge, Thompson, and Tyrrell—20.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and forty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—RESUMED.

Senate Bill No. 1237—An Act to amend section 14 of an Act entitled "An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the costs and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled 'An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905," approved June 6, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1237 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Breed, Brown, Butler, Carr, Cogswell, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, Maddux, Mott, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and forty minutes p.m., Hon. Newton W. Thompson, President of the Senate, in the chair.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Maddux moved to reconsider the vote whereby Senate Bill No. 60—An Act to amend section 2268 of the Civil Code of the State of California, relating to the power of trustees, was passed.

Senator Maddux moved to postpone further consideration of his motion to reconsider, until the next legislative day.

The question being on the motion to postpone consideration.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Purkitt, Slater and Maddux.

The Secretary was directed to call the roll.

The roll was called, and the motion to postpone consideration lost by the following vote:

AYES—Senators Maddux, Purkitt, and Slater—3.

NOES—Senators Anderson, Benedict, Benson, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, Rush, Scott, Strobridge, Thompson, and Tyrrell—20.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider lost by the following vote:

AYES—Senators Maddux, Purkitt, and Slater—3.

NOES—Senators Anderson, Benedict, Benson, Breed, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Finn, Flaherty, Flint, Hans, Kehoe, Mott, Rush, Scott, Strobridge, and Thompson—20.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1183—An Act to amend sections 9 and 10 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1183 passed by the following vote:

Ayes—Senators Anderson, Ballard, Boyce, Breed, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Finn, Flaherty, Gates, Hans, Irwin, Kehoe, Mott, Mc-Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, and Thompson—[illegible].
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Senate Bill No. 280—An Act to make an appropriation for the construction and completion of a state highway connecting the counties of Trinity, Shasta and Humboldt with the road system of Tehama County.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 280 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Breed, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Finn, Flaherty, Gates, Hans, Jones, Kehoe, Mott, Mc-Rae, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—[illegible].
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Senate Bill No. 6—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento, California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 6 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Breed, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Finn, Flaherty, Gates, Hans, Jones, Kehoe, Mott, Mc-Rae, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—[illegible].
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Senate Bill No. 1013—An Act transferring money from the disputed title to lands on San Diego Bay fund to the general fund of the State of California.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Senate Bill No. 1013 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Breed, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Finn, Flaherty, Gates, Hans, Jones, Kehoe, Mott, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—24.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Senate Bill No. 1055—An Act to amend section 456 of the Political Code of the State of California, relating to employees in the office of the State Treasurer.
Bill read third time.
The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1053 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Breed, Brown, Butler, Chandler, Cogswell, Crowley, Finn, Flaherty, Flint, Hans, Jones, Kehoe, Maddux, Mott, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—24.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Strobridge, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1418—An Act to amend sections 717 and 718 of the Civil Code relating to the leasing of agricultural lands, and to the leasing of lands for agricultural and horticultural purposes, and to the leasing of property of a municipality, a minor or incompetent person, and to the leasing of city or town lots.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1003—An Act to amend sections 1 and 6 of an Act entitled "An Act providing for the sale of street railroad and other franchises in counties and municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts," approved March 22, 1905, as amended by an Act approved March 3, 1909;

Also: Assembly Bill No. 1301—An Act to add a new chapter to title V of part III of the Political Code to be known as chapter IVc relating to the establishment of a county mosquito extermination commission, and to define their powers and duties and to read as follows:

Also: Assembly Bill No. 1535—An Act to amend sections 3, 5, 6, 7, 11, 12, 18, 21, 23, 25, 27, 42, 43, 60, 63, 66, 67, 74 and 75 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof and providing a method for the payment of such bonds," approved April 7, 1911, and repealing section 36, and sections 84, 85, 86, 87, 88 and 89 thereof relating to work in unincorporated territory.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 455—An Act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued;

Also: Assembly Bill No. 487—An Act to regulate the payment of wages or compensation of employees in private employments, to provide for regular pay days in such employments, providing a penalty for the violation thereof, and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act;

Also: Assembly Bill No. 726—An Act to amend section 4 of an Act entitled "An Act to regulate and license the taking and catching of game fishes and to define game fish and to provide revenue therefrom, for fish preservation and restoration," approved June 16, 1913;

Also: Assembly Bill No. 727—An Act to amend section 4 of an Act entitled "An Act to regulate and license the hunting of wild birds and animals, and to provide revenue therefrom for game and fish preservation and restoration," approved March 22, 1909.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1417—An Act to amend section 1205 of the Penal Code.

Also, Assembly Bill No. 1440—An Act to amend section 359 of the Civil Code, relating to the issuance of stocks or bonds of corporations, to the increase or diminution of their capital stock, and to the creation or increase of bonded indebtedness of corporations, including the creation or increase of a consolidated bonded indebtedness by two or more corporations.

Also, Assembly Bill No. 1566—An Act to provide for the issuance of street improvement bonds to represent and be secured by special assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, places and sidewalks within counties and upon property and rights of way owned by counties, to provide for the collection of such assessments, the sale of the property affected thereby, and for the payment of the bonds so issued.

Also, Assembly Bill No. 1262—An Act to amend section 2184 of the Political Code, relating to the commitment of inebriates, drug habitués and other persons to state hospitals.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1417 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1440 read first time, and referred to Committee on Corporations.

Assembly Bill No. 1566 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1262 read first time, and referred to Committee on Hospitals and Asylums.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 251—An Act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor.

Also, Assembly Bill No. 1530—An Act to provide for the grant of franchises to certain persons, firms or corporations as shall engage in business of carrying persons through the operation of motor vehicles or automobiles [illegible]

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 251 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1530 read first time, and referred to Committee on Public Utilities.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 920—An Act to provide for marking off and setting apart a portion of the Stockton State Hospital grounds for a site upon which to construct an armory; to provide for the conveyance and transfer of the lands comprising said proposed site by said corporation [through its proper officers, board of managers or their successors as trustees of such property], to the State of California; to provide for the control and management thereof; to provide for the construction and erection of an armory and drill hall thereon, and appropriating money therefor.

Also, Assembly Bill No. 1596—An Act authorizing the construction, improvement, maintenance and control of the unimproved portions of the system of state highways provided and contemplated by an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California; specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D. 1910, and known and cited as the "State Highways Act," specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said system; creating a revolving fund to be used by the State Department of Engineering for the purposes of this Act; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 439 read first time, and referred to Committee on Finance.

Assembly Bill No. 1596 read first time, and referred to Committee on Roads and Highways.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference on Assembly Bill No. 368—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes, approved March 31, 1897," by amending sections 1, 5, 28, 57, 61, 72, 90 and 91, and by adding new sections to be known as sections 41*a* and 61*a*.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON REVENUE AND TAXATION

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 1583—An Act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for non-compliance—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

COGSWELL, Chairman.

Assembly Bill No. 1583 ordered on file for second reading.

ON ELECTIONS

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 804—An Act to amend sections 1131, 1132, 1142 and 1151 of the Political Code relating to elections, to add a new section to the Political Code, to be known as section 1142*a*, relating to the same subject, and to repeal section 1144 of the Political Code—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BENSON, Chairman.

Assembly Bill No. 804 ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Senator Cogswell asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the above bills reported from committees on this legislative day.

Assembly Bill No. 1583—An Act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for non-compliance.

COMMITTEE AMENDMENTS

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 2, line 19, [illegible] the word "its" and insert in lieu thereof the word "their".

Amendment adopted.

AMENDMENT NUMBER TWO

On pages 5 and 6, section 6, [illegible] after the word "year" in line 20 on page 5.

Amendment adopted.

AMENDMENT NUMBER THREE

On page 6, line 22, after the word [illegible] of section 14 of article XIII of the Constitution".

Amendment adopted.

AMENDMENT NUMBER FOUR

On page 7, strike out all after the word [illegible] in line 7.

Amendment adopted.

AMENDMENT NUMBER FIVE

On page 8, line 24, after the word [illegible] insert the following: [illegible] of section 14 of article XIII of the Constitution".

Amendment adopted.

AMENDMENT NUMBER SIX

On page 11, [illegible] of making such payments shall be without prejudice to any action, defense, or right [illegible]

Amendment adopted.

AMENDMENT NUMBER SEVEN

On page 12, amend by adding a new section to follow:

"Sec. 10. [illegible] after final adjournment of the [illegible] session of the Legislature."

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 804—An Act to amend section 1142 of the Political Code of the State of California, relating to the appointment of election boards.

COMMITTEE AMENDMENTS

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

On page 1, line 9, of the printed bill, [illegible] who have been appointed".

Amendment adopted.

AMENDMENT NUMBER TWO

On page 2, line 5, of the printed bill, [illegible] represented by him or" and insert in lieu thereof the words [illegible] for".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 6, of the printed bill, omit the words "on or near the outside of" and insert in lieu thereof the words "at or near".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, of the printed bill, omit lines 14 to 18, inclusive, and insert after the word "imposed", in line 9, "by this section and sections 1142, 1142*a*, and 1151 of this code", and omit the word "herein".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, lines 32 and 33, of the printed bill, omit the words "on, or near the outside of" and insert in lieu thereof the words "at or near".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, lines 19 and 20, of the printed bill, omit the words "two inspectors, two judges, and two clerks" and insert in lieu thereof the words "one inspector, two judges, and three clerks".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, of the printed bill, omit lines 30 to 34, inclusive, and on page 4 omit lines 1 and 2, and insert in lieu thereof the following:

"At least sixty days before any election the board of supervisors, or other board having charge and control of elections, shall cause to be published for three times in a daily newspaper, if any, published in the county or in the political subdivision in which such election is held, and in case there is no daily newspaper published therein, then twice in a weekly newspaper published in said county or subdivision; and shall also cause to be posted in some prominent place in various precincts distributed throughout the county or political subdivision in which the election is to be held, a notice in substantially the following form:

WANTED.

APPLICATIONS FOR POSITIONS AS ELECTION OFFICERS.

The Board of Supervisors (or other board, as the case may be) is about to appoint -------- election officers to have charge of the -------- election to be held, on --------, the -------- day of --------, 19--.

In order to secure the most capable and efficient election officers possible, for this and subsequent elections, the board is desirous of learning the names of men and women of each precinct, of clerical ability or otherwise qualified who are willing to serve as election officers.

Blanks for "Application to Serve as Election Officer" may be procured at -------- (some office, place of business, or residence in locality) or upon written application to --------, and must be filled out and mailed to -------- on or before --------, 19--.

Dated --------

Board of Supervisors (or other board)
of ------------ County.
By ----------------------

"Any person willing to serve as election officer may, at least forty days before any election, file, in the office of the board of supervisors or other board having charge or control of elections within the county, or city and county in which he or she resides an application therefor, which shall be filled out in ink upon a blank prepared and furnished by said board, and in substantially the following form:"

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, of the printed bill, omit line 4.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, of the printed bill, between lines 9 and 10, insert a line as follows: "I am employed at -------- --------".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, lines 11 and 12 of the printed bill, strike out the words "every three employees [illegible]", and insert in lieu thereof the following: "county [illegible] employed in any capacity, other than that of election officer."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, after line 21 of the printed bill, insert as follows:
"[illegible]

*Names and addresses of two or three well known citizens of the community, who are acquainted with the qualifications of applicant to be filled out if applicant is not [illegible] personally known to the [illegible] board."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4 of the printed bill, strike out line 28 and all thereafter to and including the period in line 34.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 37, of the printed bill, strike out the words "county clerk" and insert in lieu thereof the words "board of supervisors".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 5, lines 1 and 2, of the printed bill, strike out the first comma and all thereafter in line 1 to and including the word "officer" in line 2 and insert in lieu thereof the following: "the city council or other board having charge and control of the elections".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 5, line 11, of the printed bill, strike out the word "officer" and insert in lieu thereof the word "board".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 5, strike out lines 16 to 32, inclusive, of the printed bill, and insert in lieu thereof the following:

"At least thirty-five days before any election, the board of supervisors or other board having charge and control of elections shall [illegible] the applications [illegible] election officers [illegible] and upon [illegible] such applications and make such [illegible] investigations as shall indicate what persons are best qualified to serve as election officers in each precinct. If among the applicants approved there are not sufficient to constitute an election board for any precinct, there shall be [illegible] the names of other qualified electors [illegible] from that precinct and [illegible] to serve as election officers. In [illegible] such names, preference shall be given to those who are known to have already served with [illegible] as election officers. The clerk of the board of supervisors or other board having charge and control of elections shall forthwith communicate with not less than six nor more than twelve of those approved to serve as election officers of each precinct, and shall enclose a postal card for reply made out in substantially the following form:

> DEAR SIR: In answer to your communication stating that my name is being considered as an election officer of ________ precinct for the next election, I hereby agree that, if appointed, I will serve as such election officer, and that I will be present at the opening of the polls on the morning of the election, ________, 19__.
>
> Signed ________________________________
> Address ________________________________

"The board of supervisors, or other board having charge or control of elections in each of the counties, and cities and counties, must, at least twenty-five days prior to an election, issue its order appointing the members of the several boards of election. If the election officers for any precinct, or the polling place therein, have not been designated by the fifteenth day prior to any election, the county clerk shall immediately appoint the election officers for that precinct, or designate the polling place therein, as the case may require.

"Any person who, having agreed to serve and".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 6, lines 1 and 2 of the printed bill, omit the words "the county clerk or registrar of voters shall so far as possible give preference" and insert in lieu thereof the words "preference shall so far as possible be given".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 4 of the printed bill, before the period, insert a comma and the words "or who has previously rendered satisfactory service as an election officer".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 6, line 8 of the printed bill, after the word "capacity" insert the words ", other than that of an election officer,".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 6, line 11 of the printed bill, omit the words "upon appointing the" and insert in lieu thereof the words "upon receiving a list of the names and addresses of those who have been appointed".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 6, line 15 of the printed bill, omit the word "may" and insert in lieu thereof the word "shall".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 6, line 21 of the printed bill, omit the words "by him".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 6, lines 25 and 26 of the printed bill, omit the words "on or near the outside of" and insert in lieu thereof the words "at or near".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 13 of the printed bill, after the word "capacity", insert the words ", other than that of an election officer".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 26 of the printed bill, omit the words "on or near the outside of" and insert in lieu thereof the words "at or near".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 8, line 27 of the printed bill, omit the word "officer" and insert in lieu thereof the word "person".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 8, line 28 of the printed bill, omit the words, "who has not been examined as to his qualifications and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT

On page 8, line 31 of the printed bill, strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE

On page 9, line 16 of the printed bill, insert "[illegible]".

Amendment adopted.

AMENDMENT NUMBER THIRTY

On page 9, at the beginning of line 22 of the printed bill, insert the words "or other election laws".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE

On page 9, line 24 of the printed bill, strike out word "[illegible]" and insert in lieu thereof the words "or laws by reference to".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO

On page 9 of the printed bill, strike line 36 and insert in lieu thereof the following: "1151. The City Council or other board having charge and control of elections".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE

On page 10, line 1 of the printed bill, strike out all after the comma and insert in lieu thereof the words, "and the Board of Supervisors or other board having charge and control of elections".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR

On page 10, line 11 of the printed bill, strike out the word "the" just following the period, and insert in lieu thereof the words: "Except as to the [illegible] the posting of notices calling for applications to serve as election officers, and as to the receipt and filing of such applications, the".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

COMMUNICATION—GIFT OF [illegible].

By consent of the Senate, the following communication was received out of the regular order, read and ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, May 3, 1915.

To the Honorable Members of the Forty-first Session of the Legislature of the State of California:

GENTLEMEN: Herewith I present the usual information report on the Legislative supplies furnished the Legislature for the present session, also comparative tables showing cost and amount of supplies as compared to the sessions of 1909, 1911 and 1913. This report covers the present session up to and including April 30, 1915.

Previous to the session of 1911 no itemized bills for purchases made by the Sergeants-at-Arms of either house of the Legislature were filed in the Controller's office, and a search of the archives in the office of the Secretary of State has resulted in finding only the itemized bills of the Sergeant-at-Arms of the Senate for 1909. The total purchases made by the attaches of the Legislature are not itemized prior to 1911, a search of the journals [illegible] to be made.

Along about 1900 the Sergeant-at-Arms of each house and the Secretary of the Senate acquired the habit of purchasing supplies and stationery for the Legislature that had been previously secured from what was then known as the Janitor's office of the Secretary of State. The high prices paid for such supplies is brought out by reference to the following table, and the prices then were lower than the [illegible] session. These high prices also prevailed on stock furnished from the Janitor's office.

This system of furnishing supplies was checked somewhat by this department in the 1913 session. I addressed a communication to the Sergeant-at-Arms of each house at the beginning of the session, stating that this department was prepared to furnish all stationery and supplies on requisition, without cost to the Legislature.

The following table gives the prices paid by the Sergeants-at-Arms as compared to the prices paid by this department at that time, the difference in many instances exceeding fifty per cent. Our purchases are made on yearly contract, secured after highest competition, and it is needless to say that the saving over retail prices is considerable. The supplies are issued by this department only on requisitions signed by the Secretary of the Senate, Chief Clerk of the Assembly, the Sergeants-at-Arms and the chairmen of the various committees.

	Sergeant-at-Arms	State Bd.
3 dozen 4 oz. ink	$3 62	$1 62
2 dozen 8 oz. paste	8 26	5 50
6 dozen legal tablets	8 10	4 68
150 packages blotters	7 50	2 16
1 gross Mikado pencils	5 40	3 46
2 dozen indelible pencils	1 30	61
6 dozen cork tip penholders	3 00	1 50
1 dozen fountain pen ink	2 75	1 50
2 dozen letter tablets	2 50	1 48
6 boxes carbon paper	9 00	3 99
6 dozen pencil erasers	2 75	1 80
4 dozen typewriter erasers	3 60	1 28
6 boxes assorted rubber bands	4 80	4 32
6 reams typewriter paper 8x11	4 50	3 12
6 reams typewriter paper 8x13	6 00	3 24
2 dozen red pencils	1 80	1 08
4 dozen blue pencils	3 20	2 06
2,000 Gem clips	1 50	50
2 dozen pyramid pins	2 00	1 19
6 stamp pads	1 25	63
6 box files	2 75	2 25
97 pairs shears	145 50	59 17
3 dozen waste paper baskets	15 00	8 81
5 dozen 5 oz. paste	13 15	8 75
4 balls hemp twine	80	32
3 gross thumb tacks	4 50	2 52
1 journal, 150 pages	80	18
2 Triumph punches	4 50	3 50
13 tin cash boxes	35 75	19 50

The above items, taken from bills presented by the Sergeant-at-Arms during the 1913 session, are only cited as comparative prices and do not show the total purchases.

"Previous to the 1913 session there had never been any record kept that would show the amount, cost or disposition of supplies used by the Legislature. The establishment of such a system by this department was of great value in making up our stationery schedule at the beginning of the present fiscal year. The items used by the Legislature were included and purchased on the regular contracts.

I am glad to state that during the present session this department has had the fullest co-operation of the officers of the Senate and Assembly, and the result will be seen in the final totals.

In 1909, the Senate, through its Secretary and Sergeant-at-Arms, expended for stationery and office supplies, exclusive of the cost of codes, statutes, expressage, postage, binders, etc., $7,645.76. The Assembly for the same session purchased through its Sergeant-at-Arms, supplies to the amount of $5,178.60, making a total of $12,824.36. The same supplies in 1911 cost $7,922.63; in 1913, $4,102.41; and in 1915, $2,896.12.

In 1909, typewriters were rented at the rate of $10 each per month; in 1911, $4.00 per month; in 1913, at the rate of $3.00 per month, and for the present session we are paying $3.00 per month, with no charge for the month of February, making a net rental of $9 for the four months, or at the rate of $2.25 each per month.

In 1909, an electrical firm was paid over $700 by the Legislature for electrical supplies and work that is now furnished by the electrician of this department without charge. In 1911, the electrical supplies cost the Legislature $391.20. In 1913 the only charge of this nature was $2.00 for rent of an electric heater for one of the committee rooms, and this session there has been no expense of this kind charged to the Legislature.

The ice and water service this session has been furnished by this department from our central ice storage plant without cost to the Legislature. In 1909, this service cost the sum of $918.00; in 1911, $734.95, and in 1913, the sum of $766.25. In previous sessions this service has been furnished through the Sergeant-at-Arms.

[illegible]

In 1909 [illegible] in 1911, $496.75, [illegible]

In 1909 [illegible]

[illegible]

In the following comparative table [illegible]

SENATE

	[illegible]	[illegible]	[illegible]	[illegible]
Stationery	[illegible]	[illegible]	[illegible]	[illegible]
Electric lamps, drop cords, etc.	[illegible]	[illegible]		
Supplies, general*	[illegible]	[illegible]	[illegible]	[illegible]
Rent of typewriters and repairs	[illegible]	[illegible]	[illegible]	[illegible]
Rubber stamps, badges, etc.	[illegible]	[illegible]	[illegible]	[illegible]
Key and locksmithing	[illegible]	[illegible]	[illegible]	
Ice and water	[illegible]	[illegible]	[illegible]	
Sanitary drinking cups				[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]

*[illegible] "Supplies, general" [illegible]

ASSEMBLY

	[illegible]	1911	1913	[illegible]
Stationery	[illegible]	[illegible]	[illegible]	[illegible]
Electric lamps, drop cords, etc.	[illegible]	[illegible]	[illegible]	
Supplies, general	[illegible]	[illegible]	[illegible]	[illegible]
Rent of typewriters and stands	[illegible]	[illegible]	[illegible]	[illegible]
Rubber stamps, badges, etc.		[illegible]	[illegible]	[illegible]
Key and locksmithing	[illegible]	[illegible]	[illegible]	
Ice and water	518 [illegible]	[illegible]	[illegible]	
Sanitary drinking cups				[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]

RECAPITULATION

	[illegible]	[illegible]	[illegible]	[illegible]
Senate	$7,645 76	[illegible]	[illegible]	[illegible]
Assembly	5,178 60	[illegible]	[illegible]	[illegible]
Totals	$12,824 36	$7,922 63	$4,102 41	$2,896 12

The supplies drawn from our stock during the present session are segregated as follows:

Senate	Amount	Assembly	Amount
Secretary	$392 01	Chief Clerk	$385 76
Sergeant-at-Arms	230 65	Sergeant-at-Arms	333 33
Committees	187 84	Committees	225 08
Totals	$810 50		$944 17

In order to give you an idea of the quantities of the various items of supplies used in the course of a legislative session, I am listing below some of the larger items:

	Senate	Assembly	Total
Blank books	66	22	88
Tin cash boxes	49	86	135
Carbon paper, boxes	43	33	76
Erasers, No. 868	215	221	436
Erasers, No. 899, circular	125	132	257
Erasers, steel	15	4	19
Filing cases, letter	138	114	252
Ink, black, 2-ounce	60	111	171
Ink, black, 4-ounce	55	92	147
Ink, fountain pen	29	31	60
Letter openers	47	84	131
Manila pads, legal	880	738	1,618
Manila pads, letter	171	220	391
Typewriter paper, boxes	127	132	259
Gem clips, boxes	119	122	241
Paste, 8-ounce jars	133	205	338
Pencils, lead	265 doz	233 doz	498 doz
Pencils, colored crayon	47 doz	28 doz	75 doz
Pens, Glucinum	23 gro	20 gro	43 gro
Penholders	25 doz	40 doz	65 doz
Reporters' note books	78	147	225
Rubber bands	111 gro	108 gro	219 gro
Rulers	68	68	136
Shears	101	140	241
Waste baskets	80	93	173

Two years ago, on the suggestion of State Printer Friend W. Richardson, now State Treasurer, and the Superintendent of this department, the statutes were so amended that the bill filing rooms of each house, which were formerly, when separately conducted, so productive of confusion and unsatisfactory results, were consolidated into one centralized bill filing room for both houses, under the direct management of the State Printer; and the hiring of porters and watchmen for both houses of the Legislature and their management, which had in past sessions of the Legislature produced such unsatisfactory results, was placed under the direction of the Superintendent of Capitol Building and Grounds.

That such change has been successful in increased efficiency and at less cost than heretofore is no doubt apparent to all the members of the Legislature, particularly those who have served in former sessions.

This department is prepared to receipt for the return upon adjournment of the Legislature of any supplies furnished on requisition to committees or members thereof.

Respectively submitted.

GEORGE G. RADCLIFF,
Superintendent Capitol Building and Grounds.

By J. F. MISPLEY, Secretary.

ADJOURNMENT.

At eleven o'clock and fifty-nine minutes and fifty-nine seconds p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Wednesday, May 5, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by the Secretary, Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, [illegible], [illegible], [illegible], [illegible], Flaherty, [illegible], Gerdes, Hans, [illegible], Jones, Kehoe, King, [illegible], Lyon, [illegible], Mott, [illegible], Purkitt, Rush, Scott, [illegible], [illegible], Strobridge, [illegible], Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry L. Stark.

LEAVE OF ABSENCE.

Senator Campbell was, on motion of Senator Maddox, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, May 4, 1915, the further reading was dispensed with, on motion of Senator Rush.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in amendments by [illegible] (adopted on April [illegible], 1915) to Senate Bill No. 257—An Act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of an Act entitled "An Act regulating the employment and hours of labor of children, prohibiting the employment of minors under certain ages, prohibiting the employment of [illegible], providing for the enforcement thereof by the Commissioner of the Bureau of Labor Statistics and [illegible] penalties for the violation thereof," approved February 20, 1905, as amended by an Act approved April 14, 1911, as further amended by an Act approved June [illegible], 1913, and to add to said Act four new sections, to be numbered 16, 17, 18 and 19, respectively, relating to the employment and hours of labor of children, providing for the enforcement of the provisions of the Act, and repealing all Acts inconsistent herewith.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bill No. 257 ordered to enrollment.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the constitution by amending sections 1 and 9 of article XIII and by repealing sections 10 and 14 of said article, all relating to revenue and taxation, and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Constitutional Amendment No. 38 ordered to file of Unfinished Business.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Assembly Bill No. 251—An Act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that the same do pass and be re-referred to the Committee on Finance.

LYON, Chairman.

Assembly Bill No. 251 ordered re-referred to Committee on Finance.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Banking, to which was referred Assembly Bill No. 1410—An Act to amend sections 1917 and 1918 of the Civil Code, and to add a new section to the Civil Code to be numbered section 1918*a*, relating to rate of interest—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do not pass as amended.

HANS, Chairman.

Assembly Bill No. 1410 ordered on file for second reading.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 189—An Act to be known as the usury law relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections 1917, 1918, 1919 and 1920 of the Civil Code and all Acts or parts of Acts in conflict with this Act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do not pass as amended.

HANS, Chairman.

Senate Bill No. 189 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1530—An Act to provide for the grant of franchises to certain persons, firms or corporations, as shall engage in business of common carriers through the operation of motor vehicles or automobiles carrying passengers for hire—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CARR, Chairman.

Assembly Bill No. 1530 ordered on file for second reading.

MESSAGE FROM THE ASSEMBLY OUT OF ORDER.

On motion of Senator Thompson, the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 239—An Act creating a Board of Retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, the Sonoma State Home, state prison at Folsom and state prison at San Quentin; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement;

Also, Senate Bill No. 973—An Act to amend section 636 of the Penal Code of the State of California, relating to the protection of fish.
And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 239 and 973.

Senate Bill No. 239—An Act creating a Board of Retirement to keep, invest, maintain, and control a certain fund for the payment of benefits and annuities to the officers and employees of the Napa State Hospital, Stockton State Hospital, Agnews State Hospital, Mendocino State Hospital, Southern California State Hospital, the Sonoma State Home, state prison at Folsom and state prison at San Quentin; providing for the creation of said fund, investments thereof, the payments to be made therefrom, and for the general government of said Board of Retirement.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED THIRTY-NINE. [illegible]

AMENDMENT NUMBER ONE.

On page 2, line 21, strike out the word [illegible] and insert in lieu thereof the following: [illegible] also in line [illegible] strike out the words [illegible]

AMENDMENT NUMBER TWO.

On page 3, line 20, strike out [illegible] strike out the word "five," first occurrence and insert in lieu thereof the [illegible]

AMENDMENT NUMBER THREE.

On page 4, line [illegible], strike out the word "five" and insert in lieu thereof the word "one", also in line 26, strike out the word "five" and insert the word "one".

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 239?"

The roll was called, and Assembly amendments to Senate Bill No. 239 were concurred in by the following vote:

Ayes—Senators Anderson, [illegible] Birdsall, [illegible] Flaherty, [illegible] Purkitt, Rush, [illegible] and Thompson—22.
Noes—None.

Senate Bill No. 239 ordered to enrollment.

Senate Bill No. 973—An Act to amend section 636 of the Penal Code of the State of California, relating to the protection of fish.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED SEVENTY-THREE.

Adopted April [illegible], 1915.

AMENDMENT NUMBER ONE.

On page 2, line 20 of the printed bill, strike out the period after the word "misdemeanor" and insert in lieu thereof the following: "; provided further, that nothing in this section shall prohibit the use of beach seines in Fish and Game District Nineteen, for smelt only, between the first day of September and the thirty-first day of January of the year following, both dates inclusive; provided, further, that every person who, in Fish and Game District Nineteen, uses any beach seine, the meshes of which, when drawn closely together and measured inside the knots, shall measure less than one and one-half inches in length, is guilty of a misdemeanor".

Adopted May 1, 1915.

AMENDMENT NUMBER ONE.

On page 3, line 34 of the printed bill, as amended in Assembly April 30, 1915, insert after the word "suckers" the following: "between the fifteenth day of August and the fourteenth day of May of the year following, both dates inclusive".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 973?"

The roll was called, and Assembly amendments to Senate Bill No. 973 were concurred in by the following vote:

AYES—Senators Anderson, Benson, Breed, Butler, Carr, Chandler, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, King Luce, Maddux, Mott, Owens, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, and Tyrrell—24.

NOES—None.

Senate Bill No. 973 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 21—Approving a charter for the city of San Jose, ratified by the qualified voters of said city at a special municipal election held therein on the 19th day of April, 1915.

L. B. MALLORY, Chief Clerk of Assembly
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 21 ordered to enrollment.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 19—Relating to the war in Europe, the resulting high cost of living, and memorializing Congress to take steps in the interest of world peace and a reduction in the cost of living;

Also Assembly Joint Resolution No. 28—Relative to action by Congress to secure world peace.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Joint Resolutions Nos. 19 and 28 referred to Committee on Federal Relations.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1199—An Act to perpetuate marks, brands and counterbrands established in the several counties of the State under sections 3168 and 3169 of the Political Code, to provide methods of perpetuation and declaring all marks, brands and counterbrands not so perpetuated to be inoperative and void:

Also: Assembly Bill No. 113—An Act to provide for the re-forestation, the cutting of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor;

Also: Assembly Bill No. 1411—An Act to amend section 4252 of the Political Code of the State of California, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1199 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 113 read first time, and referred to Committee on Finance.

Assembly Bill No. 1411 read first time, and referred to Committee on County Government.

Also,

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 491—An Act creating a State Board of Forestry and providing for the qualifications and duties of the members of said board and the payment of their expenses; providing for the appointment of a State Forester and providing for the [illegible] of a [illegible] Forester; providing for the appointment of a deputy and an Assistant State Forester and for the [illegible] of [illegible] Deputy Forester and Assistant Foresters; providing for the employment of technical and other assistants and for their compensation; providing for the duties of the State Forester, Deputy State Forester, Assistant State Foresters and other employees; providing for cooperation with land owners, counties and others in forest protection; providing for a survey of State and private forest [illegible] and for the [illegible] of [illegible]; providing for [illegible] to [illegible] forest fires; providing for the [illegible] brush, inflammable debris or refuse; providing for the inspection of forest areas; declaring certain uncleared areas and forest lands to be public nuisances; providing for notice to owners and others of the existence of such nuisances and for the abatement thereof by such owners or others or by the State Forester; providing for a lien upon the property of such owner for the cost of such abatement; exempting certain classes of property from the lien created by this Act; providing for the foreclosure of such liens; providing for the payment into county treasuries of all of moneys recovered [illegible] of the forest laws of this State; making certain violations of the forest laws of this State misdemeanors and fixing penalties therefor; defining the term "forest"; repealing chapter [illegible] of the Laws of [illegible], and all Acts and parts of Acts in conflict herewith.

Also, Assembly Bill No. 651—An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same in the State and making an appropriation therefor and repealing all Acts and portions of the Acts in conflict with this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senator King asked for and was granted unanimous consent to have Assembly Bill No. 491 placed on Second Reading File, without reference to Committee.

Assembly Bill No. 651 read first time, and referred to Committee on Agriculture.

Also,

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 257—An Act defining public weighmaster, describing his duties, providing for rules and regulations governing the performance of his duties, [illegible] a bond and fixing the [illegible], and providing penalties for any violation of the provisions of this Act.

Also, Assembly Bill No. 1437—An Act to amend section 290 of the Civil Code relating to the filing of articles of incorporation.

Also, Assembly Bill No. 1436—An Act to amend the Civil Code of the State of California by adding a new section thereto to be known as and numbered section [illegible], relating to increasing or decreasing the number of directors or trustees of corporations or associations.

Also, Assembly Bill No. 845—An Act to amend section [illegible] of the Political Code of the State of California relating to the attendance of children in the public schools of the State;

Also, Assembly Bill No. 1574—An Act to regulate the manner and style of drafting and printing of bills introduced in the Legislature.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 257 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 1437 and 1436 read first time, and referred to Committee on Corporations.

Assembly Bill No. 845 read first time, and referred to Committee on Education.

Assembly Bill No. 1574 read first time, and referred to Committee on Revision and Printing.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1194—An Act amending sections 1, 2, 3, 4, 5, 8, and 9 of an Act entitled 'An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road, or other State improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,' approved March 22, 1909, amended June 14, 1913;

Also: Assembly Bill No. 1439—An Act to amend section 362 of the Civil Code of the State of California, relating to the amendment of articles of incorporation;

Also: Assembly Bill No. 673—An Act to add a new section to the Political Code to be numbered 4245a, providing for the compensation of grand jurors and trial jurors in counties of the sixteenth class;

Also: Assembly Bill No. 364—An Act to amend section 16 of an Act entitled "An Act to provide for the payment of retirement salaries to public school teachers of this State; creating a Public School Teachers' Retirement Salary Fund and also a Public School Teachers' Permanent Fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1194 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1439 read first time, and referred to Committee on Corporations.

Assembly Bill No. 673 read first time, and referred to Committee on County Government.

Assembly Bill No. 364 read first time, and referred to Committee on Education.

Also:

SACRAMENTO, May 4, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 3, 1915, passed Assembly Bill No. 521—An Act to amend section 1613 of the Penal Code, relating to labor of prisoners;

Also: Assembly Bill No. 1512—An Act to amend section 628 of the Penal Code, relating to the protection and preservation of fish.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 521 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bill No. 1512 read first time, and referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate the following reports of standing committees were received and read, out of the regular order:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1596—An Act authorizing the construction, improvement, maintenance and control of the uncompleted portions of the system of State highways prescribed and contemplated by an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California; specifying the work; fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D. 1910, and known and cited as the "State Highways Act"; spec-

[illegible] therein; providing for the issuance and sale of State bonds to create a fund for the [illegible]

BIRDSALL, Chairman.

Assembly Bill No. [illegible] ordered on file for second reading.

[illegible]

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

Mr. President: Your Committee on [illegible], to which was referred Assembly Concurrent Resolution No. 26 [illegible] Committee on Contingent Expenses.

ANDERSON, Chairman.

Assembly Concurrent Resolution No. 26 ordered re-referred to Committee on Contingent Expenses.

APPROVAL OF JOURNALS

On motion of Senator Thompson, the Journals of Monday, April 26, 1915; Tuesday, April 27, 1915; Wednesday, April 28, 1915; Thursday, April 29, 1915; and Friday, April 30, 1915, were approved as corrected.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to section 7½ of article XI of the Constitution of the State of California, relating to charters of counties and amendments to such charters and to the surrender thereof.

On motion of Senator Breed, Senate Constitutional Amendment No. 25 was passed on file.

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same, defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California; and to repeal any or all parts of any Act or Acts in conflict with this Act.

On motion of Senator Thompson, Senate Bill No. 1078 was passed on file.

Senate Bill No. 74—An Act to amend section 227 of the Code of Civil Procedure, relative to summoning jurors to complete a panel and the duties of the officers summoning the same.

On motion of Senator Dennett, Senate Bill No. 74 was ordered to the file of Unfinished Business.

Senate Bill No. 892—An Act authorizing the construction, improvement, maintenance and control of the uncompleted portions of the system of state highways prescribed and contemplated by an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California, specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D. 1910, and known and cited as the "State Highways Act," specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said system; creating a revolving fund to be used by the State Department of Engineering for the purposes of this Act; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people.

On motion of Senator Birdsall, Senate Bill No. 892 was ordered to the file of Unfinished Business.

Senate Bill No. 1060—An Act to provide for the establishment, maintenance and development of a petroleum experiment station by the University of California; to impose an annual excise fee upon the producers of crude petroleum for the support of such experiment station; to provide for the collection of such fee; to provide penalties for the non-payment thereof; and to appropriate the aggregate amount thereof for the purpose aforesaid.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1060 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Carr, Chandler, Cogswell, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Mott, Owens, Scott, Slater, Stuckenbruck, Tyrrell, and Wolfe—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 36—A resolution proposing to the people of the State of California to amend section 12 of article XIII of the Constitution of the State of California relative to poll tax.

By order of the President, Senate Constitutional Amendment No. 36 was passed on file.

Senate Bill No. 450—An Act assenting to the provisions and requirements of the Act of the Congress of the United States entitled "An Act to provide for co-operative agricultural extension work between the agricultural colleges in the several states receiving the benefits of the Act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture," approved by the President of the United States May 8, 1914, and authorizing and empowering the Regents of the University of California to receive the grants of money appropriated under said Act, and to organize and conduct agricultural extension work in accordance with the terms and conditions expressed in said Act.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. [illegible] passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Boyd, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Finney, Flint, Gates, Ireton, Jones, Kehoe, King, Lyon, Owens, Rush, Scott, Shearer, Stuckenbruck, Thompson, Tyrrell, and Wolfe—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 910—An Act to create a reclamation district to be called "Reclamation District No. [illegible]" and providing for the control and management thereof.

On motion of Senator Cohn, Senate Bill No. 910 was ordered withdrawn and stricken from the file.

PRESIDENT PRO TEM. [illegible] OF THE CHAIR.

At ten o'clock and forty minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 276—An Act relating to the granting of certificates to practice medicine and surgery by the Board of Medical Examiners of the State of California, to graduates from legally chartered or reputable medical schools in the State of California.

On motion of Senator [illegible], Senate Bill No. 276 was ordered to the file of Unfinished Business.

Senate Bill No. 1266—An Act to provide for the assessment, levy and collection of taxes for the support of the state government for the sixty-seventh and sixty-eighth fiscal years.

On motion of Senator Cogswell, Senate Bill No. 1266 was passed on file.

Senate Bill No. 974—An Act to amend section [illegible] of the Penal Code of the State of California, relating to the domestication of wild game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 974 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Boyd, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finney, Flint, Gates, Ireton, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1118—An Act to provide for the repayment to such persons as are or may become entitled thereto of moneys by them, or their assignors, paid to the State of California in consequence of illegally imposed charges for the registration of motor vehicles, or paid to the State by mistake or inadvertence in connection with the registration of such motor vehicles, and thereafter deposited in the State treasury to the credit of the motor vehicle fund pursuant to the provisions of chapter 326 of California Statutes of 1913, approved May 31, 1913, and known as the Motor Vehicle Act, making an appropriation for such purpose; prescribing certain duties with respect thereto, and providing for the retention by the State of proportionate deductions from the moneys which would otherwise be apportioned to the several counties under the provisions of said Motor Vehicle Act.

On motion of Senator Breed, Senate Bill No. 1118 was ordered to the file of Unfinished Business.

Senate Bill No. 33—An Act to require water companies to properly and adequately serve with water the inhabitants of the territory for the service of which they have a franchise.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 33 passed by the following vote:

Ayes—Senators Anderson, Benson, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR COGSWELL IN THE CHAIR.

At eleven o'clock and fifteen minutes a.m., Senator Cogswell of the Thirty-third District, in the chair.

Senate Bill No. 1220—An Act to amend sections 1240, 1245 and 1248 of the Code of Civil Procedure, relating to eminent domain.

Bill read third time.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and twenty minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

MOTION TO RECOMMIT.

Senator Scott moved that Senate Bill No. 1220 be recommitted to Committee on Judiciary for further consideration.

PRESIDENT OF THE SENATE IN THE CHAIR.

At eleven o'clock and thirty-four minutes a.m., Lieutenant-Governor John M. Eshleman, President of the Senate, in the chair.

CONSIDERATION OF MOTION TO RECOMMIT—(RESUMED).

WITHDRAWAL OF MOTION.

Senator Scott asked for and was granted unanimous consent to withdraw the above motion.

CONSIDERATION OF THE SENATE BILL NUMBER ONE THOUSAND TWO HUNDRED TWENTY—(RESUMED).

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1220 passed by the following vote:

Ayes—Senators Ballard, Benedict, Boyce, Breed, Birdsall, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Gerdes, Hans, Irwin, Jones, Kehoe, King, Lee, Lyon, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

Noes—Senators Anderson, Butler, Carr, Flint, and Maddux—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Scott gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1220 was passed.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At twelve o'clock m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 1190—An Act to provide for the protection of stockholders, investors and creditors by requiring certain copartnerships, joint stock companies and corporations to cause to be issued certified balance sheets and statements of income, profit and loss, and providing for adequate penalties for the violation of the provisions hereof.

Bill read third time.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Birdsall, the hour of recess was extended until twelve o'clock and fifty minutes p.m.

CONSIDERATION OF SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED NINETY—(RESUMED).

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1190 refused passage by the following vote:

Ayes—Senators Brown, Crowley, Finn, Fletcher, Gerdes, Irwin, Kehoe, Lee, Rush, Scott, and Wolfe—11.

Noes—Senators Anderson, Ballard, Benedict, Boyce, Birdsall, Evans, Butler, Carr, Cogswell, Cohn, Duncan, Flint, Hans, Jones, King, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—23.

NOTICE OF MOTION TO RECONSIDER.

Senator Butler gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1190 was refused passage.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 567—An Act relating to bonds of county waterworks districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of county waterworks districts as security for the performance of any Act may be authorized;

Also: Senate Bill No. 21—An Act to amend an Act entitled "An Act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide for the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year, making certain acts a felony, and repealing an Act entitled 'An Act creating a Commissioner of Public Works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing [illegible] them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a Debris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending sections 6a and 17 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries;

Also: Senate Bill No. 147—An Act to amend an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erection and building,' (approved March 28, 1876) approved March 22, 1909," by adding a new section to be known as section 4;

Also: Senate Bill No. 547—An Act making an appropriation to pay the claim of W. H. Taylor against the State of California;

Also: Senate Bill No. 923—An Act appropriating money to pay the claim of Dr. W. B. Coffey against the State of California;

Also: Senate Bill No. 718—An Act to amend section 737 of the Political Code, relating to the salary of superior judges;

Also: Senate Bill No. 920—An Act to amend section 4028 of the Political Code, relating to qualifications and election of supervisors;

Also: Senate Bill No. 634—An Act to amend an Act entitled "An Act creating a reclamation district to be called and known as 'Reclamation District No. 1500'; providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts, lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500," approved April 30, 1913, in effect August 10, 1913, conferring powers and duties upon the trustees of said district and upon the reclamation board of this State, substituting the reclamation board for the board of supervisors of Sutter County, and declaring that the work herein described is public work for the public benefit;

Also: Senate Bill No. 1260—An Act to amend an Act entitled "An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any Act may be authorized," approved June 13, 1913, by amending section 4 of said Act;

And reports that the same have been correctly engrossed.

LUCE, Vice Chairman.

Also:

[illegible]

Mr. President: [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible] June 12 [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Constitutional Amendment No. [illegible] of the Supreme [illegible]

Also, Senate Joint Resolution No. 12—[illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

1622 and 1628 of the Code of Civil Procedure of California, relating to claims against estates of deceased persons.

Also: Senate Bill No. 124—An Act to amend section 421 of the Civil Code, relating to investments by insurance companies;

Also: Senate Bill No. 176—An Act to amend an Act entitled "An Act to provide for the formation, management and dissolution of county irrigation districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county irrigation district bonds and the payment thereof;" approved June 13, 1913, by providing for the formation, management and dissolution of county waterworks districts, for supplying the inhabitants thereof with water; for levying and collecting taxes in such district; and for the issuance of county waterworks district bonds, and the payment thereof, by amending the title of said Act, by amending sections 1, 2, 3, 5, 6, 8, 9, 10, 11, 12, 13 and 14 thereof, and by adding a new section thereto, to be known as section 17, relating to change of name of said county irrigation districts, and to bond issues thereof;

Also: Senate Bill No. 324—An Act to amend sections 453t and 453u of the Civil Code, relating to title insurance companies;

Also: Senate Bill No. 600—An Act to provide for submitting to the qualified electors of every city and county, or incorporated city or town, in this State, the question whether such city and county, or incorporated city or town, shall retain powers of control vested therein respecting all or any public utilities, and to provide for elections thereafter to surrender such powers of control in case the qualified electors of any such city and county, or incorporated city or town, shall have voted to retain such powers of control;

Also, Senate Bill No. 83—An Act to amend section 646 of the Civil Code, relating to building and loan associations;

Also: Senate Bill No. 650—An Act to amend section 594 of the Political Code, relating to the classification of insurance business and to the capital stock of insurance companies;

Also: Senate Bill No. 1210—An Act to amend section 103 of the Code of Civil Procedure, relating to justices' courts;

Also, Senate Bill No. 1034—An Act to amend section 605 of the Political Code of the State of California, relating to the fees of the insurance department;

Also: Senate Bill No. 900—An Act to amend section 596 of the Political Code concerning certificate of authority to insurance companies; prohibiting the use of unauthorized companies except for surplus line insurance; providing for the licensing of surplus line brokers, their obligations and duties and providing penalty for violation thereof;

Also: Senate Bill No. 761—An Act to provide for the establishment and maintenance by fire insurance companies of guaranty surplus funds and special reserve funds and thereby limiting liability;

Also: Senate Bill No. 573—An Act to add a new section to the Political Code, to be numbered 633a, concerning the licensing of insurance brokers, and providing for the issuance and revoking of licenses by the Insurance Commissioner, and providing penalties for a violation thereof;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this third day of May, 1915, at three o'clock p.m.

FLAHERTY, Chairman.

RECESS.

At twelve o'clock and fifty minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate at recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Assembly Bill No. 1262—An Act to amend section 2185c of the Political

Code, relating to the [illegible] of [illegible] drug [illegible] and [illegible] in state hospitals—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CROWLEY, Chairman.

Assembly Bill No. 1262 ordered on file for second reading.

ON PRINTING AND BINDING.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Printing and Binding, to which was referred Assembly Bill No. 1574—An Act to regulate the number and style of [illegible] printing of bills introduced in the Legislature—has had the same under consideration and respectfully reports the same back and recommends that it do pass.

SLATER, Chairman.

Assembly Bill No. 1574 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 552—An Act to amend section 1 of an Act entitled "An Act to amend an Act to allow unincorporated towns and villages to [illegible] fire departments, and to [illegible] and [illegible] [illegible] [illegible] for the same purpose, and to create a Board of Fire Commissioners," approved March 4, 1881; amended March 6, 1901; approved April 11, 1909.

Also, Assembly Bill No. 673—An Act to add a new section to the Political Code to be numbered 4216a, providing for the compensation of [illegible] [illegible] and [illegible] in counties of the [illegible] class.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BREED, Chairman.

Assembly Bills Nos. 552 and 673 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 1194—An Act amending sections 1, 2, 3, 4, 5, 8 and 9 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to [illegible] construction, alteration, improvement of any [illegible] [illegible] road, or other than improvement of [illegible] and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 28, 1876," approved March 22, 1909, amended June 13, 1913—has had the same under consideration and respectfully reports the same back with amendments and recommends that it do pass as amended.

BIRDSALL, Chairman.

Assembly Bill No. 1194 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1570—An Act to amend section 925 of the Penal Code, relating to the powers and duties of a grand jury—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KEHOE, Chairman.

Assembly Bill No. 1570 ordered on file for second reading.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 432—An Act to amend section 156 of the Code of Civil Procedure of the State of California, relating to qualifications of Justices of Supreme Court.

Also, Assembly Bill No. 433—An Act to amend section 157 of the Code of Civil Procedure of the State of California, relating to qualifications of superior judges.

Also: Assembly Bill No. 700—An Act to amend section 4300*g* of the Political Code of the State of California, relating to witness fees;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 432, 433 and 700 ordered on file for second reading.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1572—An Act to amend section 988 of the Penal Code, relating to the arraignment of the defendant in a criminal trial—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

KEHOE, Chairman.

Assembly Bill No. 1572 ordered on file for second reading.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 930—An Act to amend section 1 of an Act entitled "An Act in relation to fences, and other structures erected to annoy, and for the abatement of nuisances," approved May 28, 1913—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KEHOE, Chairman.

Assembly Bill No. 930 ordered on file for second reading.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Constitutional Amendment No. 27—A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section to article XI thereof, to be designated as section 20, of said article XI, of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it be not adopted.

KEHOE, Chairman.

Senate Constitutional Amendment No. 27 ordered on file.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent to take up Assembly Bill No. 1563, out of the regular order, for the purpose of amendment.

Assembly Bill No. 1563—An Act validating the acts of county auditors and county treasurers when they pay out moneys according to a statutory law, should that law afterward be declared unconstitutional.

Bill read third time.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1563—An Act validating the acts of county auditors and county treasurers when they pay out moneys according to a statutory law, should that law afterward be declared unconstitutional—has had the same under consideration, and respectfully reports the same back "Do pass," and recommends that it be referred to Senator Kehoe as a Special Committee of One to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, strike out all of lines 1, 2, 3, 4, 5 and 6 of the printed bill, and insert in lieu thereof the following:

"SECTION 1. Whenever moneys are [illegible] paid by the treasurer of any county on a warrant issued by the auditor of such county according to any law of this State, which, subsequent to the date of such payment, may be declared unconstitutional by the Supreme Court of this State, [illegible] so far as the validity of the same may be [illegible] by the constitutionality or unconstitutionality of such statute; provided, that the auditor shall have [illegible] of the district attorney of his county, [illegible] the constitutionality of the statute."

KEHOE, Chairman.

Report adopted.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon, the President pro tem. appointed Senator Kehoe a Special Committee of One to amend Assembly Bill No. 1444 in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Special Committee of One to which was referred Assembly Bill No. 1444, with instructions to amend, [illegible] that the same has been amended as per instructions.

KEHOE, Committee.

Report read and, on motion of Senator Kehoe, adopted.
Bill ordered to print.

CONSIDERATION OF SENATE BILL—(OUT OF ORDER.)

Senator Scott asked for and was granted unanimous consent to take up for consideration at this time Senate Bill No. 1260, out of the regular order, for purpose of amendment.

Senate Bill No. 1260—An Act to amend an Act entitled "An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, by amending section 4 of said Act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Scott moved to refer to Senator Gerdes as a Special Committee of One, to amend Senate Bill No. 1260 as follows:

AMENDMENT NUMBER ONE.

Strike out all of line 1 after the word "to," in said bill as the bill was amended in the Senate May 4, 1915, and insert in lieu thereof the following: "An Act entitled 'An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized,' approved June 13, 1913, is hereby amended to".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 1260, with instructions to amend, respectfully reports the same back, amended as per instructions.

GERDES, Committee.

Report read and, on motion of Senator Scott, adopted.

Bill ordered to print, and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Scott, the Secretary was directed to issue a rush order for printing Senate Bill No. 1260.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1374—An Act to provide for the repayment to such persons as are or may become entitled thereto of moneys by them, or their assignors, paid to the State of California in consequence of illegally imposed charges for the registration of motor vehicles, or paid to the State by mistake or inadvertence in connection with the registration of such motor vehicles, and thereafter deposited in the state treasury to the credit of the Motor Vehicle Fund pursuant to the provisions of chapter 326 of California Statutes of 1913, approved May 31, 1913, and known as the Motor Vehicle Act; making an appropriation for such purpose; prescribing certain duties with respect thereto; and providing for the retention by the State of proportionate deductions from the moneys which would otherwise be apportioned to the several counties under the provisions of said Motor Vehicle Act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1152—An Act to amend an Act entitled "An Act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain Acts a felony and repealing an Act entitled 'An Act creating a Commissioner of Public Works, defining his duties and powers and fixing his compensation,' approved February 9, 1900, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1, 1897; also repealing an Act entitled 'An Act providing for the appointment of an Auditing Board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purpose aforesaid, making certain Acts a felony, and making an appropriation of money for the purpose of this Act,' approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a Debris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner,' approved March 24, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe Wagon Road Commissioner, prescribing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized in this Act,' approved April 1, 1897, and all Acts or parts of Acts amendatory thereof,'' approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending sections 6, 8, 11 and 17 thereof.

Bill read second time, and ordered on file for third reading

Assembly Bill No. 731—An Act granting the Humboldt and Trinity Toll Road Company the right to bring suit against the State of California for compensation for the use and destruction of portions of road bed belonging to the said Humboldt and Trinity Toll Road Company and used and destroyed by the State of California in the construction and completion of the State Highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

Bill read second time, and ordered on file for third reading

Assembly Bill No. 799—An Act declaring hedges to be a private nuisance in certain instances and providing for the abatement thereof.

Bill read second time, and ordered on file for third reading

Assembly Bill No. 334—An Act granting to the town of Redwood City the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and regulating the management, use and control thereof.

Bill read second time, and ordered on file for third reading

Assembly Bill No. 489—An Act granting to the city of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and regulating the management, use and control thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 277—An Act to amend section 1494 of the Code of Civil Procedure of the State of California, relating to claims against the estates of decedents, and interest thereon.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 607—An Act to amend section 1643 of the Code of Civil Procedure, prescribing the order in which debts must be paid, and fixing the rate of interest to be paid on demands against estates of decedents.

Bill read second time, and ordered on file for third reading

Assembly Bill No. 771—An Act to amend section 1333 of the Penal Code, relating to the manner of producing before a Superior Court, grand jury or magistrate a witness who is a prisoner in a state prison or county jail.

Bill read second time, and ordered on file for third reading

Assembly Bill No. 21—An Act to provide a method of procedure whereby a poor person, having a good cause of action or a good defense, may have an attorney assigned to prosecute his action or to conduct his defense and relieving him from the payment of costs.

Bill read second time, and ordered on file for third reading.

PRESIDENT OF THE SENATE IN THE CHAIR.

At two o'clock and forty minutes p.m., Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 265—An Act to regulate the sale of coal.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, after the word "knowingly" insert a comma and the following: "with intent to defraud,".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1522—An Act to amend sections 4041 and 4088 of the Political Code of the State of California.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1522 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Hans, Kehoe, King, Luce, Lyon, Mott, Purkitt, Rush, Slater, Strobridge, Stuckenbruck, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 67—An Act to protect any child or person enrolled or in attendance upon any public or private school, or other educational institution, within the State of California, from compulsory vaccination; and to prevent vaccination being made a condition precedent or a prerequisite to admission to or attendance upon any of the public or private schools or other educational institutions within the State of California; making violations thereof a misdemeanor; providing penalties; making exceptions as to private educational institutions; and repealing an Act entitled "An Act to encourage and provide for a general vaccination for all public and private schools of California, specifying the duties of certain officers and persons with relation thereto, making violations of its provisions a misdemeanor, providing penalties, and repealing an Act entitled 'An Act to encourage and provide for a general vaccination in the State of California,' approved February 20, 1889," approved March 7, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 47 refused passage by the following vote:

Ayes—Senators Ballard, Bibb, Carr, Dennett, Finn, Flaherty, Gates, Lyon, Rush, Scott, Sturtevant, and Wolfe—[illegible].

Noes—Senators Anderson, Benson, Boynton, Breed, Brown, Butler, Chandler, Cogswell, Crowley, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Shearer, Slater, Strobridge, Thompson, and Tyrrell—[illegible].

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Flint, the Senate took up for consideration Assembly amendments to Senate Constitutional Amendment No. 2.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California, by adding to article VI of said Constitution a new section to be numbered section 6½, relating to the term of office of judges of the Superior Court.

ASSEMBLY AMENDMENTS TO SENATE CONSTITUTIONAL AMENDMENT NUMBER TWO.

Adopted April 27, 1915.

AMENDMENT NUMBER ONE.

On page 1, line 10, strike out everything after the period in said line, and strike out all of lines 11, 12, 13, 14, 15, 16, 17, 18 and 19 on page 1.

AMENDMENT NUMBER TWO.

On page 2, strike out all of line 1 and on page 2, line 2, strike out everything up to and including the period in said line.

Adopted April 29, 1915.

AMENDMENT NUMBER ONE.

On page 1, line 10, after the word "election" insert a comma and the words "except in the case of a judge elected to fill a vacancy, in which case he shall hold office for the remainder of an unexpired term".

The question being, "Shall the Senate concur in Assembly amendments to Senate Constitutional Amendment No. 2?"

The roll was called, and Assembly amendments to Senate Constitutional Amendment No. 2 were concurred in by the following vote:

Ayes—Senators Benson, Birdsall, Breed, Brown, Butler, Carr, Crowley, Duncan, Finn, Flaherty, Flint, Gates, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rigdon, Scott, Shearer, Slater, Strobridge, Sturtevant, Thompson, Tyrrell, and Wolfe—31.

Noes—None.

Senate Constitutional Amendment No. 2 ordered to enrollment.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

On motion of Senator Lyon, the Senate took up for consideration Assembly amendments to Senate Constitutional Amendment No. 38.

Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution by amending sections 1 and 9 of article XIII and by repealing sections 10 and 14 of said article, all relating to revenue and taxation.

ASSEMBLY AMENDMENTS TO SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY-EIGHT.

AMENDMENT NUMBER ONE.

On page 2, line 24, strike out the word "was" and insert in lieu thereof the word "were".

AMENDMENT NUMBER TWO.

On page 2, line 26, after the period insert the following: "All lands or improvements thereon, belonging to any county, city and county, or municipal corporation, not exempt from taxation, shall be assessed within the county, city and county, or municipal corporation in which said lands or improvements are located, and said assessment shall be subject to review, equalization and adjustment by the State Tax Commission, after such duties have ceased to be exercised by the State Board of Equalization."

AMENDMENT NUMBER THREE.

On page 3, strike out all of lines 11, 12, 13 and 14 and insert in lieu thereof the following: "until said first Monday in January, 1919, unless sooner changed by the Legislature."

AMENDMENTS BY MR. MEEK.

AMENDMENT NUMBER ONE.

Amend the title by striking out the word "eight".

AMENDMENT NUMBER TWO.

On page 2, line 18, strike out the words "municipality or school district" and insert in lieu thereof the following: "municipal corporation or district".

AMENDMENT NUMBER THREE.

On page 2, strike out all of lines 35 and 36.

AMENDMENT NUMBER FOUR.

On page 3, line 1, strike out the word "third" and insert in lieu thereof the word "second".

AMENDMENT NUMBER FIVE.

On page 3, line 15, strike out the word "fourth" and insert in lieu thereof the word "third".

AMENDMENT NUMBER SIX.

On page 3, line 17, strike out the word "fifth" and insert in lieu thereof the word "fourth".

The question being, "Shall the Senate concur in Assembly amendments to Senate Constitutional Amendment No. 38?"

The roll was called, and Assembly amendments to Senate Constitutional Amendment No. 38 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

NOES—None.

Senate Constitutional Amendment No. 38 ordered to enrollment.

REQUEST FOR INTRODUCTION OF BILL.

Senator Breed requested permission to introduce a Senate bill, entitled "An Act calling and authorizing and directing the Governor of the State to call a special election to be held on Tuesday, October 26, 1915, and providing for the submission thereat to the qualified electors of the State of all amendments to the Constitution of the State of California proposed by the Legislature of said State at its forty-first session, and of all laws passed by the said Legislature at its forty-first session which may be delayed from going into effect by referendum petition."

Request referred to Committee on Introduction of Bills.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1422—An Act to amend sections 1195 and 1195*a* of the Political Code and to add a new section thereto to be designated section 1195*b* relating to the preparation, printing and distribution of statements concerning proposed constitutional amendments, etc.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1422 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gates, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Shearer, Slater, Strobridge, Tyrrell and Wolfe—32.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 1289—An Act to amend section 1244 of the Political Code, relating to certificates of election.
Bill read third time previously.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1289 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Birdsall, Boyd, Brown, Butler, Chandler, Cogswell, Carr, Crowley, Duncan, Finn, Flaherty, Flint, Gates, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Wolfe—[illegible].
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

By consent of the Senate the following report of standing committee was received and read, out of the regular order:

ON INTRODUCTION OF BILLS.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Introduction of Bills, to which was referred the request of Senator Breed to introduce a bill entitled—An Act calling and authorizing and directing the Governor of the State to call a special election to be held on Tuesday, October 26, 1915, and providing for the submission thereat to the qualified electors of the State of all amendments to the Constitution of the State of California proposed by the Legislature of said State at its forty-first session, and of all acts passed by the said Legislature at its forty-first session which may be prevented from going into effect by referendum petitions, has had the same under consideration and respectfully returns the same back and recommends that said consent be granted.

THOMPSON, Chairman.

The question being on the adoption of the report.
The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and report adopted by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Birdsall, Boyd, Breed, Brown, Butler, Chandler, Cogswell, Carr, Crowley, Finn, Flaherty, Flint, Gates, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—31.
Noes—Senator Purkitt—1.

INTRODUCTION AND FIRST READING OF BILL.

The following bill was introduced in accordance with the above report:

By Senator Breed: Senate Bill No. 1269—An Act calling and authorizing and directing the Governor of the State to call a special election to be held on Tuesday, October 26, 1915, and providing for the submission thereat to the qualified electors of the State of all amendments to the Constitution of the State of California proposed by the Legislature of said State at its forty-first session, and of all laws passed by said Legislature at its forty-first session which may be delayed from going into effect by referendum petition.

Bill read first time.

SUSPENSION OF RULES.

Senator Breed moved that the rules be suspended and Senate Bill No. 1269 be placed on file without reference to committee.

The question being on the motion to suspend the rules.

The roll was called, and the motion to suspend the rules carried by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Boyce, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Gates, Hans, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Senate Bill No. 1269 ordered on file without reference to committee.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 406—An Act to amend section 2552 of the Political Code, relating to the salaries of the Board of State Harbor Commissioners and assistants, said amendment relating to the salary of the president of the board and his duties, and the fund out of which the said salaries and the compensation of employees of the board shall be payable.

On motion of Senator Hans, Assembly Bill No. 406 was passed on file.

Assembly Bill No. 524—An Act to require employers of labor to furnish, without charge, pure drinking water to their employees during working hours.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 524 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Brown, Boyce, Cohn, Crowley, Duncan, Finn, Flaherty, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—26.

NOES—Senator Ballard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1337—An Act to provide for the formation, government, operation and dissolution of hospital districts in any part of the State, for the construction and maintenance of hospitals, etc.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1337 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Duncan, Finn, Flaherty, Hans, Irwin, Jones, King, Lyon, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY EDWIN F. SMITH AT THE DESK

RESOLUTION—OUT OF ORDER.

The following resolution was offered:

By Senator Breed:

Resolved, That Senate Bill No. 1269 presents a case of urgency, as that word is used in section 15 of article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, [illegible], Breed, [illegible], Butler, Campbell, Carr, Chandler, Cogswell, Cohn, [illegible], Gates, [illegible], Jones, Kehoe, [illegible], Lyon, Maddux, [illegible], Slater, Strobridge, Thompson, and [illegible].

Noes—Senators Ballard, [illegible], Flint, [illegible], and Wolfe—5.

Whereupon, the President declared the provisions of section 15 of article IV of the Constitution suspended for the purpose of considering at this time Senate Bill No. 1269—An Act calling and authorizing and directing the Governor of the State to call a special election to be held on Tuesday, October 26, 1915, and providing for the submission thereat to the qualified electors of the State of all amendments to the Constitution of the State of California proposed by the Legislature of said State at its forty-first session, and of all laws passed by the said Legislature at its forty-first session which may be delayed from going into effect by referendum petition.

Bill read second time, considered engrossed, and ordered to the file for third reading.

Senate Bill No. 1269—An Act calling and authorizing and directing the Governor of the State to call a special election to be held on Tuesday, October 26, 1915, and providing for the submission thereat to the qualified electors of the State of all amendments to the Constitution of the State of California proposed by the Legislature of said State at its forty-first session, and of all laws passed by the said Legislature at its forty-first session which may be delayed from going into effect by referendum petition.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1269 passed by the following vote:

Ayes—Senators Anderson, [illegible], Breed, [illegible], Campbell, Carr, Chandler, [illegible], Gates, [illegible], Jones, Kehoe, [illegible], Lyon, Maddux, [illegible], Strobridge, Thompson, and [illegible].

Noes—Senators Ballard, [illegible], Irwin, King, Owens, Purkitt, [illegible], and Wolfe—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 828—An Act making an appropriation to pay the claim against the State of California arising under the provisions of section 1 of article XXIII of the Constitution of the State of California;

Also: Senate Bill No. 186—An Act to amend section 741½ of the Political Code, relating to appointment and salary of stenographer of the Clerk of the Supreme Court;

And reports that the same have been correctly engrossed.

LUCE, Vice Chairman.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 144—An Act to provide for the survey and construction of a state highway through the Pacheco Pass connecting the State Highway in Santa Clara County at Gilroy with the State Highway in Madera County, and making an appropriation therefor—and reports that the same has been correctly re-engrossed.

LUCE, Vice Chairman.

LEAVE OF ABSENCE.

Senator Birdsall asked for and was granted leave of absence for the balance of the afternoon.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At five o'clock and fifteen minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1495—An Act to create a levee district to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding onto the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1495 passed by the following vote:

AYES—Senators Ballard, Benedict, Benson, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Lyon moved to reconsider the vote whereby Assembly Bill No. 816—An Act providing for a two-platoon system in the fire departments of cities having paid fire departments—was refused passage.

CONSIDERATION OF MOTION TO RECONSIDER—POSTPONED.

On motion of Senator Kehoe, the consideration of the above motion to reconsider was postponed until the next legislative day.

LEAVE OF ABSENCE.

Senator Rush was, on motion of Senator Strobridge, granted leave of absence for the balance of this afternoon.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1151—An Act to create reclamation district to be called "Reclamation District No. 1000" and providing for the control and management thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1151 passed by the following vote:

Ayes—Senators [illegible], [illegible], Beban, Bills, Campbell, Carr, Cogswell, [illegible], [illegible], [illegible], [illegible], [illegible], Gates, Irwin, Mattos, Mott, Owens, Purkitt, [illegible], [illegible], [illegible], Strobridge, Thompson, Tyrrell, and Wolfe—24.

Noes—Senators Chandler, [illegible], Hans and [illegible].

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1378—An Act to amend sections 5, 6 and 7 of an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and by any Act hereby repealed and for suits to quiet title against claims of liens arising hereunder or under an Act hereby repealed, to be known as the 'Inheritance Tax Act', to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder', to repeal an Act entitled 'An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions and transfers, to provide for its collection, and to direct the disposition of its proceeds, to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of liens arising hereunder', to repeal an Act entitled 'An Act to establish a tax on collateral inheritance, bequests and devises, to provide for the collection and to direct the disposition of its proceeds,' approved March 23, 1893, and all amendments thereto, and to repeal all Acts and parts of Acts in conflict with this Act, approved March 20, 1905, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act, approved April 7, 1911," approved April 16, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1578 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES (OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 400—An Act relating to municipal charters and providing for cities having freeholder charters or charters under the general laws of the State of California, to make and enforce any and all general laws or regulations in respect to municipal affairs, and to elect to proceed under such general laws in lieu of the charter provisions—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

TYRRELL, Chairman.

Assembly Bill No. 400 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 667—An Act to amend sections 2, 3, 12, 16 and 17, of an Act known as the "Weights and Measures Act," approved June 16, 1913—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended by Judiciary Committee.

STROBRIDGE, Chairman.

Senate Bill No. 667 ordered on file for second reading.

CONSIDERATION OF BILL (OUT OF ORDER).

Senator Cogswell asked for and was granted unanimous consent to take up Senate Bill No. 1266, out of the regular order, for the purpose of amendment.

Senate Bill No. 1266—An Act to provide for the assessment, levy and collection of taxes for the support of the state government for the sixty-seventh and sixty-eighth fiscal years.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cogswell moved to refer to Senator Carr as a Special Committee of One to amend Senate Bill No. 1266 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, after the word "of" insert the following: "seventeen million seven hundred and ten thousand".

AMENDMENT NUMBER TWO.

On page 2, line 1, of the printed bill, after the word "of" insert the following: "seventeen million seven hundred and ten thousand".

AMENDMENT NUMBER [illegible]

On page 2, line 10, of the printed bill, before the word "dollars" insert the following: "[illegible] million [illegible] [illegible] and [illegible] thousand".

AMENDMENT NUMBER [illegible]

On page 2, line 22, of the printed bill, after the [illegible] "of" insert the following: "[illegible] million sixty thousand".

AMENDMENT NUMBER [illegible]

On page 3, line 2, of the printed bill, before the word "dollars" insert the following: "[illegible] million sixty thousand".

AMENDMENT NUMBER [illegible]

On page 3, line 10, of the printed bill, before the word "dollars" insert the following: "[illegible] million sixty thousand".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Special Committee of One to which was referred Senate Bill No. [illegible], with instructions to amend, respectfully reports the same back, amended as per instructions.

CARR, Chairman.

Report read and, on motion of Senator [illegible], adopted.

Bill ordered to print, and re-engrossment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON JUDICIARY

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 257—An Act relating to persons engaged in the business of public weighing, [illegible] visions of this Act—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Finance.

KEHOE, Chairman.

Assembly Bill No. 257 ordered re-referred to Committee on Finance.

Also,

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1477—An Act to provide for [illegible] streets, [illegible] alleys, [illegible] of way owned by [illegible] etc.—has had the same under consideration, and respectfully reports the same back with amendments and recommends that, as amended, it do pass.

KEHOE, Chairman.

Assembly Bill No. 1477 ordered on file for second reading.

REPORT OF SPECIAL COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of special committee was received and read, out of the regular order, and ordered printed in the Journal:

REPORT OF SPECIAL COMMITTEE

MR. PRESIDENT: Your Special Committee appointed pursuant to Assembly Concurrent Resolution No. 24 to draft resolutions in memory of the late Honorable Frank M. Rutherford begs leave to submit the following:

WHEREAS, In the death of Frank M. Rutherford this Legislature has sustained the loss of one of its most beloved and respected members, and the State of California a most honored, useful and patriotic citizen, it is but fitting and proper that we should at this time give some expression of that sense of irretrievable loss which so heavily oppresses us, and to the feeling of sincere veneration that so deeply moves our hearts; and

WHEREAS Frank M. Rutherford was faithful, loyal and sympathetic in his friendships; honest, conscientious and painstaking in his performance of duty; always worthy of the confidence reposed in him; reliable in every respect. His work as a public servant was constructive and enduring; his professional life was an expression of the highest integrity and the loftiest ethical conception; in his private life and in his intimate associations of friendship were made manifest his true greatness of heart and soul. Genial, loving and unselfish by nature, he drew very close to him all who were privileged to associate with him, and especially, therefore, are we mindful of the immeasurable loss sustained by those closest to him in family relationship and to his wife and family so sorely bereaved we extend a heartfelt sympathy, hoping that there may be given to them some comfort in the thought that the loved one departed is held in loving esteem by those who were here associated with him in the discharge of public duty; therefore, be it

Resolved, That a copy of these resolutions be engrossed by the Secretary of the Senate and that the same be conveyed to the wife and family of Frank M. Rutherford.

BENEDICT,
TYRRELL,
RUSH,
SLATER,
WOLFE,
Senate Committee.
ENCELL,
PETTIS,
JOHNSON,
SCHMITT,
WILLS,
Assembly Committee.

RECESS.

At five o'clock and forty minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Campbell, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 513—An Act appropriating money to pay the claim of Peter F. Macdonald against the State of California;

Also, Senate Bill No. 514—An Act appropriating money to pay the claim of William La Haye against the State of California;

Also, Senate Bill No. 896—An Act to appropriate money to pay the claim of W. E. Gerber against the State of California;

Also, Senate Bill No. 947—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California;

Also, Senate Bill No. 961—An Act creating an Advisory Pardon Board; defining and prescribing the powers and duties thereof; and making an appropriation therefor;

Also, Senate Bill No. 962—An Act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor;

Also, Senate Bill No. 1084—An Act to provide for the appointment of a State Capital Planning Commission to formulate plans for the capital city of the State and to confer with the City Planning Commission of the state capital city.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 513, 514, 896, 947, 961, 962 and 1084 ordered to enrollment.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1244—An Act reappropriating the money appropriated by an Act entitled "An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison," approved June 7, [illegible], and making the same available for the construction of a cell building and wall and for other improvements at Folsom State Prison.

Also, Senate Bill No. 1251—An Act to amend section one of an Act entitled "An Act to amend section 1 of an Act entitled [illegible]" approved March [illegible], and to provide for the [illegible] and use of the [illegible] money received from the sale of [illegible] approved March 20, 1913.

Also, Senate Bill No. [illegible]—An Act making an appropriation for the construction of a cell building and wall and for other improvements at Folsom State Prison.

Also, Senate Bill No. 1254—An Act reappropriating the money appropriated to carry out the provisions of the Water Commission Act, approved June 16, 1913, and making the same available for the purposes of said Act during the sixty-sixth and sixty-seventh fiscal years.

Also, Senate Bill No. 1256—An Act to appropriate money for [illegible] of heating system at the California School for the Deaf and the Blind.

Also, Senate Bill No. 1261—An Act to appropriate money to pay the [illegible] of corporations, arising from assessments beyond the [illegible] of section 14 of article XIII of the Constitution, for the [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bills Nos. 1244, 1251, [illegible], 1254, 1256 and 1261 ordered to enrollment.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 465—An Act to appropriate money for [illegible] building in the Industrial Home for the Adult Blind.

Also, Senate Bill No. 466—An Act to appropriate money for repairs and improvements at the California School for the Deaf and the Blind.

Also, Senate Bill No. 467—An Act to appropriate money to [illegible] of the California School for the Deaf and the Blind.

Also, Senate Bill No. 468—An Act to appropriate money to provide the [illegible] building of the California School for the Deaf and the Blind with fire escape equipment.

Also, Senate Bill No. 469—An Act to appropriate money to [illegible] of the California School for the Deaf and the Blind [illegible] California School for the Deaf and the Blind.

Also, Senate Bill No. 490—An Act to appropriate money for repairs and improvements of the California School for the Deaf and the Blind.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bills Nos. 465, 466, 467, 468, 469 and 490 ordered to enrollment.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 271—An Act to appropriate money to [illegible] and furnish the Los Angeles Normal School buildings.

Also, Senate Bill No. 272—An Act to appropriate money to purchase additional equipment for the industrial training departments of the Los Angeles State Normal School.

Also, Senate Bill No. 273—An Act to appropriate money to construct an addition to the manual training building of the Los Angeles State Normal School.

Also, Senate Bill No. [illegible]—An Act to appropriate money for furniture and equipment at the San Diego Normal School.

Also, Senate Bill No. [illegible]—An Act to appropriate money to pay the expenses of street improvements fronting the property of the San Jose State Normal School in the city of San Jose;

Also: Senate Bill No. 464—An Act to appropriate money for repairs and improvements at the Industrial Home for the Adult Blind.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 371, 372, 373, 389, 444 and 464 ordered to enrollment.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 113—An Act appropriating money for the construction and equipment of buildings on the property of Humboldt State Normal School;

Also: Senate Bill No. 128—An Act appropriating money to pay the claim of [illegible] Co. against the State of California;

Also: Senate Bill No. 135—An Act to appropriate money to pay the expenses of furnishing and equipping a new normal school building at the Fresno State Normal School;

Also: Senate Bill No. 136—An Act to appropriate money for improving the grounds of the Fresno State Normal School;

Also: Senate Bill No. 183—An Act to appropriate money for the improvement of grounds and roads at the Sonoma State Home;

Also: Senate Bill No. 254—An Act appropriating money to pay the claim of Charles W. Williams against the State of California;

Also: Senate Bill No. 294—An Act to appropriate money for the purchase and installation of three electric elevators at the Mendocino State Hospital;

Also: Senate Bill No. 358—An Act to appropriate money for repairs and improvements to the Chico State Normal School;

Also: Senate Bill No. 359—An Act to appropriate money for remodeling the buildings at the San Francisco State Normal School;

Also: Senate Bill No. 360—An Act to appropriate money for repairs and furnishings at the San Francisco State Normal School;

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 113, 128, 135, 136, 183, 254, 294, 358, 359 and 360 ordered to enrollment.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1234—An Act [illegible] painting and exterior repair of the building on the Capitol grounds occupied by the [illegible];

Also: Senate Bill No. 1253—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-second session of the Legislature concerning the [illegible] of a system of social insurance and making an appropriation therefor;

Also: Senate Bill No. 1267—An Act to appropriate money to pay the claim of Miller-Enwright Company against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1234, 1253 and 1267 ordered to enrollment.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 592—An Act to make an appropriation for the purpose of making a survey for a state highway from the intersection of the State highway and the Klamath River road in Siskiyou County to the terminus of the Humboldt County road at Orleans at the mouth of the Redwood River;

Also: Senate Bill No. 835—An Act to authorize the repayment to Mary Ann Bath, Carrie F. Stone, Alice B. Walker and John Thaddeus Bath, as heirs at law of John F. Bath, deceased, of moneys paid by said deceased in his life time to the State of California for the purchase of certain indemnity or lieu land certificates [illegible] have been surrendered to the State [illegible] amounting to the sum of six hundred forty dollars, and for such purpose authorizing the State Register to issue a certificate to said heirs of John F. Bath therefor for the amount so paid for said indemnity certificates, and authorizing the State Controller to draw his warrant on the State Treasurer for said sum, and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund.

Also: Senate Bill No. 984—An Act to amend sections 9 and 10 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Also: Senate Bill No. 1238, An Act to amend section [illegible] of the Political Code relating to salaries of officers of counties of the [illegible] class.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 592, [illegible], 984 and 1238 ordered to enrollment.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 190—An Act to appropriate money for the purchase of additions to the dairy herd at the Stockton State Hospital.

Also: Senate Bill No. 192—An Act to appropriate money for the construction and furnishing of a convalescent building for females at the Stockton State Hospital.

Also: Senate Bill No. 194—An Act to appropriate money for the purchase and expense of installation of a boiler at the Stockton State Hospital.

Also: Senate Bill No. 260—An Act to amend section [illegible] of the Political Code of the State of California, relating to the salaries, fees and expenses of officers and of grand and trial jurors in counties of the [illegible] class.

Also: Senate Bill No. 262—An Act to appropriate money for the construction and furnishing of two patient cottages at the Southern California State Hospital.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 190, 192, 194, 260 and 262 ordered to enrollment.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. [illegible]—An Act to appropriate money to pay the claim of the Marine Navigation Company upon a judgment rendered against the State of California.

Also: Assembly Bill No. 1002—An Act making appropriations for the support of the government of the State of California for the sixty-seventh and sixty-eighth fiscal years;

Also: Assembly Bill No. 1571—An Act to add a new section to the Political Code, to be numbered [illegible], authorizing boards of supervisors [illegible] county [illegible] property to the county.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 585—An Act to provide for the planting of [illegible] in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Also: Assembly Bill No. 736—An Act to provide for the survey, location and estimate of cost of a state highway from a point on the present located California state highway in Kern County, California, south of Bakersfield, southerly to the town of Nordhoff, Ventura County.

Also: Assembly Bill No. 998—An Act making an appropriation for office equipment for Secretary of State.

Also: Assembly Bill No. 1038—An Act providing for the location, survey and construction of a proposed highway to connect the San Joaquin Valley State Highway trunk line in Tulare County with the Coast State Highway trunk line in Monterey County;

Also: Assembly Bill No. 1193—An Act to provide for the filing of bonds by certain employees of the Department of Engineering and for the payment by the said department of the premiums or charges on bonds of its employees when given by surety companies.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 585, 736, 998, 1038 and 1193 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 116—An Act to provide for the survey and construction of a State Highway through the Pacheco Pass connecting the State Highway in Santa Clara County at Gilroy with the State Highway in Madera County and making an appropriation therefor;

Also: Assembly Bill No. 187—An Act to appropriate money for the construction and furnishing of a Girls' Nursery Building at the Sonoma State Home;

Also: Assembly Bill No. 296—An Act to appropriate money to maintain the model and training schools at the several state normal schools;

Also: Assembly Bill No. 395—An Act to create the California State Commission for the Blind; defining the duties thereof; and making an appropriation to carry out the provisions of this Act;

Also: Assembly Bill No. 527—An Act declaring the public highway extending from Long Barn in Tuolumne County to the eastern boundary of the city of Sonora to be a state highway;

Also: Assembly Bill No. 579—An Act to appropriate money to pay the deficiency in the appropriation for traveling expenses for the State Board of Agriculture in the sixty-second fiscal year.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

On motion of Senator Strobridge, Assembly Bill No. 116, and Senate Bill No. 144, were referred to Committee on Engrossment and Enrollment for comparison.

Assembly Bills Nos. 187, 296, 395 and 579 read first time, and referred to Committee on Finance.

Assembly Bill No. 527 read first time, and referred to Committee on Roads and Highways.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1271—An Act providing for the location, survey and construction of a proposed highway from Bakersfield in Kern County by the most direct and feasible route by the Lost Hills through the Cholame Pass to a point on the State Highway in the county of San Luis Obispo, and making an appropriation therefor;

Also: Assembly Bill No. 1272—An Act making an appropriation for the survey and location of a highway between McKittrick in Kern County and Santa Margarita in the county of San Luis Obispo, State of California;

Also: Assembly Bill No. 1499—An Act making an appropriation for the construction of a monument to Abraham Lincoln in Inglewood Park Cemetery;

Also: Assembly Bill No. 1581—An Act making an appropriation to provide the Superintendent of Capitol Building and Grounds with a revolving fund for the purchase of stationery and office supplies for legislative and State offices.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1271, 1272, 1499 and 1581 read first time and referred to Committee on Finance.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 302—An Act to appropriate money to purchase a portion of the Great Sierra Wagon Road and to provide for the acceptance and maintenance of said road as a state road;

Also: Assembly Bill No. 414—An Act to appropriate money for the construction of a horse barn at the state prison at Folsom;

Also: Assembly Bill No. 773—An Act making an appropriation to pay the claim of Daisy M. Drewry against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 302, 414 and 773 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 773—An Act making an appropriation for the entertainment of the delegates to the [illegible] of the United States [illegible] in the city of San Francisco, California, during the year 1915, and the reception and entertainment of visiting soldiers, sailors, [illegible] and delegates to the State of California during the duration of the Panama-Pacific International Exposition.

Also, Senate Bill No. 884—An Act to appropriate money for the erection of armory buildings for the use of the Naval Militia of the State of California at San Diego, California.

Also, Senate Bill No. 1028—An Act to appropriate money for the construction of [illegible] at the California School for Girls located near Ventura.

Also, Senate Bill No. 1145—An Act to create a commission for the purpose of making a survey of [illegible] in the State of California; defining the powers and duties of said commission, and making an appropriation therefor.

Also, Senate Bill No. 1153—An Act appropriating money to pay the claim of Ed [illegible] against the State of California.

Also, Senate Bill No. 1225—An Act making an appropriation to pay the claim of J. V. Stanton against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bills Nos. 773, 884, 1028, 1145, 1153 and 1225 ordered to enrollment.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 362—An Act to appropriate money for the purchase of machinery and equipment for the manufacturing departments at the state prison at San Quentin.

Also, Senate Bill No. 367—An Act to appropriate money for the [illegible] of the water supply and pumping plant at the state prison at San Quentin.

Also, Senate Bill No. 375—An Act to appropriate money for improvement of grounds at the Los Angeles State Normal School.

Also, Senate Bill No. 388—An Act to appropriate money for repairs and improvements at the San Diego State Normal School.

Also, Senate Bill No. 394—An Act to appropriate money for the support and maintenance and erection of additional buildings at the state hospital at [illegible], Los Angeles County, California.

Also, Senate Bill No. 416—An Act to appropriate money for the construction of a [illegible] building and equipment at the California School for Girls located near Ventura.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bills Nos. 362, 367, 375, 388, 394 and 416 ordered to enrollment.

SECOND READING OF SENATE BILLS.

Senator Crowley asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from committees on this legislative day.

Senate Bill No. 189—An Act to be known as the usury law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections 1917, 1918, 1919 and 1920 of the Civil Code and all Acts or parts of Acts in conflict with this Act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, after the comma following the word "demand" strike out the words "or on judgments rendered in any court of this State".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, after the word "of" strike out the word "six" and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 5, after the word "annum" strike out the rest of the line; also all of lines 6, 7, 8, 9, and down to and including the period after the word "therewith" in line 10 and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 22, after the word "payment" strike out the word "of" and insert in lieu thereof the word "or".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Senate Bill No. 667—An Act to amend sections 2, 3, 12, 16 and 17, of an Act known as the "Weights and Measures Act," approved June 16, 1913.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend the title by striking out all of said title after the words "An Act" and insert in lieu thereof the following:

"To amend sections 2, 3, 6, 12, 16 and 32 of an Act entitled 'An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this Act into effect,' approved June 16, 1913, and known as the 'Weights and Measures Act'."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, after the word and figure "SECTION 1.", strike out all of said bill down to and including line 24, page 5, and insert in lieu thereof the following:

"Section 2 of the Act entitled 'An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures, providing for the appointment of officers to enforce and carry into effect the provisions of this Act including a State Superintendent of Weights and Measures and his deputy, [illegible] of weights and measures and their deputies, defining the powers and duties of such officers, and making an appropriation to carry this Act into effect,' approved June 16, 1913, known as the 'Weights and Measures Act,' is hereby amended to read as follows:

Sec. 2. The term of office of State Superintendent of Weights and Measures shall be four years, or until his successor shall have been appointed and qualified, but he [illegible] be removed at the pleasure of the Governor. The salary of State Superintendent of Weights and Measures shall be [illegible] hundred dollars per annum, payable in the same manner as other State officers are paid. Before entering upon his duties he shall execute a bond to the State in the sum of five thousand dollars, conditioned upon the faithful performance of his duties.

Sec. 2. Section 3 of said Act is hereby amended to read as follows:

Sec. 3. The State Superintendent may appoint a deputy, who shall have the same powers as the State Superintendent. Said deputy shall receive a salary of eighteen hundred dollars per annum, payable as the other State officers are paid. He shall be at all times subject to removal at the pleasure of the State Superintendent. The State Superintendent may also appoint additional deputies from time to time to act as [illegible] of weights and measures at the request of counties, as provided in section 10 of this Act. Such deputies, when actually employed shall be paid at the rate of one hundred and fifty dollars per month by the county requiring their services and not by the State. They also shall receive their actual traveling expenses from such county.

Sec. 3. Section 6 of said Act is hereby amended to read as follows:

"Sec. 6. The standards referred to in the preceding section shall be kept by the State Superintendent in a safe and suitable place in his office from which they shall not be removed except for repairs or certification. He shall maintain such standards in good order and shall submit them at least once in ten years to the National Bureau of Standards for certification. Upon demand, the Secretary of State shall deliver to the State Superintendent all standards and [illegible] in the possession of the Secretary of State [illegible] State Sealer of Weights and Measures. The State Superintendent shall thereupon submit such standards received from the Secretary of State to the National Bureau of Standards for certification and he shall [illegible] such additional standards as shall be necessary [illegible] standard of weights and measures as required by this Act. He shall also purchase such apparatus as shall be found necessary to the proper prosecution of the work of the office. The State Superintendent of Weights and Measures may establish tolerances for use in the State of California similar to the tolerances established by the National Bureau of Standards, and he may establish a standard net weight, or net measure, [illegible] of any commodity, package or parcel."

Sec. 4. Section 12 of said Act is hereby amended to read as follows:

"Sec. 12. The State Superintendent, if any body, board [illegible] of weights and measures appointed under the provisions of this Act, or any county or city sealer appointed by any city or county in this State under this Act, has neglected or refused to perform the duties of his office [illegible] the instructions and requirements of the State Superintendent [illegible] to the body, officer or board having power to remove [illegible] charge and accusation [illegible] of such officer or deputy [illegible] determine such charge and accusation. Upon receipt of such charge and accusation, it shall be the duty of the body, officer or board [illegible] hearing [illegible] not less than ten nor more than twenty days from the date upon which such charge and accusation shall have been filed [illegible]. A copy of such charge and accusation, together with a notice of such [illegible] shall be served upon the accused at least [illegible] days prior to the time fixed for said hearing [illegible] residence of the person [illegible]. At such hearing the accused shall have the right to be represented by counsel, if he so desires, and to produce witnesses and documentary evidence in his behalf. If upon such hearing he be found guilty of malfeasance in office, or misconduct, or incompetency to perform the duties of the office, the body, officer or board before whom such hearing is had, shall forthwith remove him from office. If he be found guilty of any of the minor offenses [illegible] be punished by reprimand or by suspension without pay for a period not exceeding thirty days, as such body, board or officer may determine. If he has reason to believe that any said county or city sealer of weights and measures has committed any of the offenses specified in section 772 of the Penal Code, the State Superintendent may, in his discretion, present an accusation to the Superior Court of the county in which the accused is employed, which shall thereupon be heard and determined by such court in the manner provided by law. The remedies provided in this section are cumulative merely, and shall not in any wise detract from the right of the appointing power to remove at will any such sealer or deputy sealer of weights and measures. It shall be unlawful for the State Superintendent, his deputies, or any sealer of weights and measures to keep for sale, or offer or expose for sale, or to sell to any person, firm, or corporation, or dealer in goods, wares and merchandise, doing or intending to do business in the State of California any weighing or measuring instrument, or to be interested directly or indirectly in the sale of any weighing or measuring instrument.'

"SEC. 5. Section 16 of said Act is hereby amended to read as follows:

"'Sec. 16. The office of Sealer of Weights and Measures is hereby created. Whenever in this Act the term "sealer" is used, the same shall be taken to mean and refer to Sealer of Weights and Measures. Within one hundred and twenty days after the approval of this Act by the Governor, it shall be the duty of the board of supervisors of each of the counties of the State except as hereinafter provided, to appoint a sealer of weights and measures for their respective counties; said sealer shall receive as compensation the sum of five dollars per day for each day actually employed in the service of the county, to be audited and paid as other claims against the county. He shall be allowed his traveling expenses actually and necessarily incurred in the performance of his duties. The term of office of such Sealer of Weights and Measures shall be four years, but he shall be subject to removal at the will of such board. A sealer appointed under this Act may, with the consent of the board of supervisors of the county appointing him, appoint a deputy or deputies when necessary or expedient to carry out the provisions of this Act. The compensation of such deputies shall be the same as the county sealer and paid in the same manner. Such deputies shall always be subject to removal by the Sealer of Weights and Measures. In case the legislative body of any county or city and county shall not appoint a sealer for such county or city and county within thirty days after written request for such appointment by the State Superintendent, is received, said State Superintendent shall assign as soon as practicable a deputy superintendent who shall perform all the duties of sealer in such county or city and county as provided in this Act to be performed by county or city sealers and to provide copies of the original standards of weights and measures for use by said deputy in such county. The actual cost of such services shall be paid by the county in the same manner in which other claims against the county are paid. The amount to be paid shall be at the rate of one hundred and fifty dollars per month for the time such deputy superintendent is employed in such county in addition to the actual traveling expenses of such deputy made necessary by such appointment. The county shall also stand its proportionate share of the actual cost of the set of copies to be used in such county by such deputy, at the rate of one-twelfth of the cost thereof for every month such copies are employed therein during the first year of their use, and in that event such county may at any time pay the balance of the cost of such copies and become the owner thereof, or the county may pay rental to the State for the use of such copies at the rate of ten per cent. per annum of the cost price thereof.'

"SEC. 6. Section 32 of said Act is hereby amended to read as follows:

"'Sec. 32. Any person who, by himself, or his employee or agent, or as the employee or agent of another, shall use, in the buying or selling of any commodity, or retain in his possession a false weight or measure or weighing or measuring instrument, or shall offer or expose for sale, or sell except as heretofore specifically allowed in section 27 of this Act, or use or retain in his possession any weight or measure or weighing or measuring instrument in any county, city, town, or city and county in which there has been appointed a sealer of weights and measures in accordance with the provisions of this Act, which has not been sealed by a sealer within one year, or who shall dispose of any condemned weight or measure, or weighing or measuring instrument contrary to law, or any person who, by himself, or his employee or agent, or as the employee or agent of another, shall sell or offer or expose for sale or use or have in his possession for the purpose of selling or using any device or instrument to be used to or calculated to falsify any weight or measure, and any person who, by himself, or his employee or agent, or as the employee or agent of another, shall sell or offer or expose for sale any commodity, produce, article or thing in a less quantity than the true net weight, or true net measure thereof, or in a less quantity than he represents it to be or contain, shall be guilty of a misdemeanor. Possession of such false weights or measures or weighing or measuring instruments shall be prima facie evidence of the fact that they were intended to be used in the violation of law'."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Assembly Bill No 1530—An Act to provide for the grant of franchises to certain persons, firms or corporations, as shall engage in business of common carriers through the operation of motor vehicles or automobiles carrying passengers for hire.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1396—An Act authorizing the construction, improvement, maintenance and control of the uncompleted portions of the system of State highways prescribed and contemplated by an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of State highways in the State of California, specifying the work, fixing the payments to be made by counties for moneys expended thereon; providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D., 1910, and known and cited as the "State Highways Act"; specifying the work, fixing the payments to be made by counties for moneys expended thereon; providing for the issuance and sale of State bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said system; creating a revolving fund to be used by the State Department of Engineering for the purposes of this Act; creating a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1262—An Act to amend section 2185 of the Political Code, relating to the commitment of inebriates, drug habitues and sex perverts to state hospitals.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 552—An Act to amend section 1 of an Act entitled "An Act to amend an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a board of fire commissioners," approved March 4, 1881, amended March 6, 1899 (approved April 21, 1909).

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1570—An Act to amend section 925 of the Penal Code, relating to the powers and duties of a grand jury.

COMMITTEE AMENDMENT.

During second reading of the bill the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 1, after the word "code" strike out the period and insert in lieu thereof a semicolon and the following: "provided, however, that where two or more defendants have been indicted for the same offense and are represented by the same attorney, one copy only shall be delivered to such defendants or their attorneys".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 432—An Act to amend section 156 of the Code of Civil Procedure, relating to qualifications of Justices of Supreme Court and of the District Courts of Appeal.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 433—An Act to amend section 157 of the Code of Civil Procedure, relating to qualification of superior judges

Bill read second time, and ordered on file for third reading

Assembly Bill No. 700—An Act to amend section 4300*g* of the Political Code, relating to witness fees.

Bill read second time, and ordered on file for third reading

Assembly Bill No. 1572—An Act to amend section 988 of the Penal Code, relating to the arraignment of the defendant in a criminal trial.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 930—An Act to amend section 1 of an Act entitled "An Act in relation to fences, and other structures erected to annoy, and for the abatement of nuisances," approved May 28, 1913.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, after the word "adjoining" strike out the words "or adjacent" and insert in lieu thereof a comma and the following: "adjacent or neighboring".

Amendment adopted.

Bill read second time, ordered to print, and third reading

Assembly Bill No. 400—An Act relating to municipal charters and providing for cities having freeholder charters or charters under the general laws of the State of California, to make and enforce any and all general laws or regulations in respect to municipal affairs, and to elect to proceed under such general laws in lieu of the charter provisions.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of lines 2 to 6, inclusive, of the title and insert in lieu thereof the following "Authorizing any municipal corporation organized under a freeholders' charter, to exercise plenary powers in municipal affairs, as set forth in such charter or amendment or amendments thereof, and in the absence of charter provisions thereon, to act in such affairs under general laws".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1, strike out all after the word "any" and also strike out all of lines 2 to 14, inclusive, and insert in lieu thereof the following: "municipal corporation heretofore or hereafter incorporated under a freeholders' charter under authority of the Constitution of this State, to exercise plenary powers with reference to any municipal affairs, in the manner set forth in such charter or any amendment or amendments thereof. As to any municipal affairs not so provided for in such charter or amendment or amendments thereof, the municipality may act under and in accordance with any general law on the subject".

Amendment adopted.

Bill read second time, ordered to print, and third reading

Assembly Bill No. 1477—An Act to provide for work in and upon highways, streets, avenues, lanes, alleys, courts, places and sidewalks in counties, and upon property and rights of way owned by counties, and for establishing and changing the grade of the same, and providing for the issuance and payment of improvement bonds to represent certain assessments for the cost thereof.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 14, [illegible]

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 22, [illegible]

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 21, after the word "hearing", strike out all the rest of line 21; also all of lines 22, 23 [illegible] and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, line 6, strike out all of said line after the figures [illegible] lines 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 and insert in lieu thereof the following: "In all [illegible] of the assessment district or both, and to refer to the resolution of intention for further particulars."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 27, [illegible]

Amendment adopted.

Bill read second time, ordered to print and third reading.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Strobridge, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 236—An Act to provide for the establishment and maintenance of vocational courses and schools by local boards of education for the purpose of encouraging agricultural, industrial, trade, commercial and all other practical subjects, and providing State aid therefor, and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
E. M. [illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 236.

Senate Bill No. 236—An Act to provide for the establishment and maintenance of vocational courses and schools by local boards of education for the purpose of encouraging agricultural, industrial, trade, commercial and all other practical subjects, and providing State aid therefor.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED THIRTY-SIX.

AMENDMENT NUMBER ONE.

On page 9, line 15, strike out the word "fifty."

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 236?"

The roll was called, and Assembly amendment to Senate Bill No. 236 was concurred in by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Butler, Campbell, Chandler, Cone, [illegible], Duncan, Flaherty, Flint, Gerdes, Irwin, Kehoe, Luce, Lyon, Maddux, Owens, Rush, Scott, Strobridge, Stuckenbruck, Thompson, and Tyrrell—25.

NOES—None.

Senate Bill No. 236 ordered to enrollment.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 295—An Act to appropriate money for the replacement of a fresh pipe line and connections thereto, and the completion of the reservoir and water systems at the Mendocino State Hospital;

Also: Senate Bill No. 211—An Act to amend section 4254 of the Political Code, relating to compensation of officers in counties of the twenty-fifth class;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 295, ordered to the file of Unfinished Business.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 211.

Senate Bill No. 211—An Act to amend section 4254 of the Political Code, relating to compensation of officers in counties of the twenty-fifth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED ELEVEN.

ADOPTED APRIL 30, 1915.

By Committee:

AMENDMENT NUMBER ONE.

On page 1, line 9, strike out the words "appointed by the county clerk", and in line 10 strike out the word "and".

AMENDMENT NUMBER TWO.

On page 1, line 11, after the word "installments", strike out the word "and" and add the following: "one deputy who shall be paid a salary of one thousand two hundred dollars per annum, to be paid in equal monthly installments".

AMENDMENT NUMBER THREE.

On page 1, line 15, after the word "issued" add the following: "All deputies shall be appointed by the county clerk".

AMENDMENT NUMBER FOUR.

On page 5, line 9, strike out the word "second" and insert in lieu thereof the word "third".

AMENDMENT NUMBER FIVE.

On page 5, line 21, strike out the word "ninety" and insert in lieu thereof the following: "one hundred fifteen".

AMENDMENT NUMBER SIX.

On page 5, line 22, strike out the word "seventy five" and insert in lieu thereof the word "eighty".

AMENDMENT NUMBER SEVEN.

On page 5, line 23, strike out the word "fifty" and insert in lieu thereof the word fifty-five".

AMENDMENT NUMBER EIGHT

On page 5, line 32, after "[illegible]" add, "In townships of the first, second and third classes the Board of Supervisors shall [illegible] [illegible] [illegible] in all [illegible] townships."

By Mr. Dennett:

AMENDMENT NUMBER ONE

On page 2, line 25, strike out all after the word "[illegible]," down to and including the word "[illegible]" in line 28.

AMENDMENT NUMBER TWO

On page 4, line 29, after the word "all" add "[illegible]."

Adopted May 3, 1915.

AMENDMENT NUMBER ONE

On page 2, line 36, after the word "[illegible]" insert "[illegible]."

AMENDMENT NUMBER TWO

On page 5, line 29, strike out the words "[illegible] [illegible] [illegible]".

AMENDMENT NUMBER THREE

On page 5, line 31, strike out the period and the word "All" after the word "townships", and insert in lieu thereof the word "all".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 211?"

The roll was called, and Assembly amendments to Senate Bill No. 211 were concurred in by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Birdsall, Boyd, Butler, Campbell, Chandler, Carr, [illegible], Duncan, Flaherty, Flint, Gates, Irwin, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Strobridge, Sturtevant, Thompson, and Tyrrell—28.

Noes—None.

Senate Bill No. 211 ordered to enrollment.

Also—

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly concurred in Senate amendments numbers one and two:

AMENDMENT NUMBER ONE

On page 1, line 5, of the printed bill, strike out the word "[illegible]", and insert in lieu thereof the word "[illegible]".

AMENDMENT NUMBER TWO

On page 2, line 10, of the printed bill, strike out the words "of the", and in line 11 strike out the words "commissioners [illegible] [illegible]", and insert in lieu thereof the following: "by the board of supervisors."

To Assembly Bill No. 1523—An Act providing for the improvement, development or protection of any harbor, bay, inlet or other arm of the sea, existing within any county of this State, providing for the appointment of a harbor commission by the board of supervisors of any such county to have charge and control of the improvement, development, or protection thereof, and for voting, issuance and sale of the bonds of such county to pay the cost thereof.

And refused to concur in Senate amendment number three:

AMENDMENT NUMBER THREE

On page 5, line 35, of the printed bill, strike out the period and the syllable "[illegible]", and also strike out all of lines 36 and 37, and insert in lieu thereof a semicolon and the following: "*provided, however,* that the provisions of this Act shall not apply to any harbor, bay, inlet, or other arm of the sea, now municipalized or controlled by the State of California or any municipality thereof or to any harbor, bay, inlet, or other arm of the sea, in which the State of California has ceded or granted to any municipality of the State the whole or any portion of the salt marsh or tide lands".

And requests your honorable body to recede from amendment number three.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

SENATE REFUSES TO RECEDE.

Senator Kehoe moved that the Senate refuse to recede from Senate Amendment No. 3 to Assembly Bill No. 1523.

The question being, "Shall the Senate recede from Senate Amendment No. 3 to Assembly Bill No. 1523?"

The roll was called and the Senate refused to recede from Senate Amendment No. 3 to Assembly Bill No. 1523 by the following vote:

AYES—None.

NOES—Senators Anderson, Ballard, Birdsall, Breed, Butler, Campbell, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Maddux, Rush, Strobridge, Thompson, Tyrrell, and Wolfe—25.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Birdsall, Irwin and Gerdes as a Committee on Conference to meet with a like committee from the Assembly to consider Senate Amendment No. 3 to Assembly Bill No. 1523.

RESOLUTION—OUT OF ORDER.

By consent of the Senate the following resolution was offered, out of the regular order:

By Senator Breed:

Resolved, That William M. Reese be transferred from the position of Assistant-at-the-Desk at $5 per diem to the position of Assistant Secretary at $6 per diem.

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Breed, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Sturtevant, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

ASSISTANT SECRETARY J. A. BEEK AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 989—An Act to create a State purchasing department, to define the authority, powers, and duties thereof; to provide for the appointment of and to define the authority, powers and duties and to fix the salaries and wages of the officers and employees thereof, to provide funds for the support and expenditures thereof; to provide for the manner of payment of obligations incurred thereby; to create a revolving fund therefor; to provide for the appointment of, and define the authority, powers and duties of, and to fix the salaries of a State Purchasing Agent, an Assistant State Purchasing Agent, and a State Testing Engineer; and to repeal all Acts or parts of Acts in conflict with the provisions of this Act.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 989 passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, King,

[illegible] and W[illegible]—30.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. [illegible] IN THE CHAIR.

THIRD READING OF ASSEMBLY BILLS RESUMED.

Assembly Bill No. 741—An Act to amend section 10 of an Act entitled "An Act to establish a school of industry, to provide for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, as amended February 27, [illegible].
Bill read third time previously.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 741 passed by the following vote:

Ayes—Senators [illegible] and W[illegible].
Noes—Senator [illegible]—1.

Title read and approved.
Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON [illegible]

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on [illegible] Senate Bill No. 744 [illegible]
Also, Assembly Bill No. 110 [illegible]
And [illegible]

FLAHERTY, Chairman.

Assembly Bill No. 110 ordered on file without reference to Committee.
Senate Bill No. 744 ordered to the file of Unfinished Business.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. [illegible]—An Act to be known as "The California Irrigation Act," [illegible] this Act; directing the State Department of Engineering relative to such works; authorizing irrigation districts to reorganize under this Act and generally providing a policy relating to storage diversion and use of water, and adopting a plan for providing revenues therefor—has had the same under consideration, and respectfully reports the same back, with amendments, and make no recommendation.

MADDUX, Chairman.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: A minority of your Committee on Irrigation, to which was referred Assembly Bill No. 1524—An Act to be known as "The California Irrigation Act," providing for co-operation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes; creating an irrigation board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts; providing for the management, control and supervision of such water districts and of the works constructed pursuant to this Act; directing the State Department of Engineering relative to such works; authorizing irrigation districts to reorganize under this Act and generally providing a policy relating to storage diversion and use of water, and adopting a plan for providing revenues therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

DUNCAN.

Assembly Bill No. 1524 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1411—An Act to amend section 4252 of the Political Code of the State of California, relating to salaries and compensation of the county and township officers of counties of the twenty-third class—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Assembly Bill No. 1411 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1379—An Act to amend section 323 of the Code of Civil Procedure of the State of California, relating to the adverse possession of land—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

KEHOE, Chairman.

Assembly Bill No. 1379 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 496—An Act prohibiting the advertisement or publication of any advertisement that any person will cure or treat or attempt to cure or treat any venereal disease or diseases of the sexual organs, or the advertisement of any medicine, medical preparation, remedy or prescription for such diseases or ailments and providing a penalty therefor.

Bill read third time.

On motion of Senator King, Assembly Bill No. 496 was passed on file.

Assembly Bill No. 846—An Act to amend an Act entitled "An Act relating to cold storage, and regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," etc.

Bill read third time.

On motion of Senator Scott, Assembly Bill No. 846 was ordered to the file of Unfinished Business.

Assembly Bill No. 722—An Act to provide for the establishment of passenger transportation facilities upon the Embarcadero in the city and county of San Francisco.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 722 passed by the following vote:

AYES—Senators [illegible] Mott, [illegible] and [illegible].

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 571—An Act to provide for the appropriation of certain submerged lands lying along the water front of the city and county of San Francisco for aquatic sports.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 571 passed by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Breed, Butler, [illegible] Mott, [illegible] and Wolfe—[illegible].

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible] CONSTITUTIONAL AMENDMENT NUMBER [illegible]

A Resolution to propose to the people of the State of California an amendment to section 7½ of article XI of the Constitution of the State of California, relating to [illegible] thereof.

The Legislature of the State of California, at its forty-first regular session commencing on the fourth day of January, 1915, two-thirds of all the members elected to each of the two houses of said Legislature voting therefor, hereby proposes to the people of the State of California that section 7½ of article XI of the Constitution of the State be amended so as to read as follows:

SEC. 7½. [illegible] qualified electors. If required by said clerk, the board of supervisors shall authorize [illegible] ordinance or the presentation of such petition, said board of supervisors shall order the holding of a special election for the purpose of electing such board of freeholders, which said special election shall be held not less than twenty days nor more than sixty days after the adoption of the ordinance aforesaid or the presentation of said petition to said board of supervisors; provided, that if a general election shall occur in said county not less than twenty days nor more than sixty days after the adoption of the ordinance aforesaid or the presentation of said petition to said board of supervisors, said board of freeholders may be elected at such general election. Candidates for election as members of said board of freeholders shall be nominated by petition, substantially in the same manner as may be provided by general law for the nomination, by petition of electors, of candidates for county officers, to be voted for at general elections. It shall be the duty of said board of freeholders, within one hundred and twenty days after the result of such election shall have been declared by said board of supervisors, to prepare and propose a charter for said county, which shall be signed in duplicate by the members of said board of freeholders, or a majority of them, and be filed, one copy in the office of the county clerk of said county and the other in the office of the county recorder thereof. Said board of supervisors shall thereupon cause said proposed charter to be published for at least ten times in a daily newspaper of general circulation, printed, published and circulated in said county; *provided*, that in any county where no such daily newspaper is printed, published and circulated, such proposed charter shall be published for at least three times in a weekly newspaper, of general circulation, printed, published and circulated in such county; *and provided*, that in any county where neither such daily nor such weekly newspaper is printed, published and circulated, a copy of such proposed charter shall be posted by the county clerk in three public places in said county, and on or near the entrance to at least one public school in each school district in said county, and the first publication or the posting of such proposed charter shall be made within fifteen days after the filing of a copy thereof, as aforesaid, in the office of the county clerk. The board of supervisors shall cause copies of such charter to be printed in convenient pamphlet form, and shall, until the date fixed for the election upon such charter, advertise in one or more newspapers of general circulation, published in said county, a notice that such copies may be had upon application therefor. If there is no newspaper published within the county, then such notice shall be posted by the county clerk in three public places in said county and on or near the entrance to at least one public school house in each school district within the county. Said proposed charter shall be submitted by said board of supervisors to the qualified electors of said county at a special election held not less than thirty days nor more than sixty days after the completion of such publication, or after such posting; *provided*, that if a general election shall occur in said county not less than thirty days nor more than sixty days after the completion of such publication, or after such posting, then such proposed charter may be so submitted at such general election. If a majority of said qualified electors, voting thereon at such general or special election, shall vote in favor of such proposed charter, it shall be deemed to be ratified, and shall be forthwith submitted to the Legislature, if it be in regular session, otherwise at its next regular session, or it may be submitted to the Legislature in extraordinary session, for its approval or rejection as a whole, without power of alteration or amendment. Such approval may be made by concurrent resolution, and if approved by a majority vote of the members elected to each house, such charter shall become the charter of such county and shall become the organic law thereof relative to the matters therein provided, and supersede any existing charter framed under the provisions of this section, and all amendments thereof, and shall supersede all laws inconsistent with such charter relative to the matters provided in such charter. A copy of such charter, certified and authenticated by the chairman and clerk of the board of supervisors under the seal of said board and attested by the county clerk of said county, setting forth the submission of such charter to the electors of said county and its ratification by them shall, after the approval of such charter by the Legislature, be made in duplicate, and filed, one in the office of the Secretary of State and the other, after being recorded in the office of the Recorder of said county, shall be filed in the office of the county clerk thereof, and thereafter all courts shall take judicial notice of said charter.

The charter, so ratified, may be amended by proposals therefor submitted by the board of supervisors of the county to the qualified electors thereof at a general or special election held not less than thirty days nor more than sixty days after the publication of such proposals for ten times in a daily newspaper of general circulation, printed, published and circulated in said county; *provided*, that in any county where no such daily newspaper is printed, published and circulated, such proposed amendments shall be published for at least three times in at least one weekly newspaper of general circulation, printed, published and circulated in such county; *provided*, that in any county where neither such daily nor such weekly newspaper is printed, published and circulated, a copy of such proposed amendments shall be posted by the county clerk in three public places in said county, and on or near the entrance to at least one public schoolhouse in each school district in said county. The board of supervisors shall cause copies of such proposed amendments to be printed in convenient pamphlet form, and shall until the date fixed for the election [illegible] application therefor. If a majority [illegible]

[illegible] or any amend- [illegible]

[illegible]

[illegible]

1. [illegible] the members of said board [illegible] that shall constitute [illegible] by the electors of [illegible] thereof; and

2. [illegible] county offices [illegible] elected or appointed, and for [illegible] for their [illegible] and

3. [illegible] for each township, or for [illegible] of such inferior courts as may be provided by the constitution or general [illegible] for the fixing of the number of such [illegible] of the peace and [illegible] judges and other officers of such inferior

courts, by boards of supervisors for the election or appointment of said officers, for the times at which and terms for which said officers shall be elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors, and if appointed, for their qualifications and the manner of their appointment; and

4. For the powers and duties of boards of supervisors and all other county officers, for their removal and for the consolidation and segregation of county offices, and for the manner of filling all vacancies occurring therein; *provided*, that the provisions of such charters relating to the powers and duties of boards of supervisors and all other county officers shall be subject to and controlled by general laws; *provided, however*, that the powers and duties of the district attorney in civil matters, the powers and duties of the county clerk in matters of elections and the registration of voters, and the powers and duties of members of the board of supervisors as ex officio road commissioners, may be respectively segregated and assigned to new offices created for that purpose; *provided, further, however*, that such charter may provide that boards of supervisors may delegate to an executive committee or executive board, composed of members selected from its own body, certain of their administrative powers and duties, including the filling of appointments; and

4½. For the assumption and discharge by county officers of certain of the municipal functions of the cities and towns within the county, whenever, in the case of cities and towns incorporated under general laws, the discharge by county officers of such municipal functions is authorized by general law, or whenever, in the case of cities and towns organized under section eight of this article, the discharge by county officers of such municipal functions is authorized by provisions of the charters, or by amendments thereto, of such cities or towns.

5. For the fixing and regulation by boards of supervisors, by ordinance, of the appointment and number of assistants, deputies, clerks, attaches and other persons to be employed, from time to time, in the several offices of the county, and for the prescribing and regulating by such charter or boards of the powers, duties, qualifications and compensation of such persons, the times at which and terms for which they shall be appointed, and the manner of their appointment and removal; and

6. For the compensation of such fish and game wardens, probation and other officers as may be provided by general law, or for the fixing of such compensation by boards of supervisors.

All elective officers of counties, and of townships, of road districts and of highway construction divisions therein shall be nominated and elected in the manner provided by general laws for the nomination and election of such officers.

All charters framed under the authority given by this section, in addition to the matters hereinabove specified, may provide as follows:

For boards and offices other than those required by the constitution and laws of the State, or for the creation of any or all of such offices by boards of supervisors, for the election or appointment of persons to fill such offices, for their qualifications, and if appointed, for the manner of such appointment, for the times at which and the terms for which such persons shall be so elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors.

For offices hereafter created by this constitution or by general law, for the election or appointment of persons to fill such offices, for their qualifications, and if appointed, for the manner of such appointment, for the times at which and terms for which such persons shall be so elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors.

For the formation, in such counties, of road districts for the care, maintenance, repair, inspection and supervision only of roads, highways and bridges; and for the formation, in such counties, of highway construction divisions for the construction only of roads, highways and bridges; for the inclusion in any such district or division, of the whole or any part of any incorporated city or town, upon ordinance passed by such incorporated city or town authorizing the same, and upon the assent to such inclusion by a majority of the qualified electors of such incorporated city or town, or portion thereof, proposed to be so included at an election held for that purpose; for the organization, government, powers and jurisdiction of such districts and divisions, and for raising revenue therein, for such purposes, by taxation, upon the assent of a majority of the qualified electors of such districts or divisions, voting at an election to be held for that purpose; for the incurring of indebtedness therefor by such counties, districts or divisions for such purposes respectively, by the issuance and sale, by the counties, of bonds of such counties, districts or divisions, and the expenditure of the proceeds of the sale of such bonds and for levying and collecting taxes against the property of the counties, districts or divisions, as the case may be, for the payment of the principal and interest of such indebtedness at maturity; *provided*, that any such indebtedness shall not be incurred without the assent of two-thirds of the qualified electors of the county, district or division, as the case may be, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also for a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same; and the procedure for voting, issuing and selling such bonds shall, except as so far

[illegible]

[illegible]

[illegible]

[illegible]

Constitutional amendment read.

The question being on the adoption of the constitutional amendment,

The roll was called, and Assembly Constitutional Amendment No. [illegible] adopted by the following vote:

AYES—Senators [illegible]

NOES—None.

Constitutional amendment ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act to amend sections [illegible], 3627, 3628, 3629, [illegible] and 3752 of the Political Code, and to repeal sections [illegible] 3767 and [illegible] of said Code, and to add to said Code a new section to be numbered 3714a, all relating to revenue and taxation.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

AYES—Senators Anderson, [illegible] Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Irwin, [illegible]

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY AMENDMENTS

On motion of Senator Purkitt the Senate took up for consideration Assembly amendments to Senate Bill No. 295.

Section 2, setting forth the urgency clause, read.

The question being: "Shall the section setting forth the urgency features of this bill be passed?"

The roll was called, and the urgency section passed by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, King, Lee, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED NINETY-FIVE.

AMENDMENT NUMBER ONE.

Amend the title to read "To appropriate money for the replacement of a main pipe line and connections thereto, and the completion of the reservoir and water systems at the Mendocino State Hospital".

AMENDMENT NUMBER TWO.

In line 4, after the word "thereto", insert the words "and the completion of the reservoir and water system".

AMENDMENT NUMBER THREE.

Add section 2, as follows:

"SEC. 2. Inasmuch as the patients, employees and officers at the Mendocino State Hospital are dependent for a proper water supply upon the present pipe line which is liable to give way at any time, the appropriation herein made for a new pipe line and connections is hereby deemed to be necessary for the immediate preservation of the public peace and safety, and this Act is hereby declared to be an urgency measure within the meaning of section 1 of article IV of the Constitution".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 295?"

The roll was called, and Assembly amendments to Senate Bill No. 295 concurred in by the following vote:

AYES—Senators Anderson, Benson, Birdsall, Breed, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, King, Lee, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—None.

Senate Bill No. 295 ordered to enrollment.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Shearer asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of a bill previously reported from committee on this legislative day.

Assembly Bill No. 1524—An Act to be known as "The California Irrigation Act" providing for coöperation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes; creating an irrigation board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts, providing for the management, control and supervision of said water districts and of the works constructed pursuant to this Act, directing the State Department of Engineering relative to such works, authorizing irrigation districts to reorganize under this Act and generally providing a policy relating to storage diversion and use of water, and adopting a plan for providing revenues therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill the following committee amendments were offered, and ordered printed in the Journal for further consideration:

AMENDMENT NUMBER ONE.

On page 2, line [illegible] [illegible]

AMENDMENT NUMBER TWO.

On page 2, line 8, strike out [illegible]

AMENDMENT NUMBER THREE.

On page [illegible] [illegible] of a majority in value as shown [illegible]

AMENDMENT NUMBER FOUR.

[illegible]

AMENDMENT NUMBER FIVE.

[illegible]

AMENDMENT NUMBER SIX.

[illegible]

AMENDMENT NUMBER SEVEN.

[illegible]

SENATOR FLINT IN THE CHAIR.

At nine o'clock and twenty-five minutes p.m., Senator Flint of the Eleventh District in the chair.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 24—An Act to amend an Act entitled "An Act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-ninth fiscal year and making certain acts a felony and repealing an Act entitled 'An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation,' approved February [illegible], [illegible], and all Acts or parts of Acts amendatory thereof,' also repealing an Act entitled 'An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year,' approved April 1st, 1897; also repealing an Act entitled 'An Act providing for the appointment of an auditing board to the Commission of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to erect works necessary and incident to said drainage, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act,' approved March 17th, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to provide for the appointment, duties and compensation of a Debris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner,' approved March 24th, 1893, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled 'An Act to create the office of Lake Tahoe Wagon Road Commissioner, providing the term of office and compensation of such commissioner, defining his duties, and making an appropriation for the salary and expenditures provided for and authorized by this Act,' approved April 1st, 1897, and all Acts or parts of Acts amendatory thereof,'' approved March 11th, 1907, and all Acts or parts of Acts amendatory thereof, by amending sections 5 and 12 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries, and particularly to the engineer appointed for service in the harbor of San Francisco under the State Board of Harbor Commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 24 passed by the following vote:

AYES—Senators Anderson, Beban, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, [illegible], Crowley, Finn, Flaherty, [illegible], [illegible], [illegible], Lyon, Maddux, Mott, Owens, Rush, Scott, Strobridge, and Wolfe—26.

NOES—Senators Ballard, [illegible], King, Purkitt, Shearer, Slater, and [illegible]—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 243—An Act to establish a standard for the packing and marketing of apples, fixing penalties for the violation of its provisions, and providing for its enforcement.

Bill read third time.

On motion of Senator Chandler Senate Bill No. 243 was ordered re-referred to Committee on Finance, to retain its place on file.

SECRETARY EDWIN F. SMITH AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1594—An Act to amend an Act entitled "An Act to amend section 4276 of the Political Code of the State of California relating to salaries and fees of officers in counties of the forty-seventh class," approved June 15, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1594 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Boyd, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Gerdes, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, [illegible], Tyrrell and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 749—An Act to provide for the care, management and protection of state highways and providing penalties for violations of the provisions of the Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 749 passed by the following vote:

AYES—Senators Ballard, Beban, Benson, Birdsall, Boyd, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, [illegible], Thompson, Tyrrell and Wolfe—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At four o'clock and forty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1160—An Act to amend sections 632 and 632a of the Penal Code, relating to the preservation of fish, and to add a new section to the Penal Code to be numbered section 632b, relating to the importation into the State of California of domestically reared trout.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1160 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Boyd, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Gerdes, Irwin, Jones, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, [illegible], Thompson, Tyrrell and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1577—An Act to amend section 1239 of the Political Code, relating to elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1577 passed by the following vote:

AYES—Senators Beban, Benson, Birdsall, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—28.

NOES—Senators Ballard, Chandler, Irwin, and Purkitt—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1181—An Act to amend sections 3 and 9 of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1181 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Breed, Brown, Campbell, Carr, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Luce, Maddux, Mott, Owens, Scott, Shearer, Strobridge, Tyrrell, and Wolfe—22.

NOES—Senators Ballard, Butler, Chandler, Cogswell, Irwin, Jones, King, Slater, Stuckenbruck, and Thompson—10.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 994—An Act to amend section 4243 of the Political Code, relating to the compensation of officers of counties of the fourteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 994 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Chandler, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR DUNCAN IN THE CHAIR.

At nine o'clock and fifty-five minutes p.m., Senator Duncan, of the Sixth District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 844—An Act to amend section 4241 of the Political Code of the State of California, relating to the salaries and compensations of officers of counties of the twelfth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 844 passed by the following vote:

AYES—Senators Anderson, Benedict, Breed, Brown, Butler, Campbell, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux,

Mott, Owens, Rush, Scott, [illegible], Strobridge, Thompson, Tyrrell, and Wolfe—28.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 1145—An Act to amend section 777 of Act 2848, relating to contracting for public work in cities of the fifth class.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1145 passed by the following vote:

Ayes—Senators [illegible], King, [illegible], Mott, Owens, Rush, Scott, [illegible], Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Wolfe asked for and was granted leave of absence for the balance of this legislative day.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 718—An Act to prevent blindness from ophthalmia neonatorum; to vest certain powers and duties in the State Board of Health and health officers; to impose certain duties upon physicians, midwives, nurses and other persons; and to provide for the enforcement of this Act, and the repeal of chapter XIV, Statutes of 1907, entitled "An Act to regulate medical practice to prevent blindness in infants," and other Acts in conflict herewith.

Bill read third time.
On motion of Senator Strobridge, Assembly Bill No. 718 was ordered re-referred to Committee on Finance.

MINUTE CLERK [illegible] AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 437—An Act to appropriate money for the construction of fences on the property of the California School for Girls located near Ventura.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 437 passed by the following vote:

Ayes—Senators Anderson, [illegible], Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 417—An Act to appropriate money for repairs and improvements at the state prison at Folsom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 417 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Jones, King, Luce, Lyon, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 418—An Act to appropriate money for the expense of changing from coal to oil burners at the state prison at Folsom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 418 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Jones, King, Luce, Lyon, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 419—An Act to appropriate money for the purchase of live stock for the state prison at Folsom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 419 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Jones, King, Luce, Lyon, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 601—An Act to create a revolving fund for the manufacturing departments at the state prison at San Quentin and to appropriate money therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 601 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Crowley, Duncan, Finn, Flint, Jones, King, Luce, Lyon, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 597—An Act to prevent the introduction and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 597 passed by the following vote:

Ayes—Senators Anderson, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Dennett, Finn, Flaherty, Gates, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Sanford, Scott, Shearer, Stuckenbruck, Thompson, and Tyrrell—31.

Noes—Senator Ballard.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 281—An Act providing an alternative system for the nomination and election of officers of cities of the fifth and sixth class and providing for the preferential system of voting at such elections.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 281 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Dennett, Finn, Flaherty, Gerdes, Irwin, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Rush, Shearer, Scott, Slater, Stuckenbruck, and Tyrrell—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 344—An Act to appropriate money to construct a highway between El Centro, California, and a point on the California State line directly opposite Yuma, Arizona.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 344 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Dennett, Finn, Flaherty, Gates, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, and Stuckenbruck—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 676—An Act providing for the location and construction of a state highway in Imperial County, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 676 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Dennett, Finn, Flaherty, Gates, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Scott, Shearer, Slater, and Strobridge—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 122—An Act providing that one-half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Scannell" and "Dennis Sullivan" shall be borne and paid by the State of California out of the general fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 122 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, and Stuckenbruck—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 130—An Act appropriating money to pay the claim of W. H. Carlin against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 130 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, King, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, and Stuckenbruck—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 204—An Act making an appropriation of money to pay the claim of R. T. Macklin against the State of California for injuries received while in the service of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 204 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Gerdes, Irwin, Jones, King, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, and Stuckenbruck.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 213—An Act appropriating money for the construction of a machinery building at the Santa Barbara State Normal School of Manual Arts and Home Economics.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 218 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Breed, Butler, Campbell, Carr, Chandler, Crowley, [illegible] Flint, [illegible] Luce, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, and Strobridge—2[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 320—An Act appropriating the sum of forty thousand dollars for the support and maintenance of university extension work by the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 320 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Breed, Butler, Campbell, Carr, Chandler, Crowley, [illegible] Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, and Thompson—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 375—An Act to appropriate money for a plant for electricity at the Stockton State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 375 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Breed, Butler, Campbell, Carr, Chandler, Crowley, [illegible] Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, and Thompson—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 415—An Act to appropriate money for furnishing and decorating the warden's residence at the state prison at Folsom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 415 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Breed, Butler, Campbell, Carr, Chandler, Crowley, [illegible] Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, [illegible] and Tyrrell—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 422—An Act to appropriate money for repairs, improvements and equipment at the Whittier State School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 422 passed by the following vote:

Ayes—Senators Anderson, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Lyon, Maddux, Mott, Owens, Rush, Scott, Strobridge, Thompson, and Tyrrell—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 435—An Act to appropriate money for the construction and furnishing of six typical cottages at the California School for Girls located near Ventura.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 435 passed by the following vote:

Ayes—Senators Anderson, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Lyon, Maddux, Owens, Rush, Scott, Shearer, Slater, Strobridge, and Tyrrell—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 465—An Act to appropriate money for the purchase of live stock at the state prison at San Quentin.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 465 passed by the following vote:

Ayes—Senators Anderson, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, and Tyrrell—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 466—An Act to appropriate money for repairs and improvements at the state prison at San Quentin.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 466 passed by the following vote:

Ayes—Senators Anderson, Benedict, Benson, Breed, Butler, Campbell, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 478—An Act to appropriate money for the construction and furnishing of a cottage for women patients at the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 478 passed by the following vote:

AYES—Senators Anderson, Breed, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 479—An Act to appropriate money for the construction and furnishing of a cottage for men patients at the Napa State Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 479 passed by the following vote:

AYES—Senators Anderson, Ballard, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Shearer, Slater, and Tyrrell—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 594—An Act to appropriate money for the payment of compensation benefits accruing by reason of personal injury resulting from accident to State officers and employees while performing services growing out of and incidental to their employment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 594 passed by the following vote:

AYES—Senators Anderson, Ballard, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 614—An Act appropriating money for the purpose of insuring the state printing plant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 614 passed by the following vote:

AYES—Senators Anderson, Ballard, Breed, Butler, Campbell, Cogswell, Crowley, Duncan, Flaherty, Gerdes, Jones, Lyon, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 1260—An Act to amend an Act entitled "An Act relating to bank-of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any Act may be authorized," approved June 13th, 1913, by amending section 4 of said Act—and reports that the same has been correctly re-engrossed.

LUCE, Vice Chairman.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 828—An Act making an appropriation to pay the claims against the State of California arising under the provisions of section 1 of article XXIII of the Constitution of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 828 passed by the following vote:

AYES—Senators Anderson, Balard, Benson, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Irwin, Jones, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 547—An Act making an appropriation to pay the claim of W. H. Taylor against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 547 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Irwin, Jones, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 923—An Act appropriating money to pay the claim of Dr. W. B. Coffey against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 923 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flaherty, Gerdes, Irwin, Jones, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 718—An Act to amend section 737 of the Political Code, relating to the salary of superior judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 718 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benson, Birdsall, Brown, Campbell, Carr, Chandler, Duncan, Flaherty, Gerdes, Irwin, Jones, Madden, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Thompson and Tyrrell—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 186—An Act to amend section 751½ of the Political Code relating to appointment and salary of stenographer of the Clerk of the Supreme Court.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 186 passed by the following vote:

Ayes—Senators Ballard, Beban, Benson, Boyce, Campbell, Carr, Cogswell, Duncan, Flaherty, Gerdes, Irwin, Jones, Madden, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Thompson and Tyrrell—22.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Strobridge, the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day appointed Assemblymen Bartlett, Rosen and Edwards, E. G., as a Committee on Conference to meet a like committee of the Senate to consider amendments to Assembly Bill No. 1626: An Act providing for the improvement, development or protection of any harbor, bay, river, or other inlet of the sea existing within any county of this State, providing for the appointment of a harbor commission by the board of supervisors of any such county to have charge and control of the improvement, development or protection thereof, and the voting, issuance and sale of the bonds of such county to pay the cost thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. SIVEY, Assistant Clerk.

REPORT OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received:

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: The Senate members of your Committee on Conference concerning Assembly Bill No. 1626—An Act providing for the improvement, development or protection of any harbor, bay, river or other inlet of the sea existing within any county of this State, providing for the appointment of a harbor commission by the supervisors of any county to have charge and control of the improvement, development or protection thereof and the voting, issuance and sale of the bonds of such county to pay the cost thereof—report that we have met a like committee of the Assembly, consisting of Assemblymen Bartlett, Rosen and Edwards, E. G., and we report that the Conference Committee has been unable to agree and we recommend that a Committee on Free Conference on said bill be appointed.

IRWIN,
GERDES,
Committee.

Report read and, on motion of Senator Irwin, adopted.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Breed, Benedict and Kehoe as a Committee on Free Conference to meet with a like committee from the Assembly, for the consideration of Assembly Bill No. 1523.

The Secretary was directed to notify the Assembly of the Senate's appointment of Committee on Free Conference.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 709—An Act to appropriate money to meet the expenses of compiling, printing and distributing constitutional amendments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 709 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Brown, Butler, Campbell, Chandler, Cogswell, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Thompson, and Tyrrell—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1156—An Act to appropriate money to be expended by and under the direction of the Department of Engineering for the purpose of rectifying and improving the channels of the Sacramento, San Joaquin and Feather rivers and such other waters of the State as the Department of Engineering may determine, etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1156 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benson, Brown, Butler, Campbell, Chandler, Duncan, Flint, Gerdes, Irwin, Jones, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, and Tyrrell—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR BROWN IN THE CHAIR.

At eleven o'clock and ten minutes p.m., Senator Brown, of the Thirty-seventh District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 318—An Act to provide for the creation of the State Commission Market, and the organization thereof, to carry on the business of receiving from the producers the agricultural, fishery, dairy and farm products of the State of California, and selling and disposing of such products on commission, creating the "State Commission Market Fund" and appropriating money therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 518 passed by the following vote:

Ayes—Senators Anderson, Boynton, Brown, Butler, Campbell, Carr, Cogswell, Duncan, Flaherty, Gates, Irwin, Jones, Luce, Mott, Owens, Rush, Scott, Shearer, Strobridge, Thompson, and Tyrrell—21.

Noes—Senators Ballard and Chandler—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 540—An Act providing a minimum standard of sanitation for all labor camps, making an appropriation to carry out the provisions hereof, and repealing Acts inconsistent herewith.

Bill read third time.

On motion of Senator Purkitt, Assembly Bill No. 540 was passed on file.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1066—An Act [illegible] has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Assembly Bill No. 1066 ordered on file for second reading.

Also,

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1291—An Act to provide for the formation, government, [illegible] has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

TYRRELL, Chairman.

Assembly Bill No. 1291 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1504—An Act providing for the calling by the Governor of a conference on irrigation, reclamation, water storage, flood control, and drainage, and making an appropriation to pay the expenses thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1504 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Thompson and Tyrrell—26.

NOES—Senator Ballard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1364—An Act to appropriate money to pay the claim of Thomas Bair against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1364 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Flint, Gerdes, Jones, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, and Tyrrell—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 693—An Act to appropriate money for the purchase of machinery and equipment for the state printing plant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 693 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Gerdes, Irwin, Jones, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and twenty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 596—An Act appropriating the sum of $10,000 to defray the expenses, during the sixty-seventh and sixty-eighth fiscal years, of organizing, controlling, equipping, instructing, and maintaining high school cadet companies in the State of California, and for promoting rifle practice in said companies and to further carry out the purposes of an Act entitled "An Act to provide for the organization, control and equipment of high school cadet companies, and for the promotion or rifle practice therein, and appropriating the sum of $5,000 therefor," approved April 5, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 596 passed by the following vote:

Ayes—Senators Anderson, Boles, Benedict, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Gerdes, [illegible], Lyon, [illegible], [illegible], Owens, Purkitt, Rush, Scott, Slater, Strobridge and Thompson—23.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 268—An Act appropriating the sum of four thousand dollars for the construction of buildings on the lands of the Agricultural Experiment Station of the University of California in the county of Imperial.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 268 passed by the following vote:

Ayes—Senators Anderson, Ballard, Boles, Benedict, Benson, Brown, Butler, Campbell, Chandler, Cogswell, Duncan, Flint, Gerdes, Jones, [illegible], Owens, Rush, Scott, [illegible], Strobridge and Thompson—21.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 46—An Act appropriating money to pay the claim of Johan Alfred Matsson against the State of California.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 46 passed by the following vote:

Ayes—Senators Anderson, Ballard, Boles, Benedict, Benson, Brown, Butler, Campbell, Carr, Chandler, Duncan, Flint, Gerdes, [illegible], Jones, [illegible], Owens, Purkitt, Rush, Scott, [illegible], Strobridge and Thompson—23.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 815—An Act concerning the custody, maintenance and support of indigent, dependent and poor persons, orphans, and half-orphans, and for the education of such persons and other worthy persons under twenty-one years of age, fixing the responsibility of parents and relatives, stepfathers and fathers of illegitimate persons therefor, etc.

Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 815 passed by the following vote:

Ayes—Senators Anderson, Ballard, Boles, Benedict, Benson, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Gerdes, Jones, Lyon, Owens, Purkitt, Rush, Scott, Slater, Strobridge and Thompson—22.
Noes—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 80—An Act to establish the Yolo and Lake Highway; to define its course; to provide for its location and survey; and to make an appropriation therefor.

Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 80 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Butler, Campbell, Carr, Chandler, Duncan, Flint, Gerdes, Irwin, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Slater, Strobridge, and Thompson—22.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 232—An Act to amend section 2 of an Act entitled "An Act to create a State Board of Charities and Corrections, prescribing its duties and powers and appropriating money therefor," approved March 25, 1903, and amended by Act approved May 1, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 232 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Gerdes, Irwin, Jones, Lyon, Maddux, Owens, Purkitt, Rush, Scott, Slater, Strobridge, and Thompson—23.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR IRWIN IN THE CHAIR.

At eleven o'clock and thirty minutes p.m., Senator Irwin of the Thirty-second District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 280—An Act to appropriate money for the replacement of the main pipe line and connections thereto at the Mendocino State Hospital.

On motion of Senator Purkitt, Assembly Bill No. 280 was ordered to the file of Unfinished Business.

Assembly Bill No. 411—An Act to appropriate money for the construction of farm buildings at the state prison at Folsom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 411 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Gerdes, Irwin, Jones, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, and Thompson—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 412—An Act to appropriate money for the purchase and installation of refrigerating plant at the state prison at Folsom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 412 passed by the following vote:

Ayes—Senators Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Gates, Irwin, Jones, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge and Thompson—23.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 411—An Act to appropriate money for the expense of purchasing and installing new boiler room at the state prison at Folsom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 411 passed by the following vote:

Ayes—Senators Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Gates, Irwin, Jones, Maddux, Mott, Owens, Rush, Scott, Strobridge and Thompson—22.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 410—An Act to appropriate money for construction of electric equipment connected with the power house at the state prison at Folsom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 410 passed by the following vote:

Ayes—Senators Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Gates, Irwin, Jones, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge and Thompson—23.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 109—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 109 passed by the following vote:

Ayes—Senators Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Gates, Irwin, Jones, Maddux, Mott, Owens, Purkitt, Rush, Scott, and Slater—21.
Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 110—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 110 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Butler, Campbell, Carr, Chandler, Cogswell, Flint, Gerdes, Irwin, Jones, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, and Thompson—22.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 111—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 111 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, and Thompson—25.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 112—An Act making an appropriation to pay the claim of Miller & Lux, Incorporated, against the State of California.

Bill read third time.
The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 112 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, and Thompson—26.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 540—An Act providing a minimum standard of sanitation for all labor camps, making an appropriation to carry out the provisions hereof, and repealing Acts inconsistent herewith.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Benedict moved to refer to Senator Brown, as a Special Committee of One, to amend Assembly Bill No. 540 as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, in the last line (5) of the title, strike out the period after the figures "1915", and add the following: "and making an appropriation to carry out the provisions hereof".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 540, with instructions to amend, respectfully reports the same back amended as per instructions.

BROWN, Chairman.

Report read and, on motion of Senator Benedict, adopted.
Bill ordered to print.

THIRD READING OF SENATE BILLS—CONTINUED.

Senate Bill No. 1023—An Act to amend an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, by amending section 762 thereof relating to the election and term of office of officers of cities of the fifth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1023 passed by the following vote:

Ayes—Senators [illegible], Campbell, Chandler, Cogswell, [illegible], Flint, Gates, Jones, [illegible], Scott, [illegible] and Thompson—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 920—An Act to amend section 4025 of the Political Code relating to qualifications and election of supervisors.

On motion of Senator Brown, Senate Bill No. 920 was passed on file.

Senate Bill No. 634—An Act to amend an Act entitled "An Act creating a reclamation district to be called and known as 'Reclamation District No. 1500,' providing for the management and control thereof, and dissolving all levee districts, swamp land districts, and reclamation districts lying wholly within the boundaries of said 'Reclamation District No. 1500,' providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500."

On motion of Senator Benson, Senate Bill No. 634 was passed on file.

Senate Bill No. 567—An Act relating to bonds of county waterworks districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any moneys or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of county waterworks districts as security for the performance of any act may be authorized.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 567 passed by the following vote:

Ayes—Senators Anderson, Ballard, [illegible], Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Gates, Jones, [illegible], Scott, Slater, [illegible] and Thompson—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1260—An Act to amend an Act entitled "An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, by amending section 4 of said Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1260 passed by the following vote:

Ayes—Senators Anderson, Breed, Benedict, Benson, Brown, Butler, Campbell, Carr, Cogswell, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge and Thompson—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the above bills reported from committees on this legislative day.

Assembly Bill No. 1379—An Act to amend sections 323 and 325 of the Code of Civil Procedure, relating to the adverse possession of land.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1410—An Act to amend sections 1917, 1918 of the Civil Code, and to add a new section to the Civil Code to be numbered section 1918*a*, relating to rate of interest.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1566—An Act to provide for the issuance of county improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within counties and upon property and rights of way owned by counties, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1391—An Act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 19, line 26, insert a comma after the word "power".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 30, line 32, strike out all after the word "by" down to and including the word [illegible] in line 33 and insert in lieu thereof the following: [illegible] per cent of the qualified electors."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 21, line 34, strike out the words "residents and freeholders" and insert in lieu thereof "qualified electors."

Amendment adopted.

Bill read second time, ordered to print, and third reading.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Strobridge, the following messages from the Assembly were read out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1182—An Act to amend sections 1195 and 1197 of the Political Code and to add a new section thereto to be designated section 1197a relating to the preparation, printing and distribution of arguments concerning proposed constitutional amendments, and to the printing and distribution of such constitutional amendments and propositions, measures and questions to be submitted to the vote of the electors.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 218—An Act to amend sections 1, 3, 9 and 12 of an Act known as the "Net Container Act," approved March 24, 1913.

Also, Senate Bill No. 916—An Act establishing and creating a Department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a state oil and gas supervisor, prescribing his duties and powers, fixing his compensation; providing for the appointment of deputies and employees, prescribing their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for [illegible] of departmental orders; creating a fund for the purposes of this Act; providing for assessment of charges to be paid by operators and providing for the collection thereof, and making an appropriation for the purposes of this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 218 and 916 ordered to enrollment.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1549—An Act to regulate the sale of market and [illegible] milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties or cities and counties, to establish inspection service; to provide for the enforcement of this Act; to prescribe penalties for violation of the provisions hereof, and to make an appropriation therefor.

Also, Assembly Bill No. 1544—An Act to provide for the purchase by the State of California of the armory and grounds located at Pomona, California, and making an appropriation therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1549 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1544 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 293—An Act to amend section 1228 of the Penal Code, relative to capital punishment;

Also: Assembly Bill No. 354—An Act to amend sections 1 and 2 of an Act entitled "An Act to amend an Act entitled 'An Act to secure the payment of the claims of material men, mechanics, or laborers, employed by contractors upon State, municipal or other public work,' approved March 27, 1897," approved May 1, 1911;

Also: Assembly Bill No. 692—An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Debris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, Chief of Engineers, C. H. McKinstry, major, corps of engineers, and Thomas H. Jackson, captain, corps of engineers, of the United States Army, and printed with the annual report of the Chief of Engineers of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work;

Also: Assembly Bill No. 1074—An Act to amend section 206 of the Code of Civil Procedure relating to the number of names which lists of jurors shall contain;

Also: Assembly Bill No. 1167—An Act to amend section 595 of the Civil Code relating to the amount of real estate that may be owned by non-profit corporations;

Also: Assembly Bill No. 1188—An Act to amend sections 2, 3, 10, 13, 15, 18, 30, 31, 33, 39, 40, 52, 53, 54½, 67, 79, and 93 of an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, and to add four new sections to said Act to be numbered 1½, relating to the signing of petitions for organization; 54½, relating to the giving of advice by the State Engineer regarding the organization and conduct of irrigation districts; 64, relating to the filing of a notice of purpose to endeavor to organize an irrigation district and requesting the Water Commission to withdraw from appropriation certain waters; 78½, relating to the securing of assent from the Secretary of the Interior before boundaries may be changed by a district that has a contract with the United States;

Also: Assembly Bill No. 1268—An Act to add a new section to the Penal Code of the State of California to be numbered 400*a* relating to the exhibition of representations of diseased human bodies;

Also: Assembly Bill No. 1494—An Act to amend section 629 of the Penal Code relating to the protection and preservation of fish;

Also: Assembly Bill No. 1529—An Act providing for the sale of certain State lands suitable for cultivation;

Also: Assembly Bill No. 1606—An Act to amend an Act entitled "An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done," approved June 11, 1913, by providing for the planting, protection, and care, and the removal and change of trees, shrubs, plants and grass along and in public streets, avenues, lanes, alleys, courts, places and pathways, within municipalities, and for the assessment of the cost and expenses thereof upon the lots, parts of lots, and lands within the district assessed, in proportion to the benefits to be received where such work is to be done, by amending the title of said Act and by amending sections 1, 2, 3, 4, 6, 7 and 16 thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 293, 354, 1074, 1167, 1188 and 1529 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 692 read first time, and referred to Committee on Finance.

Assembly Bill No. 1268 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 794 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1606 read first time, and referred to Committee on Municipal Corporations.

Also:

SACRAMENTO, May 5, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 861—An Act to amend an Act entitled "An Act [illegible] Reclamation District No. [illegible] [illegible] approved April [illegible], 1911, [illegible] 1913, [illegible] Reclamation Board [illegible] public work for the public benefit."

Also: Assembly Bill No. 1508—An Act to amend section 170 of the Code of Civil Procedure, relating to disqualification [illegible].

L. E. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Assembly Bill No. 861 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 1508 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, May 5, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 78[illegible]—An Act to amend section [illegible] of the Penal Code, relating to [illegible] institutions and [illegible] having committed crimes.

L. E. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bill No. 78[illegible] ordered to enrollment.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following committee reports were received out of the regular order:

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

Mr. President: Your Committee on Insurance, to which had referred Assembly Bill No. 10[illegible]—An Act to amend an Act entitled "An Act to provide for the [illegible] companies," approved April [illegible], 18[illegible], amended and approved March [illegible], 1907, amended and approved April 15, 1909"; by amending sections 1, [illegible], 7, 8 and 1[illegible] thereof;

Also: Assembly Bill No. 1025—An Act to amend section 2 of an Act entitled "An Act to promote the general welfare of the people of this State [illegible] by [illegible] t of either party, [illegible] for its organization, defining its power and duties and providing for a review of its orders, decisions and awards, [illegible] and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913;

Also: Assembly Bill No. 1481—An Act to amend section 597 of the Political Code, relating to the examination of insurance companies by the Insurance Commissioner;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

BENEDICT, Chairman.

Assembly Bills Nos. 1303, 1025 and 1481 ordered on file for second reading

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 1361—An Act to provide for the organization and management of mutual casualty insurance corporations—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BENEDICT, Chairman.

Assembly Bill No. 1361 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 831—An Act to amend an Act entitled "An Act creating a reclamation district to be called and known as 'Reclamation District No. 1500'; providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts, lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500,' approved April 30th, 1913, in effect August 10th, 1913, conferring powers and duties upon the trustees of said district and upon the Reclamation Board of this State, substituting the Reclamation Board for the board of supervisors of Sutter County, and declaring that the work herein described is public work for the public benefit—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CHANDLER, Chairman.

Assembly Bill No. 831 ordered on file for second reading.

ADJOURNMENT.

At eleven o'clock and fifty-nine minutes and fifty-nine seconds p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Thursday, May 6, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by Secretary Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Parkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry L. Stark.

LEAVE OF ABSENCE.

Senator Hans was, on motion of Senator Tyrrell, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, May 5, 1915, the further reading was dispensed with, on motion of Senator Rush.

RESOLUTIONS.

The following resolution was offered:

By Senator Breed:

Resolved, [illegible]

Resolution read.

Senator Breed moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—None.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to section 8½ of article XI of the Constitution of the State of California, relating to charters of counties and amendments to such charters and to the surrender thereof.

On motion of Senator Breed, Senate Constitutional Amendment No. 25 was ordered to the file of Unfinished Business.

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

On motion of Senator Thompson, Senate Bill No. 1078 was passed on file.

Senate Bill No. 595—An Act to amend section 4014 of the Political Code of the State of California.

On motion of Senator Irwin, Senate Bill No. 595 was passed on file.

Senate Bill No. 130—An Act to amend section 1365 of the Code of Civil Procedure relating to the order of persons entitled to administer upon estates.

On motion of Senator Thompson, Senate Bill No. 130 was passed on file.

Senate Bill No. 36—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 36 was passed on file.

Senate Bill No. 920—An Act to amend section 428 of the Political Code relating to qualifications and election of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 920 refused passage by the following vote:

Ayes—Senators Anderson, Beban, Breed, Luce, Owens, Tyrrell, and Wolfe—7.

Noes—Senators Ballard, Benson, Birdsall, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Finn, Gerdes, Irwin, Jones, Lyon, Maddux, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—24.

Senate Bill No. 634—An Act to amend an Act entitled "An Act creating a reclamation district to be called and known as 'Reclamation District No. 1500'; providing for the management and control thereof, and dissolving all levee districts, swamp land districts, and reclamation districts, lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500."

Bill read third time.

On motion of Senator Benson, Senate Bill No. 634 was ordered to the file of Unfinished Business.

Senate Bill No. 27—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities," approved March 18, 1885, by adding a new section to said Act, to be known as section 6*a*, relating to doing of public work by municipalities.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Lyon moved to refer to Senator Tyrrell as a Special Committee of One to amend Senate Bill No. 27 as follows:

AMENDMENT NUMBER ONE.

Strike out everything after the enacting clause on page 1, and insert in lieu thereof the following:

"SECTION 1. The Act entitled 'An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks and for the construction of sewers within municipalities,' approved March 18, 1885, is hereby amended by adding thereto a new section to be known as section 6*a*, to read as follows:

" 'Sec. 6*a*. Any city may, if it elects so to do as hereinafter prescribed, do any work or improvement authorized by this Act by the direct employment of labor and the furnishing of materials; *provided*, the city council shall before causing the publication of the notice inviting sealed proposals or bids to be posted and published, by resolution direct the city engineer to file with the city clerk as hereinafter provided, sealed estimates of the cost of the work and labor and materials involved in such proposed work or improvement, which said notice inviting proposals or bids shall contain a statement that the city has passed such resolution and a statement that such direction has been given. In pursuance of such resolution, it shall be the duty of the city engineer to make, sign and file in a sealed envelope with the city clerk at or before the time set for the final reception of bids for any work to be done under the provisions of this Act, an itemized statement of the cost of the proposed work, including the cost of all labor and material furnished and used and all charges for maintenance and depreciation of plant, tools and other equipment used or employed in the performance of the work including all overhead expenses. At the time bids or proposals are opened and when such sealed estimate has been filed, in the event that the lowest regular proposal or bid of any responsible bidder shall exceed the amount of such estimate, but not otherwise, the city council may

[illegible]

"[illegible]

"[illegible]

"[illegible]

"[illegible] may approve such account as correct [illegible] or the decision of the city council with respect thereto, may, within [illegible] days from the date of the warrant, [illegible] the Superior Court of the county in which said city is situated [illegible] with respect to the original assessment. When the city has done the work directly, as herein provided, the property owners shall have all the rights provided in this Act with reference to an appeal and a hearing on the matter of apportionment of the costs and expenses of the assessment.

"Whenever any city shall do said work directly as herein provided, the city shall not furnish bonds for the faithful performance of the work or for the payment of labor or materials. The warrant shall be made out to the city and be delivered to the city clerk and such clerk is hereby authorized to make the demand on the part of the city as provided in section 10 of this Act; but failure on the part of the city to make a return of the warrant within the time and in the manner and form provided in said section of said Act shall not make void any lien upon the property assessed, but such return, if not made at the time in said section provided, may be made on order of the city council of said city; and in all respects not otherwise specified in this section, said city shall have the rights, duties, obligations, remedies and powers specified in said Act which are awarded to or imposed upon the contractor under this Act, such rights, duties, obligations, remedies and powers of the city to be exercised and performed by such officers, boards or employees of the city as shall be specified by this Act, the charter or the ordinances of such city, except as herein otherwise expressly provided'."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 27, with instructions to amend, respectfully reports the same back amended, as per instructions.

TYRRELL, Committee.

Report read and, on motion of Senator Lyon, adopted.

Bill ordered to print, and re-engrossment.

ASSISTANT SECRETARY J. A. BEEK AT THE DESK.

THIRD READING OF SENATE BILLS—(RESUMED).

SENATE CONSTITUTIONAL AMENDMENT NUMBER THIRTY-SIX

A resolution proposing to the people of the State of California to amend section 12 of article XIII of the Constitution of the State of California relative to poll tax.

The Legislature of the State of California, at its regular session commencing on the fourth day of January, 1915, two-thirds of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes that section 12 of article XIII of the Constitution of the State of California be amended to read as follows:

Sec. 12. The Legislature shall provide for the levy and collection of an annual poll tax of not less than two dollars on every male inhabitant of this State, over twenty-one and under sixty years of age, except paupers, idiots, insane persons, and Indians not taxed. Said tax shall be paid into the state school fund.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Campbell moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—35.

The Secretary announced the absentees.

Time, eleven o'clock and twenty-five minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and thirty-five minutes a.m. Senators Purkitt, Lyon, Cogswell, and Birdsall were brought to the bar of the Senate.

and, on motion of Senator Campbell, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and forty-five minutes a.m. further proceedings under call of the Senate were dispensed with, on motion of Senator Campbell.

The Secretary was directed to call the roll, on adoption of constitutional amendment, of Senators who had not answered to their names.

The roll was called, and Senate Constitutional Amendment No. [illegible] adopted by the following vote:

Ayes—Senators Anderson, Ballard, [illegible], Birdsall, Boyd, Brown, Campbell, Chandler, Cogswell, [illegible], Mott, Owens, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—[illegible].

Noes—Senators [illegible], Benson, Butler, Carr, Crowley, Duncan, Finn, Flaherty, Jones, Scott, Tyrrell, and Wolfe—[illegible].

Constitutional amendment ordered transmitted to Assembly.

WITHDRAWAL OF NOTICE OF MOTION TO RECONSIDER.

Senator Scott asked for and was granted unanimous consent to withdraw his notice of motion to reconsider Senate Bill No. 1020 given on a previous day.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

IN SENATE,

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 251—An Act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor.

Also, Assembly Concurrent Resolution No. 21—Relative to adjournment sine die of the forty-first session of the Legislature of the State of California, and fixing a date for said adjournment.

Also, Assembly Bill No. 257—An Act defining [illegible], prescribing his duties, providing for rules and regulations governing the performance of his duties, prescribing a bond and fixing the amount thereof, and providing penalties for any violation of the provisions of this Act.

Also, Assembly Bill No. 692—An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Debris Commission, dated June 30, 1907, and made jointly by Brigadier General A. McKenzie, chief of engineers, C. H. McKinstry, major, corps of engineers, and Thomas H. Jackson, captain, corps of engineers, of the United States Army, and printed with the annual report of the Chief of Engineers of the United States Army for the fiscal year ending June 30, 1907, and making an appropriation for such work.

Has had the same under consideration, and respectfully recommends that they do pass as amended.

STROBRIDGE, Chairman.

Assembly Concurrent Resolution No. 21 ordered on file.

Assembly Bills Nos. 251, 257 and 692 ordered on file for second reading.

CONSIDERATION OF CONCURRENT RESOLUTION—OUT OF ORDER.

Senator Strobridge asked for and was granted unanimous consent for the consideration at this time, out of the regular order, of Assembly Concurrent Resolution No. 21—Relative to adjourning *sine die* for the forty-first session of the Legislature of the State of California, to fix a day for said adjournment.

COMMITTEE AMENDMENT.

During consideration of the concurrent resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, strike out of line 3 all after the word "at", and insert in lieu thereof the following: "eleven o'clock p.m., Saturday, May 8, 1915."

Amendment adopted.

Concurrent resolution ordered to print.

RUSH ORDER TO PRINTER.

On motion of Senator Strobridge, the Secretary was directed to issue a rush order for printing Assembly Concurrent Resolution No. 21.

REPORTS OF STANDING COMMITTEE—RESUMED.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 267—An Act to amend an Act entitled "An Act authorizing the Governor of the State of California to issue licenses to bodies of men to organize, drill, and bear arms as military companies or organizations, and providing for their control," approved March 9, 1911, by adding thereto two new sections, to be numbered sections 2 and 3, providing for an allowance for armory rent and proper and necessary incidental expenses, and providing for such companies means of target practice;

Has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended by Committee on Military Affairs.

STROBRIDGE, Chairman.

Senate Bill No. 267 ordered on file for second reading.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 453—An Act making an appropriation for the building and construction of an armory for the National Guard at Napa City, Napa County, California;

Also: Senate Bill No. 1076—An Act to amend section 535 of the Political Code;

Has had the same under consideration, and respectfully recommends that they do pass.

STROBRIDGE, Chairman.

Senate Bills Nos. 453 and 1076 ordered on file for second reading.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 113—An Act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor;

Also: Assembly Bill No. 187—An Act to appropriate money for the construction and furnishing of a girls' nursery building at the Sonoma State Home;

Also: Assembly Bill No. 236—An Act to appropriate money to maintain the model and training schools at the several state normal schools;

Also: Assembly Bill No. 302—An Act to appropriate money to purchase a portion of the Great Sierra wagon road and to provide for the acceptance and maintenance of said road as a state road;

Also: Assembly Bill No. 414—An Act to appropriate money for the construction of a horse barn at the state prison at Folsom;

Also: Assembly Bill No. 570—An Act to appropriate money to pay the deficiency in the appropriation for traveling expenses for the State Board of Agriculture in the sixty-seventh fiscal year.

Also: Assembly Bill No. 1192—An Act to provide for the [illegible] state highway from a point on the [illegible] State Highway in [illegible] County, [illegible] Ventura County.

Also: Assembly Bill No. 758—An Act making an appropriation to pay the claim of [illegible] against the State of California.

Also: Assembly Bill No. 998—An Act making an appropriation for office equipment for Secretary of State.

Also: Assembly Bill No. 1113—An Act making an appropriation for the location and survey of a state highway, to be known as the Pasadena State Highway.

Also: Assembly Bill No. 1307—An Act to provide for the filing of bonds by certain employees of the Department of Engineering and for the payment by the said department of the premiums or charges on bonds of its employees when given by surety companies.

Also: Assembly Bill No. 773—An Act [illegible] Los Angeles [illegible].

Also: Assembly Bill No. 1381—An Act making an appropriation to provide the Superintendent of Capitol Building and Grounds with a revolving fund for the purchase of [illegible] office supplies for [illegible] and State officers.

Also: Assembly Bill No. 1579—An Act providing for the acquisition by purchase or gift, of state forest lands for reforestation purposes, and for the management and control of same.

Also: Assembly Bill No. 718—An Act to prevent [illegible] to vest certain powers and duties in the State Board of Health and health officers, to impose certain duties upon physicians, [illegible] and other persons, and to provide for the enforcement of this Act, and the repeal of chapter [illegible] statutes of [illegible] entitled "An Act to [illegible] to infants," and other [illegible];

has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 113, 187, 298, 307, 414, 570, 758, 773, 998, 1113, 1192, 1307, 1381, 1579 and 718 ordered on file for second reading.

RECALL OF BILL FROM COMMITTEE.

Senator Shearer moved that Assembly Bill No. 1549 be recalled from Committee on Agriculture and be re-referred to Committee on Public Health and Quarantine.

Motion carried.

REPORTS OF STANDING COMMITTEES—RESUMED.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 845—An Act to amend section 1858 of the Political Code of the State of California, relating to the [illegible] of children in the public schools of the State—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

ANDERSON, Chairman.

Assembly Bill No. 845 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Bill No. 1199—An Act to perpetuate marks, brands and counterbrands established in the several counties of the State under sections 3168 and 3169 of the Political Code, to provide methods of perpetuation and declaring all marks, brands and counterbrands not so perpetuated to be inoperative and void—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KING, Chairman.

Assembly Bill No. 1199 ordered on file for second reading.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 509—An Act authorizing the Secretary of Agriculture to purchase, improve, subdivide, and sell agricultural lands in California, and providing the conditions under which such lands shall be purchased, improved, subdivided, and sold; authorizing the issuance and sale of land settlement bonds and the creation of a land settlement fund for the purchase of agricultural lands in California, together with any water rights and rights of way necessary or desirable therefor, and all expenses and costs of surveying, improving, subdividing, and selling such lands, including costs of assessments and taxes, and the payment of interest on outstanding land settlement bonds in case there is insufficient money for that purpose in the land settlement sinking fund, and all costs of engineering, superintendence, and administration, including the cost of operating its works; providing for the administration of said land settlement fund; providing for the creation of a sinking fund for the payment of said bonds; authorizing the Secretary of Agriculture to make necessary rules and regulations for the disposal of lands purchased under the provisions of this Act; authorizing the Secretary of Agriculture to investigate land settlement conditions and to submit recommendations for legislation in regard thereto: authorizing the Secretary of Agriculture to condemn water rights and rights of way for necesary roads, canals, ditches, dams, and reservoirs; and making an appropriation to enable the Secretary of Agriculture to carry out the provisions of this Act—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it be re-referred to Committee on Finance.

Also: Assembly Bill No. 651—An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all Acts and portions of the Acts in conflict with this Act—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to Committee on Finance.

KING, Chairman.

Senate Bill No. 509 ordered re-referred to Committee on Finance.

Assembly Bill No. 651 ordered re-referred to Committee on Finance.

THIRD READING OF SENATE BILLS—(RESUMED).

SENATE CONSTITUTIONAL AMENDMENT NUMBER TWENTY-SIX.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section 17 of article VI of said Constitution.

The Legislature of the State of California at its regular session commencing on the fourth day of January, in the year one thousand nine hundred and fifteen, two-thirds of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California an amendment to the Constitution of said State to amend section 17 of article VI of said Constitution to read as follows:

The justices of the Supreme Court and of the District Courts of Appeal, and the judges of the Superior Courts, shall severally, at stated times during their continuance in office, receive for their services such compensation as is or shall be provided by law. Upon the adoption of this amendment the salaries then established by law shall be paid uniformly to the justices and judges then in office. The salaries of the justices of the Supreme Court and of the District Courts of Appeal shall be paid by the State. One-half of the salary of each superior judge shall be paid by the State, and the other half thereof shall be paid by the county for which he is elected. The justices of the Supreme Court shall each receive an annual salary of eight thousand dollars, and the justices of the several District Courts of Appeal shall each receive an annual salary of seven thousand dollars; the said salaries to be paid monthly.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 26 adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Wolfe—28.

NOES—None.

Constitutional amendment ordered transmitted to the Assembly

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR

At [illegible] o'clock m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

MESSAGE FROM THE ASSEMBLY—OUT OF ORDER

On motion of Senator Thompson, the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that, pursuant to the recommendation of the Committee on Conference on Assembly Bill No. [illegible], the Speaker of the Assembly has at this day appointed Assemblymen Burke, Kramer and Encell as a Committee on Free Conference, to meet a like committee from your honorable body, to further consider Assembly Bill No. [illegible]—An Act providing for the improvement, development or protection of any harbor, bay, inlet or other arm of the sea existing within any county of this State, providing for the appointment of a harbor commission by the board of supervisors of any such county to have charge and control of the improvement, development or protection thereof, and the voting, issuance and sale of the bonds of such county to pay the cost thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

REPORT OF COMMITTEE ON FREE CONFERENCE

The following report was received and read:

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Free Conference, concerning Assembly Bill No. [illegible]—An Act providing for the improvement, development or protection of any harbor, bay, inlet, or other arm of the sea, existing within any county of the State, providing for the appointment of a harbor commission by the board of supervisors of any such county to have charge and control of the improvement, development or protection thereof, and the voting, issuance and sale of the bonds of such county to pay the cost thereof—has met with a like committee of the Assembly consisting of Messrs. Burke, Kramer, and Encell, and reports that the Free Conference Committee has met and recommends that Assembly Bill No. [illegible], as amended in the Senate on May [illegible], 1915, be amended as follows:

AMENDMENT NUMBER ONE

On page [illegible], line [illegible], strike out the words "one publication" and insert in lieu thereof the words "two publications".

AMENDMENT NUMBER TWO

On page [illegible], line [illegible], after the word "[illegible]" insert the words "[illegible]".

AMENDMENT NUMBER THREE

On page [illegible], line [illegible], after the word "has" insert the following: "since the present State Constitution was adopted".

AMENDMENT NUMBER FOUR

On page [illegible], strike out from lines 25 to 28, both inclusive, and insert in lieu thereof the following: "Prior to the voting of bonds, as [illegible] in this Act, the board of supervisors shall have power to incur, [illegible], audit, [illegible] and pay any expense [illegible] as [illegible] against the county in a sum not to exceed five thousand dollars in the aggregate."

BENEDICT
KEHOE
BREED
Senate Committee.
BURKE
KRAMER,
ENCELL,
Assembly Committee.

The question being on the adoption of the report of the Committee on Free Conference and the amendments.

The roll was called, and the report of the Committee on Free Conference and the amendments adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Gerdes, Irwin, Jones, King, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Stuckenbruck, Thompson, Tyrrell, and Welch—27.

NOES—None.

Assembly Bill No. 1523 and report of Committee on Free Conference ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. 917—An Act to amend section 319 of the Civil Code of the State of California, relating to the meetings of stockholders and boards of directors of corporations;

Also: Assembly Bill No. 1436—An Act to amend the Civil Code of the State of California, by adding a new section thereto to be known and numbered section 361, relating to increasing or decreasing the number of directors or trustees of corporations or associations;

Also: Assembly Bill No. 1437—An Act to amend section 296 of the Civil Code, relating to the filing of articles of incorporation;

Also: Assembly Bill No. 1439—An Act to amend section 362 of the Civil Code of the State of California, relating to the amendment of articles of incorporation;

Also: Assembly Bill No. 1440—An Act to amend section 359 of the Civil Code, relating to the issuance of stocks or bonds of corporations, to the increase or diminution of their capital stock, and to the creation or increase of bonded indebtedness of corporations, including the creation or increase of a consolidated bonded indebtedness by two or more corporations;

Has had the same under consideration and respectfully reports the same back and recommends that they do pass.

JONES, Chairman.

Senate Bill No. 917 ordered on file for second reading.

Assembly Bills Nos. 1436, 1437, 1439 and 1440 ordered on file for second reading.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

By consent of the Senate, the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 888—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911 (as heretofore amended by an Act approved May 26, 1913,) by adding a new section thereto, to be designated as section 33, relating to and providing for the issuance and disposal of bonds of the Sacramento and San Joaquin Drainage District and testing the validity of such bonds;

Also: Assembly Bill No. 992—An Act to amend section 12 of an Act entitled "An Act to provide for the formation and establishment of boulevard districts, the construction, acquisition, maintenance, control and use of boulevards, defining a [illegible] boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts and the construction, maintenance and [illegible] drainage, providing for the election of [illegible] elections to be held [illegible] and repealing an Act entitled "An Act to provide for the formation of [illegible] districts and the construction, maintenance [illegible] use of [illegible] the same [illegible], approved March 21, 1907," and the Act amendatory thereof, approved April 15, 1909; approved May 1, 1911," [illegible] June 7, 1913, said amendment pertaining to [illegible] use of said [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 888 read first time and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 992 read first time, and referred to Committee on Roads and Highways.

Also:

SACRAMENTO, May 5, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 575—An Act relating to the [illegible] [illegible] the [illegible] [illegible] licenses.

Also: Assembly Bill No. 134—An Act to amend section 1575 of the Political Code of the State of California, relating to the appointment of [illegible] prescribing his term of office and allowing his compensation.

Also: Assembly Bill No. 751—An Act to amend section 224 of the Civil Code, relating to persons whose consent is necessary to the adoption of a minor child.

Also: Assembly Bill No. 993—An Act to add a new section to the Penal Code of the State of California, to be numbered [illegible], relating to licenses of [illegible] for [illegible] purposes.

Also: Assembly Bill No. 1591—An Act to amend section [illegible] of the "Workmen's Compensation, Insurance and Safety Act," approved May 26, 1913.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 575 read first time and referred to Committee on Agriculture.

Assembly Bill No. 134 read first time and referred to Committee on Education.

Assembly Bills Nos. 751, 993 and 1591 read first time and referred to Committee on Judiciary.

Also:

SACRAMENTO, May 5, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1599—An Act to [illegible] by requiring that [illegible] be [illegible] with [illegible] to [illegible] the [illegible] line or along the [illegible] and to prescribe penalties for violations of the provisions hereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1599 read first time and referred to Committee on Public Utilities.

Also:

SACRAMENTO, May 4, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 424—An Act to amend section [illegible] of the Political Code, relating to the duties of Superintendent of Schools.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 424 ordered to enrollment.

Also:

SACRAMENTO, May 4, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 462—An Act to amend section 1617 of the Political Code, relating to the powers and duties of trustees of common school districts and of boards of education in city school districts—and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 462.

Senate Bill No. 462—An Act to amend section 1617 of the Political Code, relating to the powers and duties of trustees of common school districts and of boards of education in city school districts.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FOUR HUNDRED SIXTY-TWO.

AMENDMENT NUMBER ONE.

On page 4, line 32, strike out the word "only" and insert between the word "salary" and the word "an" the following word: "only".

AMENDMENT NUMBER TWO.

On page 8, line 21, between the word "furnished" and the comma immediately following the same, insert a period and the following: "Said estimates must be submitted in writing and must be filed with the clerk or secretary of the board".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 462?"

The roll was called, and Assembly amendments to Senate Bill No. 462 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Brown, Butler, Carr, Chandler, Duncan, Flint, Gerdes, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—26.

NOES—None.

Senate Bill No. 462 ordered to enrollment.

ASSEMBLY MESSAGES—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 510—An Act to amend sections 2, 12, 13, 15, 16, 17, 19, 20, 22, 24, 25, 26, 29, 30, 32, 33, 34, 36, 37, 46, 47, 57, 71, 72, 75, 76, 77 and 81 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of securing such liability, and creating a 'State Compensation Insurance Fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety, and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations, and creating an Industrial Accident Commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards; and appropriating moneys to carry out the provisions of this Act, and repealing all Acts and parts of Acts inconsistent with the provisions of this Act," approved May 26, 1913, and to add thereto a new section to be numbered 75*a*.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 510 ordered to enrollment.

Also:

SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 79—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes,' approved March 31, 1897, by amending section 39 thereof, relating to the levying and collection of assessments.

Also, Senate Bill No. 447—An Act to amend sections 1518 and 1519 of the Political Code, to add thereto a new section to be numbered 1518a, all relating to the State Board of Education and prescribing its powers and duties, and to repeal section 1492 of the Political Code.

Also, Senate Bill No. 722—An Act to amend sections 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15, 16, 17 and 18 of an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, [illegible] the adoption of plans for the reclamation of [illegible] along the Sacramento River and its tributaries [illegible] the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans [illegible] to said report of the California Debris Commission and to make report thereof, [illegible] of reclamation districts, and providing a reclamation board and defining its powers," approved December 24, 1911, as amended by an Act approved May 1st, 1913, and to add new sections to said Act to be numbered [illegible] 24, [illegible] 30, [illegible] and 31, relating to the improvement, control and reclamation of [illegible] districts, creating a revolving fund and appropriating money therefor.

And respectfully asks that the concurrence be requested by

J. H. [illegible], Chief Clerk of Assembly.
By H. [illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 79, 447 and 722.

Senate Bill No. 79—An Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also to provide for the distribution of water for irrigation purposes," approved March 31, 1897, by amending section 39 thereof, relating to the levying and collection of assessments.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVENTY-NINE.

AMENDMENT NUMBER ONE.

Amend the printed bill by inserting on page 2, line 5, after the word "year", the following: "or [illegible]"

The question being: "Shall the Senate concur in Assembly amendment to Senate Bill No. 79?"

The roll was called, and Assembly amendment to Senate Bill No. 79 was concurred in by the following vote:

Ayes—Senators Ballard, Beban, Benedict, Boynton, Brown, Cary, Chandler, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, King, Luce, Maddux, Mott, Owens, Rush, Scott, Slater, Thompson, Tyrrell, and Welch—25.

Noes—None.

Senate Bill No. 79 ordered to enrollment.

Also,

Senate Bill No. 447—An Act to amend sections 1518 and 1519 of the Political Code, to add thereto a new section to be numbered 1518a, all relating to the State Board of Education and prescribing its powers and duties, and to repeal section 1492 of the Political Code.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED FORTY-SEVEN.

AMENDMENT NUMBER ONE.

On page 6, line 9, strike out the word "vocational" and insert in lieu thereof the following word: "vocation."

The question being: "Shall the Senate concur in Assembly amendment to Senate Bill No. 447?"

The roll was called, and Assembly amendment to Senate Bill No. 447 was concurred in by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Brown, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, King, Luce, Maddux, Owens, Rush, Scott, Shearer, Shearer, Slater, Thompson, Tyrrell, and Wolfe—27.

NOES—None.

Senate Bill No. 447 ordered to enrollment.

Also:

Senate Bill No. 722—An Act to amend sections 1, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16½, 17 and 18 of an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27th, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24th, 1911, as amended by an Act approved May 26th, 1913, and to add twelve new sections to said Act to be numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32, relating to the organization, powers and duties of said Reclamation Board, and creating a revolving fund and appropriating money therefor.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED TWENTY-TWO.

AMENDMENT NUMBER ONE.

On page 21, line 28, of the amended bill, after the word "sixteen" insert the word "and".

AMENDMENT NUMBER TWO.

On page 28, line 18, of the amended bill, after the word "draw" insert the words "such sum".

AMENDMENT NUMBER THREE.

On page 28, line 19, of the amended bill, after the word "fund" insert a comma.

AMENDMENT NUMBER FOUR.

On page 28, line 20, of the amended bill, strike out the word "one" and insert in lieu thereof the word "five".

AMENDMENT NUMBER FIVE.

On page 28, line 20, of the amended bill, after the word "dollars" insert a comma.

AMENDMENT NUMBER SIX.

On page 28, line 28, of the amended bill, strike out the word "therefore" and insert in lieu thereof the word "therefor".

AMENDMENT NUMBER SEVEN.

On page 28, line 34, of the amended bill, strike out the word "state" and insert in lieu thereof the word "said".

AMENDMENT NUMBER EIGHT.

On page 16, line 16, strike out the word "separate" and insert in lieu thereof "one or more".

AMENDMENT NUMBER NINE.

On page 26, line 17, after the word "basin" insert a comma.

AMENDMENT NUMBER TEN.

On page 26, line 20, after the word "reasonable" insert "value or".

[illegible]

On page 31, line 23, [illegible]

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 722?"

The roll was called and Assembly amendments to Senate Bill No. 722 were concurred in by the following vote:

Ayes—Senators [illegible]—27.

Noes—None.

Senate Bill No. 722 ordered to enrollment.

SECOND READING OF ASSEMBLY BILL—(OUT OF ORDER).

Senator Walsh asked for and was granted unanimous consent for the second reading at this time, out of the regular order, for the purpose of amending Assembly Bill No. 1341—An Act to provide for the organization and management of mutual casualty insurance corporations.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 7 of the printed bill, [illegible] thereof the following:

"Sec. 21. This Act shall not [illegible] Act relating to the same subject matter contained in this Act, but is intended to and does provide an alternative method for the [illegible] of mutual casualty insurance corporations and for the [illegible] workmen's compensation insurance companies."

Amendment adopted.

Bill read second time, ordered to print and third reading.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Constitutional Amendment No. 36—A resolution proposing to the people of the State of California to amend section 12 of article XIII of the Constitution of the State of California relating to poll tax, and reports that the same has been correctly engrossed.

LUCE, Vice Chairman.

CONSIDERATION OF ASSEMBLY AMENDMENTS—(OUT OF ORDER).

On motion of Senator Brown, the Senate took up for consideration Assembly amendments to Senate Bill No. 699, out of the regular order.

Senate Bill No. 699—An Act to amend section 632 of the Penal Code of the State of California, relating to the protection of fish.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED NINETY-NINE.

AMENDMENT NUMBER ONE.

On page 2, line 7, strike out the word "thirty-first" and insert in lieu thereof the following: "thirtieth".

AMENDMENT NUMBER TWO.

On page 2, line 9, strike out the word "thirty-first" and insert in lieu thereof the following: "April".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 699?"

The roll was called, and Assembly amendments to Senate Bill No. 699 were concurred in by the following vote:

Ayes—Senators Anderson, Beban, Benson, Brown, Butler, Campbell, Chandler, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Thompson, and Wolfe—28.

Noes—None.

Senate Bill No. 699 ordered to enrollment.

SPECIAL ORDER.

Senator Scott moved that Senate Bills Nos. 21 and 147 be made a special order for this day, immediately following the consideration of the Assembly file.

Motion carried.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Campbell, the hour of recess was extended until twelve o'clock and forty minutes p.m.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred Assembly Concurrent Resolution No. 26—Relative to a legislative investigation as to the advisability of the compilation of school textbooks within this State, sectional textbooks for individual use; and the introduction of free textbooks in the secondary schools of the State of California—has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

BEBAN, Chairman.

Assembly Concurrent Resolution No. 26 ordered on file.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred the following resolution:

By Senator Kehoe:

WHEREAS, The Supreme Court of the United States has recently decided that the business of fire insurance is quasi-public in its nature, and is therefore subject to regulation by the Legislature of the State; and

WHEREAS, The official report of the Insurance Commissioner of the State of California shows that for several years last past the premiums collected for fire insurance in the State of California have been each year many millions in excess of the fire losses paid in the State; and

WHEREAS, An issue has been raised relative to the reasonableness and fairness of fire insurance rates in the State of California; therefore, be it

Resolved by the Senate, That the President of the Senate is hereby authorized and directed to appoint a special committee of five members, whose duty it shall be, and they hereby are, authorized and empowered to investigate and examine into the business of fire insurance, and the business and affairs of all fire insurance companies and agencies and organizations thereof, doing business in the State of California, and into anything and everything affecting or influencing the business of such companies or organizations; also, to inquire into the internal management, doings and acts of all fire insurance companies, including all investments, the personal interest of officers of such companies or organizations in such investment; the business, or other relations between such companies or organizations; the contractual relations of said companies or organizations with their policy-

[illegible]

Resolved, [illegible]

Resolved, [illegible]

Resolved, [illegible]

Has had the same under consideration, and respectfully [illegible] the same and recommends that the above resolution be adopted as amended.

[illegible], Chairman.

SPECIAL ORDER

Senator Kehoe moved that consideration of the above resolutions be made a special order immediately following the consideration of special order already set for this day.

Motion carried.

REPORT OF STANDING COMMITTEE (RESUMED)

ON CONTINGENT EXPENSES

SENATE CHAMBER, SACRAMENTO, May [illegible], 1915.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred, the following resolution:

WHEREAS, At the session of the Legislature of 1913, there was [illegible] an Advisory Committee, to confer with the State Engineer and the State Board of Control regarding location, construction and maintenance of State roads [illegible] State highways, [illegible] and by virtue of the "State Highway Act" of California, which committee was appointed and has reported its investigations and findings to this session of the Legislature; and,

WHEREAS, Because of lack of funds, said committee was unable to cover all of the sections which should be considered in the determination of a complete road policy for the State; and,

WHEREAS, Three members of the committee of four so appointed are members of this body, and because of the study and knowledge gained under the original resolution, should logically complete the investigation; therefore,

Resolved, That said three members of the Senate constitute an Advisory Committee to confer with the State Engineer and the State Board of Control to complete the investigation regarding the location, construction and maintenance under and by virtue of the "State Highway Act" of California and report back with recommendations to the forty-second session of the Legislature.

Resolved, That the sum of twelve hundred dollars is hereby made available for the purpose of defraying the expenses of such committee, to be paid from the Contingent Fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrant in favor of the chairman of said committee for such expenditures as the same may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

BEBAN, Chairman.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Breed, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 485—An Act granting to the city of Burlingame the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and regulating the management, use and control thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Assembly Bill No. 485 ordered on file for second reading.

RECESS.

At twelve o'clock and forty minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 491—An Act creating the office of State Forester and providing for the appointment and revocation of appointments of a proper person thereto; prescribing the powers and duties of the State Forester and fixing his salary; providing for the appointment and revocation of appointments of assistant foresters, and fixing their duties and salaries; providing for the appointment of and revocation of appointment of fire wardens and prescribing their duties and mode of compensation; providing for co-operative agreements between the State Conservation Commission and persons, firms, associations or corporations or any combinations or groups of such persons, firms, associations or corporations and for agreements between the State Conservation Commission and the Federal Government; declaring certain fires to be public nuisances, and requiring those owning or controlling the lands upon which said nuisances exist, to abate them; declaring certain inflammable debris to be public nuisances, providing for their inspection and abatement; authorizing and providing for the summary abatement of all nuisances declared by this Act; making the cost of abatement of certain nuisances a lien upon the land upon which said nuisances are situated; providing for the filing of and the satisfying of claims for such liens and the recovery of costs occurring for said filing and satisfaction; providing for the satisfaction of such liens by district attorneys and the compensation of district attorneys therefor; declaring the duties of those holding or those controlling land on which fires may burn; providing for the payment in the county treasuries of moneys collected under the penal section of this Act; providing penalties for violating the provisions of this Act; defining the word "forest;" repealing chapter 264 of the Laws of 1905 as amended by the Act of April 7, 1911, and all Acts and parts of Acts in conflict with the provisions of this Act; providing for the designation of this Act.

Bill read second time, and ordered on file for third reading.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

SECOND READING OF ASSEMBLY BILLS (RESUMED).

Assembly Bill No. 1194—An Act amending sections 1, 2, 3, 4, 5, 8 and 9 of an Act entitled, "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road or other state improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings,' etc."

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Strike out line 7 on page 1, of the printed bill, and insert in lieu thereof the following: "March 28, 1876, approved March 22, 1909, approved June 14, 1913, is hereby."

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1574—An Act to regulate the manner and style of marking and printing of bills introduced in the Legislature.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 116—An Act to provide for the survey and construction of a state highway through the Pacheco Pass, connecting the State Highway in Santa Clara County at Gilroy with the State Highway in Madera County, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1524—An Act to be known as "The California Irrigation Act," providing for co-operation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes; creating an Irrigation Board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts; providing for the management, control and supervision of such water districts and of the works constructed pursuant to this Act; directing the State Department of Engineering relative to such works; authorizing irrigation districts to reorganize under this Act and generally providing a policy relating to storage diversion and use of water, and adopting a plan for providing revenues therefor.

By order of the President pro tem., Assembly Bill No. 1524 was held on second-reading file.

Amendments pending.

Assembly Bill No. 1411—An Act to amend section 4252 of the Political Code of the State of California, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1303—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1025—An Act to amend section 2 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, etc.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1481—An Act to amend section 597 of the Political Code, relating to the examination of insurance companies by the Insurance Commissioner.

By order of the President pro tem., Assembly Bill No. 1481 was held on second-reading file.

Amendment pending.

Assembly Bill No. 831—An Act creating a reclamation district to be called and known as "Reclamation District No. 1500," etc.

Bill read second time, and ordered on file for third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1549—An Act to prevent the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service; to provide for the enforcement of this Act; to prescribe penalties for violation of the provisions hereof; and to make an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass and the same be referred to the Committee on Finance.

BUTLER, Chairman.

Assembly Bill No. 1549 ordered re-referred to Committee on Finance.

RECESS.

At two o'clock and fifteen minutes p.m., on motion of Senator Wolfe, the President pro tem. declared the Senate at recess until two o'clock and twenty minutes p.m.

RECONVENED.

At two o'clock and twenty minutes p.m., the Senate reconvened.
Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.
Assistant Secretary J. W. Kavanagh at the desk.

SECOND READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1481—An Act to amend section 597 of the Political Code, relating to the examination of insurance companies by the Insurance Commissioner.

AMENDMENTS FROM FLOOR.

During second reading of the bill, the following amendments were offered and their adoption moved by Senator [illegible]:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 2 and 3 of the title and insert in lieu thereof the following: "To add a new section to the Political Code to be numbered 597a relating to the examination of insurance companies by the Insurance Commissioner".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 1, 2 and 3, and insert in lieu thereof the following:
"Section 1. A new section is hereby added to the Political Code to be numbered 597a and to read as follows:

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, strike out the following:
"Sec."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

RECESS.

At two o'clock and forty minutes p.m., on motion of Senator Finn, the President pro tem. declared the Senate at recess until two o'clock and forty-five minutes p.m.

RECONVENED.

At two o'clock and forty-five minutes p.m., the Senate reconvened.
Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.
Assistant Secretary J. W. Kavanagh at the desk.

LEAVE OF ABSENCE.

Senator Rush was, on motion of Senator Slater, granted leave of absence for the balance of this legislative day.

CONSIDERATION OF MOTION TO RECONSIDER—POSTPONED.

On motion of Senator Lyon, the consideration of the motion to reconsider the vote whereby Assembly Bill No. 816 was refused passage was continued until the next legislative day.

SENATOR STROBRIDGE IN THE CHAIR.

At two o'clock and fifty minutes p.m., Senator Strobridge, of the Thirteenth District, in the chair.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1110—An Act for the relief of M. B. Bell.

On motion of Senator Jones, Assembly Bill No. 1110 was passed on file; to retain its place.

Assembly Bill No. 582—An Act to amend section 765 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 582 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—29.

Noes—Senator Irwin—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 583—An Act to amend section 863 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 583 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Flint, Gerdes, Jones, Kehoe, King, Lyon, Maddux, Mott, Shearer, Slater, Strobridge, Stuckenbruck, and Tyrrell—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1583—An Act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for non-compliance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1583 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Benson, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Gerdes, Jones, Maddux, Mott, Owens, Purkitt, Shearer, Strobridge, Stuckenbruck, and Tyrrell—23

Noes—Senator Kehoe—1

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 804—An Act to amend section 1142 of the Political Code of the State of California, relating to the appointment of election boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 804 passed by the following vote:

Ayes—Senators [illegible] Campbell, Carr, Cogswell, Gates, Crowley, Finn, Flaherty, [illegible] Kehoe, [illegible] Lyon, Maddux, Mott, Slater and Strobridge—[illegible].

Noes—Senators Ballard, Chandler, [illegible] Irwin, Purkitt, [illegible] and Wolfe—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1152—An Act to amend an Act entitled "An Act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1152 passed by the following vote:

Ayes—Senators Anderson, [illegible] Campbell, Carr, Cogswell, [illegible] Crowley, Finn, [illegible] Kehoe, King, [illegible] Maddux, Mott, Owens, [illegible] Strobridge and [illegible]—24.

Noes—Senators Ballard, Chandler, [illegible] and Purkitt—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1374—An Act to provide for the repayment to such persons as are or may become entitled thereto of moneys by them or their assignors paid to the State of California in consequence of illegally imposed charges for the registration of motor vehicles, or paid to the State by mistake or inadvertence in connection with the registration of such motor vehicles, etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1374 passed by the following vote:

Ayes—Senators [illegible] Campbell, Carr, Chandler, Cogswell, [illegible] Duncan, Finn, [illegible] Jones, Kehoe, King, [illegible] Lyon, Maddux, Owens, Purkitt, [illegible] and Wolfe—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 733—An Act granting the Humboldt and Trinity Toll Road Company the right to bring suit against the State of California for compensation for the use and destruction of portions of road bed belonging to the said Humboldt and Trinity Toll Road Company and used and destroyed by the State of California in the construction and completion of the state highway connecting the counties of Trinity, Tehama and Shasta with the road system of Humboldt County.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 733 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Breed, Butler, Campbell, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Tyrrell, and Wolfe—26.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 799—An Act declaring hedges to be a private nuisance in certain instances and providing for the abatement thereof.
Bill read third time.
On motion of Senator Lyon, Senate Bill No. 799 was passed on file.

Assembly Bill No. 334—An Act granting to the town of Redwood City the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and regulating the management, use and control thereof.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 334 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Brown, Butler, Campbell, Carr, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Strobridge, Tyrrell, and Wolfe—25.
NOES—Senators Jones, and Purkitt—2.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 486—An Act granting to the city of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and, and regulating the management, use and control thereof.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 486 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Breed, Brown, Butler, Campbell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Kehoe, Luce, Maddux, Mott, Owens, Scott, Strobridge, Stuckenbruck, and Tyrrell—22.
NOES—Senators Jones, and Purkitt—2.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 277—An Act to amend section 1494 of the Code of Civil Procedure of the State of California, relating to claims against the estates of decedents, and interest thereon.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 277 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Butler, Campbell, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, Luce, Maddux, Mott, Owens, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—28.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 667—An Act to amend section 1643 of the Code of Civil Procedure, prescribing the order in which debts must be paid and fixing the rate of interest to be paid on demands against estates of decedents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 667 passed by the following vote:

Ayes—Senators Ballard, Beban, Benedict, Birdsall, Butler, Campbell, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gates, Jones, Kehoe, Lyon, Mott, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 771—An Act to amend section 1567 of the Penal Code, relating to the manner of producing before a Superior Court, grand jury or magistrate a witness who is a prisoner in a state prison or county jail.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 771 passed by the following vote:

Ayes—Senators Ballard, Beban, Benedict, Birdsall, Boyd, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gates, Irwin, Jones, Kehoe, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR EXTENDED.

On request of Senator Mott, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Mary Carlin of Marysville, Cal.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1563—An Act validating the acts of county auditors and county treasurers when they pay out moneys according to a statutory law, should that law afterward be declared unconstitutional.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1563 passed by the following vote:

Ayes—Senators Ballard, Beban, Benedict, Boyd, Brown, Butler, Campbell, Carr, Chandler, Cohn, Duncan, Finn, Flaherty, Flint, Gates, Irwin, Jones, Kehoe, Maddux, Mott, Owens, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—28.

Noes—None.

MOTION TO REFER TO A SPECIAL COMMITTEE OF ONE.

Senator Wolfe moved to refer to Senator Scott as a Special Committee of One, to amend the title of Assembly Bill No. 1563 as follows:

AMENDMENT NUMBER ONE.

By striking out all of the title after the words "An Act" and inserting in lieu thereof the following: "Protecting county auditors and county treasurers and their sureties from any liability or responsibility when the treasurer of any county on a warrant issued by the auditor of such county, according to statutory law, pays out moneys, should that law afterward be declared to be unconstitutional".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1503, with instructions to amend, respectfully reports the same back, amended as per instructions.

SCOTT, Committee.

Title, as amended, read and approved.

Bill ordered to print, and transmitted to the Assembly.

SECOND READING OF ASSEMBLY BILL—(OUT OF ORDER).

Senator Benedict asked for and was granted unanimous consent to the second reading, at this time, of an Assembly bill, out of the regular order.

Assembly Bill No. 1524—An Act to be known as "The California Irrigation Act," providing for co-operation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes; creating an irrigation board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts; providing for the management, control and supervision of such water districts and of the works constructed pursuant to this Act; directing the State Department of Engineering relative to such works; authorizing irrigation districts to reorganize under this Act and generally providing a policy relating to storage diversion and use of water, and adopting a plan for providing revenues therefor.

Bill read second time.

FORMER ACTION RESCINDED.

Senator Benedict moved that the action taken by the Senate on this day in reading Assembly Bill No. 1524 the second time be rescinded, and the bill be held on Second Reading File.

Motion carried.

On motion of Senator Benedict, Assembly Bill No. 1524 ordered re-referred to Committee on Irrigation.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 21—An Act to provide a method of procedure whereby a poor person, having a good cause of action or a good defense, may have an attorney assigned to prosecute his action or to conduct his defense and relieving him from the payment of costs.

Bill read third time.

On motion of Senator Finn, Assembly Bill No. 21 was passed on file.

Assembly Bill No. 265—An Act to add a new section to the Penal Code to be numbered [illegible] relating to the sale of [illegible].

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 265 passed by the following vote:

AYES—Senators [illegible] Stuckenbruck, Tyrrell and Wolfe—[illegible].

NOES—Senator Ballard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1410—An Act to amend sections 1917 and 1918 of the Civil Code, and to add a new section to the Civil Code to be numbered section 1918a, relating to rate of interest.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1410 refused passage by the following vote:

AYES—Senators [illegible].

NOES—Senators [illegible] Irwin, [illegible] and Wolfe—18.

Assembly Bill No. 1530—An Act to provide for the grant of franchises to certain persons, firms or corporations as shall engage in business of common carriers through the operation of motor vehicles or automobiles carrying passengers for hire.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1530 passed by the following vote:

AYES—Senators [illegible] Tyrrell and Wolfe—[illegible].

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1590—An Act authorizing the construction, improvement, maintenance and control of the uncompleted portions of the system of state highways prescribed and contemplated by an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California, specifying the work, fixing the payments to be made by counties for moneys expended therein, providing for the issuance and sale of state bonds to create a fund for the construction and acquisition of such system, creating a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D. 1910, and known and cited as the "State Highways Act," specifying the work, fixing the payments to be made by counties for moneys expended therein, providing for the issuance and sale of state bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said system; creating a revolving fund to be used by the State Department of Engineering for the purposes of this Act; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people.

Bill read third time.

By order of the Acting President, Assembly Bill No. 1596 was passed on file.

Assembly Bill No. 1262—An Act to amend section 2185c of the Political Code, relating to the commitment of inebriates, drug habitués and sex perverts to state hospitals.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1262 passed by the following vote:

Ayes—Senators Ballard, Beban, Benedict, Benson, Breed, Brown, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flint, Gerdes, Irwin, Maddux, Owens, Purkitt, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—24.

Noes—None.

AMENDMENT TO TITLE.

Senator Tyrrell moved to amend title of Assembly Bill No. 1262 as follows:

AMENDMENT NUMBER ONE.

By striking out of line 4 of the title the words "and sex perverts".

AMENDMENT NUMBER TWO.

Strike out the comma after the word "inebriates" in line 3 of the title and insert in lieu thereof the word "and".

Motion carried.

Title, as amended, read and approved.

Bill ordered to print, and transmitted to the Assembly.

Assembly Bill No. 552—An Act to amend an Act entitled, "An Act to amend an Act to allow unincorporated towns and villages to equip and maintain a fire department, and to assess and collect taxes from time to time for such purpose, and to create a board of fire commissioners," approved March 4, 1881; amended March 6, 1889.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 552 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Kehoe, Maddux, Owens, Purkitt, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 673—An Act to amend section 4245 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the sixteenth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 673 passed by the following vote:

Ayes—Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Gates, Irwin, Kehoe, Maddux, Owens, Purkitt, Scott, Strobridge, Stuckenbruck, and Wolfe—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 432—An Act to amend section 156 of the Code of Civil Procedure of the State of California, relating to qualifications of Justices of Supreme Court.

Bill read third time.

On motion of Senator Ballard, Assembly Bill No. 432 was passed on file.

Assembly Bill No. 433—An Act to amend section 157 of the Code of Civil Procedure of the State of California, relating to qualification of superior judges.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 433 passed by the following vote:

Ayes—Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Finn, Flaherty, Flint, Gates, Irwin, Jones, Kehoe, Luce, Lyon, Owens, Purkitt, Scott, Sharkey, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 700—An Act to amend section 4300a of the Political Code of the State of California, relating to witness fees.

On motion of Senator Kehoe, Assembly Bill No. 700 was passed on file.

Assembly Bill No. 1572—An Act to amend section 988 of the Penal Code, relating to the arraignment of the defendant in a criminal trial.

Bill read third time.

On motion of Senator Stuckenbruck, Assembly Bill No. 1572 was passed on file.

Assembly Bill No. 930—An Act to amend section 1 of an Act entitled "An Act in relation to fences, and other structures erected to annoy, and for the abatement of nuisances," approved May 28, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Carr moved a call of the Senate.

Motion lost.

Senator Tyrrell moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—37.

The Secretary announced the absentees.

Time, four o'clock and fifty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and fifty-two minutes p.m., further proceedings under call of the Senate were dispensed with, on motion of Senator Carr.

The Secretary was directed to call the roll, on passage of all of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 930 passed by the following vote:

AYES—Senators Ballard, Benedict, Birdsall, Brown, Butler, Campbell, Carr, Cohn, Crowley Duncan, Finn, Flaherty, Flint, Gerdes, Kehoe, King, Luce, Lyon, Scott, Stuckenbruck, and Thompson—21.

NOES—Senators Anderson, Beban, Benson, Breed, Chandler, Cogswell, Irwin, Jones, Maddux, Owens, Purkitt, Shearer, Slater, Strobridge, Tyrrell, and Wolfe—16.

Title read and approved.

Bill ordered transmitted to the Senate.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At four o'clock and fifty-five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Cogswell, the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in the following Senate amendments to Assembly Bill No. 1522—An Act to amend sections 4041 and 4088 of the Political Code.

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, after the word "land", insert ", or other property".

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, after the comma following the words "public ways", insert the following: "and for the conservation or control of flood waters, and to improve, develop and protect harbors, bays, inlets and other arms of the sea,".

AMENDMENT NUMBER THREE.

On page 2, line 12, of the printed bill, after the words "public ways," strike out the word "and", also, all of line 13 and up to and including the word "sea" in line 14, and insert in lieu thereof the following: "and all works constructed or property acquired for the conservation or control of flood waters,".

AMENDMENT NUMBER FOUR.

On page 2, line 27, of the printed bill, after the word "ways", change the period to a comma, and insert thereafter the following: "and all works constructed or property acquired for conservation or control of flood waters,".

AMENDMENT NUMBER FIVE.

On page 2, after line 37, of the printed bill, insert a new paragraph as follows:

"5*a*. Any county road traversing two or more contiguous counties may be jointly laid out, surveyed, constructed and maintained by the boards of supervisors of said counties."

[illegible]

On page 4, in line 23, of the printed bill strike [illegible] determin[illegible] road comm[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] and the words "or both".

[illegible]

[illegible]

[illegible]

[illegible] such executive board is appointed, it shall have and perform all of the administrative [illegible] gate, by a unanimous vote, to a county director or county manager any of its [illegible] such other powers and duties, not inconsistent herewith, as may from time to time be delegated to it by the board of supervisors.

"42. To do and perform all other acts and things required by law not in this title enumerated, or which may be necessary to the full discharge of the duties of the legislative authority of the county government."

AMENDMENT NUMBER FOURTEEN

On page 12, line 21 of the printed bill, strike out the word "purpose" and insert in lieu thereof the word "purposes".

AMENDMENT NUMBER FIFTEEN

On page 12, line 25 of the printed bill, strike out the word "or" and insert in lieu thereof the word "and".

AMENDMENT NUMBER SIXTEEN.

On page 13, line 3 of the printed bill, insert a "," after the word "called".

AMENDMENT NUMBER SEVENTEEN.

On page 13, line 5 of the printed bill, after the word "nearly" insert the word "as."

AMENDMENT NUMBER EIGHTEEN

On page 13, line 31 of the printed bill, after the word "provided", insert a comma.

AMENDMENT NUMBER NINETEEN.

On page 13, line 33 of the printed bill, hyphenate the words "assessment book"

AMENDMENT NUMBER TWENTY

On page 13, line 37 of the printed bill, strike out the word "such" and insert in lieu thereof the word "said".

AMENDMENT NUMBER TWENTY-ONE

On page 14, line 12 of the printed bill, strike out the word "at" where it appears the second time.

AMENDMENT NUMBER TWENTY-TWO.

On page 14, line 13 of the printed bill, hyphenate the words "bond holder".

AMENDMENT NUMBER TWENTY-THREE

On page 14, line 20 of the printed bill, strike out the hyphen in the word "facsimile".

AMENDMENT NUMBER TWENTY-FOUR

On page 14, line 21 of the printed bill, strike out the comma where it appears after the word "amounts".

AMENDMENT NUMBER TWENTY-FIVE

On page 14, line 24 of the printed bill, strike out the comma where it appears after the word "levy".

AMENDMENT NUMBER TWENTY-SIX.

On page 14, line 27 of the printed bill, strike out the comma where it appears after the word "purpose".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 15, line 2 of the printed bill, strike out the comma where it appears after the word "bonds".

AMENDMENT NUMBER TWENTY-EIGHT

On page 15, line 5 of the printed bill, insert a comma after the word "supervisors".

AMENDMENT NUMBER TWENTY-NINE.

On page 15, line 6 of the printed bill, insert a comma after the word "bonds".

AMENDMENT NUMBER THIRTY.

On page 15, line 12 of the printed bill, insert a comma after the word "board".

AMENDMENT NUMBER THIRTY-ONE.

On page 15, line 19 of the printed bill, strike out the word "State" and insert in lieu thereof the word "States".

AMENDMENT NUMBER [illegible].

On page 15, line 20 of the printed bill, strike out the words "State of California" and insert in lieu thereof the words "County of ______" (leaving a blank space).

AMENDMENT NUMBER [illegible].

On page 15, line 21 of the printed bill, strike out "No. ____" and also strike out "N______" and insert in lieu thereof the words "State of California".

AMENDMENT NUMBER [illegible].

On page 16, line 22 of the printed bill, strike out the words "[illegible] ____" and insert in lieu thereof the words "No. ______".

AMENDMENT NUMBER [illegible].

On page 16, line 21 of the printed bill, insert a comma after the word "[illegible]" where it appears the first time.

AMENDMENT NUMBER [illegible].

On page 16, line 30 of the printed bill, strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]".

AMENDMENT NUMBER [illegible].

On page 16, line 31 of the printed bill, insert a comma after the word [illegible].

AMENDMENT NUMBER [illegible].

On page 7, between lines 23 and 24 of the printed bill, insert the following: "[illegible] for the purpose of [illegible] the same."

And refused to concur in the following Senate amendment:

AMENDMENT NUMBER TEN.

On page 7, line 26 of the printed bill, after the comma following the word "supplies" insert the following: "and all clothing, bedding, provisions and supplies to be used in the county jails, all of".

And requests that your honorable body recede therefrom.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

SENATE MOTIONS.

Senator Cogswell moved that the Senate recede from Senate Amendment No. 10 to Assembly Bill No. 1522.

The question being "Shall the Senate recede from Senate Amendment No. 10 to Assembly Bill No. 1522?"

The roll was called, and the Senate receded from Senate Amendment No. 10 to Assembly Bill No. 1522 by the following vote:

Ayes—Senators Ballard, [illegible], Benson, [illegible], Boyd, [illegible], [illegible], Campbell, Carr, Cogswell, [illegible], Flint, Gates, Jones, Kehoe, King, [illegible], Lyon, Mott, Owens, Scott, Strobridge, Stuckenbruck, Thompson, and Tyrrell—25.

Noes—Senators Irwin and Purkitt—2.

ASSEMBLY MESSAGE—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference on Assembly Bill No. 1523—An Act providing for the improvement, development or protection of any harbor, bay, inlet, or other arm of the sea, existing within any county of this State; providing for the appointment of a harbor commission by the board of supervisors of any such county to have charge and control of the improvement, development, or protection thereof, and the voting, issuance and sale of the bonds of such county to pay the cost thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 5th passed Assembly Bill No. 132—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 1543*b* relating to superintendents of schools passing and auditing claims of any school districts in excess of the funds to its credit.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 132 read first time, and referred to Committee on Education.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 152—An Act appropriating money to provide a permanent water supply for the California Polytechnic School:

Also: Assembly Bill No. 546—An Act to amend section 3876 of the Political Code relating to allowance expenses to county treasurers in settlements with the State, and making an appropriation therefor:

Also: Assembly Bill No. 1022—An Act to provide for the survey and construction of a State highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor;

Also: Assembly Bill No. 1399—An Act providing for an appropriation for the location, survey and construction of a highway to lead from Surprise Valley, in Modoc County, to the Nevada State line;

Also: Assembly Bill No. 1482—An Act to appropriate money to pay the claim of the Lauritzen Company against the State of California;

Also: Assembly Bill No. 1548—An Act to change and permanently locate the boundary line between the counties of Butte and Glenn.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 152, 546, 1022, 1399 and 1482 read first time, and referred to Committee on Finance.

Assembly Bill No. 1548 read first time, and referred to Committee on County Government.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1607—An Act to add two new sections to the Political Code to be numbered 1125 and 1126, relating to elections, and to repeal sections 1127 and 1129 of the Political Code.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1607 read first time, and referred to Committee on Elections.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 437—An Act to appropriate money for the construction of fences on the property of the California School for Girls located near Ventura;

Also: Assembly Bill No. 722—An Act to provide for the establishment of passenger transportation facilities upon the Embarcadero, in the city and county of San Francisco;

Also: Assembly Bill No. 904—An Act to amend sections 3607, 3608, 3617, 3627, 3628, 3629, 3641, 3643, 3650, 3663, 3678, 3679, 3701, 3728, 3734 and 3753 of the Political Code and to repeal sections 3609, 3610, 3719, 3757 and 3769*a*, of said code, and to add to said code a new section, to be numbered 3714*a*, all relating to revenue and taxation;

Also: Assembly Bill No. 989—An Act to create a state purchasing dpeartment, to define the authority, powers, and duties thereof; to provide for the appointment of and to define the authority, powers, and duties and to fix the compensation of the officers and employees thereof, and to appropriate money for the support of said department; and to repeal all Acts or parts of Acts in conflict with the provisions of this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1145—An Act to [illegible] of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all [illegible].

Also, Assembly Bill No. 1181—An Act to amend sections 1, 3 and 9 of an Act entitled "An Act [illegible]," approved March [illegible], as amended by an Act approved [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By [illegible], Assistant Clerk.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 709—An Act to amend section [illegible] of the Political Code of the State of California, relating to witness fees.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Kehoe moved to refer to Senator Anderson as a Special Committee of One to amend Assembly Bill No. 709 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 1, before the word "section", insert "SECTION 1."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 709, with instructions to amend, respectfully reports the same back, amended as per instructions.

ANDERSON, Committee.

Report read and, on motion of Senator Kehoe, adopted.

Bill ordered to print.

Assembly Bill No. 432—An Act to amend section 156 of the Code of Civil Procedure of the State of California, relating to qualifications of Justices of Supreme Court.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Benedict moved to refer to Senator Ballard as a Special Committee of One to amend Senate Bill No. 432 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, strike out the words "shall have been", and insert in lieu thereof the word "is".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 432, with instructions to amend, respectfully reports the same back, amended as per instructions.

BALLARD, Committee.

Report read and, on motion of Senator Benedict, adopted.

Bill ordered to print.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Assembly Bill No. 521—An Act to amend section 1633 of the Penal Code, relating to labor of prisoners—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

FINN, Chairman.

Assembly Bill No. 521 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 863—An Act to amend section 4146 of the Political Code of the State of California relating to the duties of coroners—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Senate Bill No. 863 ordered on file for second reading.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 633—An Act to amend section 3766 of the Political Code, relating to the manner of publication of the delinquent tax list—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BREED, Chairman.

Senate Bill No. 633 ordered on file for second reading.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 533—An Act to amend section 4029 of the Political Code, relating to changes in supervisorial districts—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do not pass as amended.

BREED, Chairman.

Senate Bill No. 533 ordered on file for second reading.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1595—An Act to amend section 2653 of the Political Code, relating to the levying of highway taxes by boards of supervisors—has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BREED, Chairman.

Assembly Bill No. 1595 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1188—An Act to amend sections 2, 3, 10, 13, 15, 18, 30, 31, 33, 39, 40, 52, 53, 54½, 67, 79, and 93 of an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, and to add four new sections to said Act to be numbered 1½, relating to the signing of petitions for organizations; 54¾, relating to the giving of advice by the State Engineer regarding the organization and conduct of irrigation districts; 64, relating to the filing of a notice of purpose to endeavor to organize an irrigation district and requesting the Water Commission to withdraw from appropriation certain waters; 78½, relating to the securing of assent from the Secretary of the Interior before boundaries may be changed of a district that had a contract with the United States—has had the same under consideration, and respectfully reports the same back and recommends that it be re-referred to the Committee on Irrigation.

KEHOE, Chairman.

Assembly Bill No. 1188 ordered re-referred to Committee on Irrigation.

Also:

SACRAMENTO, May 6, 1915.

Mr. President: Your Committee on Judiciary, to which was referred Assembly Bill No. 529—An Act to provide for [illegible] in the State of California—has had the same under consideration, and respectfully reports the same back with amendments and recommends that as so amended it do pass.

KEHOE, Chairman.

Assembly Bill No. 529 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

Mr. President: Your Committee on Education, to which was referred Assembly Bill No. 134—An Act to amend section [illegible] of the Political Code of the State of California, relating to the appointment of [illegible], prescribing the term of office and affixing his compensation—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

ANDERSON, Chairman.

Assembly Bill No. 134 ordered on file for second reading.

THIRD READING OF ASSEMBLY BILLS—[illegible].

Assembly Bill No. 400—An Act authorizing any municipal corporation organized under a freeholders' charter, to exercise plenary powers in municipal affairs as set forth in such charter or amendment or amendments thereof, and in the absence of charter provisions thereon, to act in such affairs under general laws.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 400 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benson, Brown, Butler, Campbell, Carr, [illegible], Gates, Irwin, Jones, Maddux, Mott, Owens, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR TYRRELL IN THE CHAIR.

At five o'clock and ten minutes p.m., Senator Tyrrell, of the Sixteenth District, in the chair.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bills Nos. 21 and 147, heretofore set as a special order for this time, the same were taken up for consideration.

Senate Bill No. 21—An Act to amend an Act entitled "An Act to create for the State of California a Department of Engineering, to provide for the appointment of the officers and employees thereof, defining its powers and prescribing the duties of said department, its officers and employees, to provide the compensation of such officers and employees, to make an appropriation for the salaries and other expenses for the remainder of the fifty-eighth fiscal year and making certain Acts a felony, and repealing an Act entitled "An Act creating a Commissioner of Public Works, defining his duties and powers, and fixing his compensation," approved February 9, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled, "An Act to create a Department of Highways for the State of California, to define its duties and powers, to provide for the appointment of officers and employees thereof, and to provide for the compensation of said officers and employees, and for the additional expenses of said department, and to make an appropriation therefor for the remainder of the forty-eighth fiscal year," approved April 1, 1897; also repealing an Act entitled "An Act providing for the appointment of an auditing board to the Commissioner of Public Works, authorizing him and them to perform certain duties relating to drainage, to purchase machinery, tools, dredges, and appliances therefor, to improve and rectify water channels, to condemn land and property for the purposes aforesaid, making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled "An Act to provide for the appointment, duties and compensation of a Debris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such Commissioner," approved March 24, 1897, and all Acts or parts of Acts amendatory thereof; also repealing an Act entitled "An Act to create the office of Lake Tahoe Wagon Road Commissioner, prescribing the term of office and compensation of such Commissioner, defining his duties and making an appropriation for the salary and expenditures provided for and authorized by this Act," approved April 1, 1897, and all Acts or parts of Acts amendatory thereof," approved March 11, 1907, and all Acts or parts of Acts amendatory thereof, by amending sections [illegible] and 14 thereof, relating to the officers and employees of the Department of Engineering, their powers, duties and salaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 21 refused passage by the following vote:

Ayes—Senators Brown, Crowley, Finn, Flaherty, Gates, Irwin, and Wolfe—7.

Noes—Senators Anderson, Ballard, Beban, Benedict, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Hans, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, and Tyrrell—25.

NOTICE OF MOTION TO RECONSIDER.

Senator Scott gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 21 was this day refused adoption.

SENATE BILLS—THIRD READING.

Senate Bill No. 147—An Act to amend an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the

State in relation to erection of buildings,' approved March 28, 1876, approved March 22, 1909,' by adding a new section to be known as section 4.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 147 refused passage by the following vote:

Ayes—Senators [illegible], [illegible], Crowley, Finn, Flaherty, [illegible], [illegible], and Wolfe—8.

Noes—Senators Anderson, [illegible], [illegible], Breed, Butler, Campbell, Carr, Chamberlin, Cogswell, [illegible], [illegible], [illegible], Kehoe, [illegible], Maddux, Mott, Owens, Purkitt, [illegible], Strobridge, [illegible], [illegible], and [illegible]—23.

CONSIDERATION OF ASSEMBLY BILL—(OUT OF ORDER).

Senator Finn asked for and was granted unanimous consent to take up for consideration at this time Assembly Bill No. 21, out of the regular order, for the purpose of amendment.

Assembly Bill No. 21—An Act to provide a method of procedure whereby a poor person having a good cause of action or a good defense may have an attorney assigned to prosecute his action or to conduct his defense and relieving him from the payment of costs.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Finn moved to refer to Senator Wolfe, as a Special Committee of One, to amend Assembly Bill No. 21 as follows:

AMENDMENT NUMBER ONE.

By striking out of section 7 (d), lines 16 and 17, the words "and all jury fees shall be paid by the county".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 21, with instructions to amend, respectfully reports the same back, amended as per instructions.

WOLFE, Committee.

Report read and, on motion of Senator Finn, adopted.

Bill ordered to print.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent to take up Assembly Bill No. 243, out of the regular order, for the purpose of amendment.

Assembly Bill No. 243—An Act to establish a standard for the packing and marketing of apples, fixing penalties for the violation of its provisions, and providing for its enforcement.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 243—An Act to establish a standard for the packing and marketing of apples, fixing penalties for the violation of its provisions, and providing for its enforcement—has had the same under consideration, and respectfully reports the same back and recommends that a Special Committee of One be appointed to amend the bill as follows:

AMENDMENT NUMBER ONE

In the title, after the period, following the word "enforcement" insert the following: "and making an appropriation to carry into effect the provisions hereof".

STROBRIDGE, Chairman.

APPOINTMENT OF SPECIAL COMMITTEE OF ONE.

Whereupon the President pro tem. appointed Senator Jones a Special Committee of One to amend Assembly Bill No. 243, in accordance with the above report.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 243, with instructions to amend, respectfully reports the same back amended as per instructions.

JONES, Chairman.

Report read and, on motion of Senator Strobridge, adopted. Bill ordered to print.

REPORTS OF STANDING COMMITTEES (RESUMED).

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 888—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27th, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board and defining its powers," approved December 24, 1911, (as heretofore amended by an Act approved May 26, 1913,) by adding a new section thereto to be designated as section 33, relating to and providing for the issuance and disposal of bonds of the Sacramento and San Joaquin Drainage District, and testing the validity of such bonds—has had the same under consideration, and respectfully reports the same back and recommends that it do pass, as amended.

CHANDLER, Chairman.

Assembly Bill No. 888 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 1188—An Act to amend sections 2, 3, 10, 13, 15, 18, 30, 31, 33, 39, 40, 52, 53, 54½, 67, 79 and 93 of an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, and to add four new sections to said Act to be numbered 1½, relating to the signing of petitions for organizations; 54[illegible], relating to the giving of notice by the State Engineer regarding the organization and conduct of irrigation districts; 64, relating to the filing of a notice of purpose to endeavor to organize an irrigation district and requesting the Water Commission to withdraw from appropriation certain waters; 78½, relating to the securing of assent from the Secretary of the Interior before boundaries may be changed by a district that has a contract with the United States—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

MADDUX, Chairman.

Assembly Bill No. 1188 ordered on file for second reading.

SPECIAL ORDER RESET

On motion of Senator Kehoe the consideration of the resolution relative to the appointment of a special committee to investigate and examine into the business of fire insurance as to rates, profits and methods of doing business, heretofore set as a special order for this time, was reset as a special order for consideration at eight o'clock and thirty minutes p.m. of this day.

RECESS

At five o'clock and fifty minutes p.m., on motion of Senator Thompson, the Acting President declared the Senate at recess until eight o'clock p.m.

RECONVENED

At eight o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

SECOND READING OF BILLS—OUT OF ORDER

Senator Strobridge asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from committees on this legislative day.

Senate Bill No. 453—An Act making an appropriation for the building and construction of an armory for the national guard at Napa City, Napa County, California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 1076—An Act to amend section 553 of the Political Code.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 917—An Act to amend section 319 of the Civil Code of the State of California, relating to the meetings of stockholders and boards of directors of corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 863—An Act to amend section 4146 of the Political Code of the State of California, relating to the duties of the coroner.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 633—An Act to amend section 3766 of the Political Code, relating to the manner of publication of the delinquent tax list.

COMMITTEE AMENDMENTS

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3, page 1, of the printed bill, insert between the word "published" and the word "in", the following: "for three successive weeks".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 6, page 1, of the printed bill, insert between the word "published" and the word "in", the following: "for at least one time".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

Assembly Bill No 251—An Act to establish free employment bureaus under the control and management of the Commissioner of the Bureau of Labor Statistics, and making an appropriation therefor.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 1, line 4 of the printed bill after the word "Angeles" insert a comma and the word "Oakland".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 257—An Act defining public weighmaster; describing his duties; providing for rules and regulations governing the performance of his duties; prescribing a bond and fixing the amount thereof; and providing penalties for any violation of the provisions of this Act.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10 of the printed bill strike out the words "five thousand dollars" also on line eleven strike out the figures "($5,000)" and insert in lieu thereof "one thousand dollars ($1,000)".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 35 of the printed bill commencing with the word "This" strike out all down to and including the word "passage" on line 36.

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 692—An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Debris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, chief of engineers, C. H. McKinstry, major, corps of engineers, and Thomas H. Jackson, captain, corps of engineers, of the United States army, and printed with the annual report of the Chief of Engineers to the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 1 of the printed bill strike out the words "four hundred seventy-five" and insert in lieu thereof the following: "two hundred fifty".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 187—An Act to appropriate money for the construction and furnishing of a girls' nursery building at the Sonoma State Home.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 290—An Act to appropriate money to maintain the model and training schools at the several state normal schools.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 392—An Act to appropriate money to purchase a portion of the Great Sierra Wagon Road and to provide for the acceptance and maintenance of said road as a state road.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 414—An Act to appropriate money for the construction of a horse barn at the state prison at Folsom.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 570—An Act to appropriate money to pay the deficiency in the appropriation for traveling expenses for the State Board of Agriculture in the sixty-second fiscal year.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 746—An Act to provide for the survey, location and estimate of cost of a state highway from a point on the present located California State Highway in Kern County, California, south of Bakersfield, southerly to the town of Nordhoff, Ventura County.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 774—An Act making an appropriation to pay the claim of Daisy M. Drewry against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 798—An Act making an appropriation for office equipment for Secretary of State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1115—An Act making an appropriation for the location and survey of a state highway, to be known as the Pasadena state highway.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1194—An Act to provide for the filing of bonds by certain employees of the Department of Engineering and for the payment by said department of the premiums or charges on bonds of its employees when given by surety companies.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1407—An Act appropriating money to enable the State normal school at Los Angeles to hold Saturday sessions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1531—An Act making an appropriation to provide the Superintendent of Capitol Building and Grounds with a revolving fund for the purchase of stationery and office supplies for legislative and state offices.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1571—An Act to add a new section to the Political Code to be numbered 4441½, authorizing boards of supervisors to appoint an advisory board to coöperate with the county assessor in appraising taxable property in the county.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 845—An Act to amend section 1858 of the Political Code of the State of California relating to the attendance of children in the public schools of the State.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1199—An Act to perpetuate marks, brands and counterbrands established in the several counties of the State under sections 3168 and 3169 of the Political Code, to provide methods of perpetuation and declaring all marks, brands and counterbrands not so perpetuated to be inoperative and void.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1436—An Act to amend the Civil Code of the State of California, by adding a new section thereto to be known as and numbered section 361, relating to increasing or decreasing the number of directors or trustees of corporations or associations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1437—An Act to amend section 296 of the Civil Code, relating to the filing of articles of incorporation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1439—An Act to amend section 362 of the Civil Code of the State of California, relating to the amendment of articles of incorporation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1340—An Act to appropriate money to pay the claim of the Long Beach Consolidated Gas Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 485—An Act granting to the city of Burlingame the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and regulating the management, use and control thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 521—An Act to amend section 1613 of the Penal Code, relating to labor of prisoners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 533—An Act to amend section 4029 of the Political Code, relating to changes in supervisorial districts.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 15, strike out the word "and", all words on line 16 of said page, all words on lines 1 and 2 on page 2, up to and before the semicolon, on said line 2

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1595—An Act to amend section 2653 of the Political Code, relating to the levying of highway taxes by boards of supervisors.

COMMITTEE AMENDMENT

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE

In line 10, page 1, of the printed bill, strike out the words "be less than [illegible] nor in excess" and insert in lieu thereof the following: "[illegible] the sum".

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 529—An Act to add a new section to the Penal Code to be numbered 504a, relating to the crime of embezzlement.

COMMITTEE AMENDMENTS

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE

Commencing with the word "to prohibit," in line 2 of the title, strike out all down to and including the word "California," in line 5 thereof and insert in lieu thereof the following: "concerning livestock [illegible] in the event upon unfenced, privately owned lands within the boundaries of the national forest within the State of California and prescribing the remedy therefor."

Amendment adopted.

AMENDMENT NUMBER TWO

Commencing with line 1, page 1, of the printed bill, strike out all down to and including line 8, page 1, and insert in lieu thereof the following:

SECTION 1. In the event that any live stock owned by any person holding a current permit issued by the United States Forest Service, entitling such owner to permit such live stock to graze upon the public lands within a national forest, shall stray or trespass upon any unfenced, privately owned lands, situate within the boundaries of the said national forest, the owner of such lands shall not have the right to seize or impound any such live stock, nor shall he have any lien thereon, but he may recover judgment for his actual damages in any court of competent jurisdiction.

Amendment adopted.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1188—An Act to amend sections 2, 3, 10, 13, 15, 18, 30, 31, 33, 39, 40, 52, 53, 54½, 67, 79 and 93 of an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, and to add four new sections to said Act to be numbered 1½, relating to the signing of petitions for organizations; 54¼, relating to the giving of advice by the State Engineer regarding the organization and conduct of irrigation districts; 64, relating to the filing of a notice of purpose to endeavor to organize an irrigation district and requesting the Water Commission to withdraw from appropriation certain waters; 78½, relating to the securing of assent from the Secretary of the Interior before boundaries may be changed by a district that has a contract with the United States.

Bill read second time and ordered on file for third reading.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of the report of the Committee on Contingent Expenses, recommending the adoption of the resolution by Senator Kehoe relative to the appointment of an Insurance Investigation Committee, heretofore set as a special order for consideration at 8:30 o'clock p.m., the report and resolution were taken up for consideration.

REPORT OF STANDING COMMITTEE.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred the following resolution:

By Senator Kehoe:

WHEREAS, The Supreme Court of the United States has recently decided that the business of fire insurance is quasi-public in its nature, and is therefore subject to regulation by the Legislature of the State; and

WHEREAS, The official report of the Insurance Commissioner of the State of California shows that for several years last past the premiums collected for fire insurance in the State of California have been each year many millions in excess of the fire losses paid in the State; and

WHEREAS, An issue has been raised relative to the reasonableness and fairness of fire insurance rates in the State of California; therefore, be it

Resolved by the Senate, That the President of the Senate is hereby authorized and directed to appoint a special committee of five members, whose duty it shall be, and they hereby are, authorized and empowered to investigate and examine into the business of fire insurance, and the business and affairs of all fire insurance companies and agencies and organizations thereof, doing business in the State of California, and into anything and everything affecting or influencing the business of such companies or organizations; also, to inquire into the internal management, doings and acts of all fire insurance companies, including all investments, the personal interest of officers of such companies or organizations in such investment; the business, or other relations between such companies or organizations; the contractual relations of said companies or organizations with their policy-holders and others; the salaries, commissions and other compensation paid to officials or agents of such companies or organizations, the cost of fire insurance, the premium rate, the method of making and applying such rate, the methods of the classification of risks and accumulation of statistics by said companies and organizations, the expenses of said companies and all their agencies of every kind and character, together with a comparison of the cost and security of fire insurance under the present system, and the probable cost and security of State fire insurance, and also any other questions or phases of the said business of fire insurance or the operations of fire insurance companies or organizations, or bureaus or organizations for making rates for fire insurance, that said committee may deem necessary or proper to be inquired into; and, be it further

Resolved, That said committee is further authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and things hereinabove enumerated, and to employ all necessary clerical and expert assistance, and that said committee be and it hereby is authorized and empowered to send for persons and papers, and to take all necessary means to procure attendance of witnesses and testimony; and the members of said committee are, and each of them is, hereby authorized to administer oaths; and that all the provisions of article VIII, chapter II, title I, part III of the Political Code of this State, relative to attendance and examination of witnesses before the Legislature and committees thereof, shall apply to the committee; and that the sergeant-at-arms of the Senate is hereby authorized and directed to serve all subpenas and orders or other process, that may be issued by the chairman of said committee, when directed to do so by said chairman; and, be it further

Resolved, That said committee, after making such investigation, report to the Senate of the State of California at the forty-second session of the California Legislature upon the law and fact of the subject matter of the preceding resolution, and also prepare and report such bill or bills as may be necessary to carry into effect the recommendations of the said committee in relation to the foregoing matters; and, be it further

Resolved, That the sum of three thousand dollars out of the Contingent Fund of the Senate be, and the same is hereby made available for the purpose of defraying the expenses of said committee in said investigation, including the necessary traveling expenses of the members of said committee, and the contingent expenses of said committee in said investigation, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of such committee, and the State Treasurer is hereby authorized and directed to pay the same."

Has had the same under consideration, and respectfully reports the same back and recommends that it be adopted as amended.

BERAN, Chairman.

SENATOR CARR IN THE CHAIR.

At eight o'clock and thirty minutes p.m., Senator Carr of the Thirty-sixth District, in the chair.

FURTHER CONSIDERATION OF SPECIAL ORDER—[illegible]

The question being upon the adoption of the report of the committee and the resolution of Senator Kehoe as amended,

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Kehoe moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators [illegible], Bailey, [illegible], [illegible], [illegible], [illegible], [illegible], [illegible], Campbell, Carr, Chandler, [illegible], [illegible], [illegible], [illegible], [illegible], [illegible], [illegible], Kehoe, King, Lee, [illegible], [illegible], [illegible], [illegible], Scott, [illegible], [illegible], [illegible], Thompson, [illegible] and [illegible]—[illegible].

The Secretary announced the absentees.

Time, nine o'clock and fifty-five minutes p.m.

The President directed the Sergeant at Arms to close the doors.

The Sergeant at Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At eleven o'clock and thirty minutes p.m., Senators Irwin, [illegible], and Cogswell were brought to the bar of the Senate, and on motion of Senator Tyrrell, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and thirty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Kehoe.

The Secretary was directed to call the roll on the adoption of the report of the committee and the resolution as amended, of the Senators who had not answered to their names.

The roll was called, and the report and resolution as amended refused adoption by the following vote:

AYES—Senators [illegible], [illegible], [illegible], [illegible], [illegible], [illegible], [illegible], Chandler, Cogswell, [illegible], Jones, Kehoe, King, [illegible], Maddux, [illegible] and Thompson—17.

NAYS—Senators [illegible], [illegible], [illegible], Campbell, [illegible], [illegible], [illegible], [illegible], [illegible], Irwin, [illegible], [illegible], [illegible], Scott, [illegible], [illegible], [illegible] and Wolfe—18.

SECOND READING OF SENATE BILL—(OUT OF ORDER).

Senator Scott asked for and was granted unanimous consent for the second reading, out of regular order, of Senate Bill No. 267—An Act to amend an Act entitled "An Act authorizing the Governor of the

State of California to issue licenses to bodies of men to organize, drill, and bear arms as military companies or organizations, and providing for their control," approved March 9, 1911, by adding thereto two new sections to be numbered sections 2 and 3, providing for an allowance for armory rent and proper and necessary incidental expenses, and providing for such companies means of target practice.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Amend title by striking out the period in line 10 and insert in lieu thereof a semicolon and the following: "and making an appropriation therefor".

Amendment adopted.

AMENDMENT NUMBER TWO

On page 1, line 7, beginning with the word "There", strike out all down to and including the word "expenses" in line 4, on page 2, and insert in lieu thereof the following: "There shall be audited and allowed by the Adjutant General of the State of California out of the money hereby appropriated, to the commanding officer of any military company or organization to whom the Governor shall have issued a license to organize, drill and bear arms under the authority of the law of the State of California, and which the Governor may designate as qualified to receive the same, the sum of fifty dollars per month to be used for armory rent and proper and necessary incidental expenses. Said officer so designated to receive the same shall file with the Adjutant General of the State of California a bond in the sum of one thousand dollars, which shall be satisfactory to the Adjutant General before the money hereinbefore referred to, shall be paid out by the Adjutant General".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of line 9, beginning with the word "The", down to and including the word "prescribe" in line 20, and insert in lieu thereof the following: "The licensed companies described in section 2 of this Act are hereby authorized to use the rifle range of the National Guard at such times and under such rules and regulations as the Adjutant General of the State of California may prescribe".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, following line 20, insert the following:

"Sec. 2. For the purposes of carrying this Act into effect the sum of twelve hundred dollars is hereby appropriated out of any moneys not otherwise appropriated, and the State Controller is hereby authorized to draw his warrant for the same in favor of the Adjutant General of the State of California, and the State Treasurer is hereby directed to pay the same".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and third reading.

CONSIDERATION OF BILL—OUT OF ORDER.

Senator Benedict asked for and was granted unanimous consent for the consideration at this time, out of the regular order, for the purpose of amendment of Assembly Bill No. 540—An Act providing for a minimum standard of sanitation for all labor camps, making an appropriation to carry out the provisions hereof, and repealing Acts inconsistent herewith.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE

Senator Benedict moved to refer to Senator Brown, as a Special Committee of One to amend Assembly Bill No. 540 as follows:

AMENDMENT NUMBER ONE

On page 3 of the printed bill, as amended in Senate May 5, 1915, strike out the following on line 21:
"Sec. 9," and insert in lieu thereof the following:
"Sec. 2."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 540, with instructions to amend, respectfully reports the same back amended as per instructions.

BROWN, Chairman.

Report read and, on motion of Senator Benedict, adopted.
Bill ordered to print.

REPORTS OF STANDING COMMITTEES

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. [illegible]—An Act to provide for the assessment, levy and collection of taxes for the support of the state government for the sixty-seventh and sixty-eighth fiscal years—and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. [illegible]—An Act to be known as the [illegible], limiting the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts [illegible] violation of the provisions hereof, and repealing sections [illegible], 1918, 1919 and 1920 of the Civil Code and all Acts or parts of Acts in conflict with this Act.

Also, Senate Bill No. 667—An Act to amend sections [illegible] of an Act entitled "An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers, and making an appropriation to carry this Act into effect," approved June 16, 1913, and known as the "Weights and Measures Act".
And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 27—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding a new section to said Act, to be known as section 6a, relating to doing of public work by municipalities—and reports that the same has been correctly re-engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 453—An Act making an appropriation for the building and construction of an armory for the National Guard at Napa City, Napa County, California;

Also: Senate Bill No. 1076—An Act to amend section 535 of the Political Code;

Also: Senate Bill No. 917—An Act to amend section 319 of the Civil Code of the State of California relating to the meetings of stockholders and boards of directors of corporations;

Also: Senate Bill No. 863—An Act to amend section 4146 of the Political Code of the State of California relating to the duties of the coroner;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 1496—An Act to provide for the formation, management and dissolution of county power pumping districts; for supplying the land owners and inhabitants thereof with water and with the power necessary to pump the same, for the levy and collection of taxes on property in such districts; and for the issuance of county power pumping district bonds and for the payment thereof—has had the same under consideration, and respectfully reports the same back without recommendation.

MADDUX, Chairman.

Assembly Bill No. 1496 ordered on file for second reading.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 1524—An Act to be known as "The California Irrigation Act" providing for co-operation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes; creating an irrigation board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts; providing for the management, control and supervision of such water districts and of the works constructed pursuant to this Act; directing the State Department of Engineering relative to such works; authorizing irrigation districts to reorganize under this Act and generally providing a policy relating to storage diversion and use of water, and adopting a plan for providing revenues therefor—has had the same under consideration, and respectfully reports the same back with amendments, without recommendation.

MADDUX, Chairman.

Also:

MINORITY REPORT.

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: A minority of your Committee on Irrigation, to which was referred Assembly Bill No. 1524—An Act to be known as "The California Irrigation Act," providing for co-operation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes; creating an irrigation board to form water distiсts, make contacts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts; providing for the management, control and supervision of such water districts and of the works constructed pursuant to this Act, directing the State Department of Engineering relative to such works; authorizing irrigation districts to reorganize under this Act and generally providing a policy relating to storage diversion and use of water, and adopting a plan for providing revenues therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do not pass.

DUNCAN.

Assembly Bill No. 1524 ordered on file for second reading.

CONSIDERATION OF BILL OUT OF ORDER.

Senator Birdsall asked for and was granted unanimous consent for the consideration out of the regular order for the purpose of amendment of Assembly Bill No. 1576—An Act authorizing the construction, improvement, maintenance and control of the uncompleted portions of the system of state highways prescribed and contemplated by an Act entitled, etc.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Birdsall moved to refer to Senator Thompson as a Special Committee of One to amend Senate Bill No. 1576 as follows:

AMENDMENT NUMBER ONE.

Amend title of printed bill to read as follows:

"An Act authorizing the construction, acquisition, improvement, maintenance and control of the uncompleted portions of the system of state highways prescribed and contemplated by an Act entitled 'An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California, specifying the work, fixing the payments to be made by counties for moneys expended therein, providing for the issuance and sale of state bonds to create a fund for the construction and acquisition of such system, creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people' approved March 22, 1909, and ratified, adopted and approved by the people of the State of California at the general election held in the month of November, A. D. 1910, and known and cited as the 'State Highways Act,' and making certain extensions thereto; specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of state bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said system and county extensions thereof; creating a revolving fund to be used by the State Department of Engineering for the purposes of this Act; creating a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people."

AMENDMENT NUMBER TWO.

On page 2, line 16, of the printed bill, after the word "Act" insert the following: "and certain extensions thereof as hereinafter specified".

AMENDMENT NUMBER THREE.

On page 2, line 19, of the printed bill, strike out the word "twelve" and insert in lieu thereof "fifteen".

AMENDMENT NUMBER THREE AND ONE-HALF.

On page 2, line 27, of the printed bill, strike out the word "twelve" and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER FOUR.

On page 2, line 29, of the printed bill, strike out the word "twelve" and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER FIVE.

On page 2, line 31, of the printed bill, strike out the numerals "12,000" and insert in lieu thereof the numerals "15,000".

AMENDMENT NUMBER SIX.

On page 3, line 1, of the printed bill, strike out the word "twelve" and insert in lieu thereof the word "fifteen".

AMENDMENT NUMBER SEVEN.

On page 3, line 10, of the printed bill, after the word "hundred" insert the words "seventy-five".

AMENDMENT NUMBER EIGHT.

On page 3, line 11, of the printed bill, after the word "hundred" insert the words "seventy-five".

AMENDMENT NUMBER NINE.

On page 4, line 11, of the printed bill, after "Sec. 3", strike out all of line 11, and on page 4, line 12, strike out "tion bill" and insert in lieu thereof the following: "The Legislature shall provide by appropriation".

AMENDMENT NUMBER TEN.

On page 4, line 31, of the printed bill, after the word "hundred" insert the word "seventy-five".

AMENDMENT NUMBER ELEVEN.

On page 5, line 28, of the printed bill, insert before the first word the word "Of".

AMENDMENT NUMBER TWELVE.

On page 5, line 29, of the printed bill, after the word "section" insert the following: "the sum of twelve million dollars, or so much thereof as may be necessary is hereby made available, and".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 33, of the printed bill, after the period after the word "Act" insert the following: "And of said moneys so placed in said Second State Highway Fund, the sum of three million dollars, or so much thereof as may be necessary, is hereby made available and shall be used exclusively for the acquisition of rights of way for, and the acquisition, construction and improvement of certain extension from said system of state highways prescribed by said 'State Highways Act' as follows: An extension connecting the interior and coast trunk lines in northern California through Trinity and Humboldt counties by the most direct and practical route; an extension connecting the San Joaquin Valley trunk line at a point between the city of Merced in Merced County, and the city of Madera, in Madera County, with the coast trunk line at or near the city of Gilroy in Santa Clara County, through Pacheco Pass, by the most direct and practical route; an extension of the Mariposa County State highway lateral to or near the railway station El Portal, in Mariposa County; an extension connecting the San Joaquin Valley trunk line in Tulare County with the coast trunk line in Monterey County, by the continuation of the lateral between the cities of Visalia and Hanford through Coalinga by the most direct and practical route; an extension connecting the San Joaquin Valley trunk line at or near Bakersfield with the coast trunk line in San Luis Obispo County, through Cholame Pass by the most direct and practical route; an extension of the San Bernardino County State highway lateral to Barstow, in San Bernardino County, by the most direct and practical route; an extension connecting Antelope Valley, in the county of Los Angeles, with the city of Los Angeles, by the most direct and practical route; and an extension of the San Bernardino County state highway lateral to the Arizona state line near the town of Yuma, Arizona, via the cities of Brawley and El Centro in Imperial County, by the most direct and practical route; *provided, however*, that expenses of the acquisition, construction and improvement of the extensions above enumerated and the acquisition of rights of way therefor, shall be partly borne by the county or counties in which such extensions lie, the extent and character of such division of expenses between the State and county shall rest for final determination with the State Department of Engineering and said department is hereby authorized to enter into such agreements and undertakings as are necessary to properly carry out the intent of this section."

AMENDMENT NUMBER FOURTEEN.

On page 6, line 2, of the printed bill, after the word "Act" insert the following: "and in the manner provided by and to carry out the objects of this Act".

AMENDMENT NUMBER FIFTEEN.

On page 6, line 6, after the word "and" insert the words "allowed and".

AMENDMENT NUMBER SIXTEEN.

On page 6, line 11, after the word "which", insert the word "fund".

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 11, of the printed bill, after the word "created" insert the following words: "in the State treasury".

AMENDMENT NUMBER EIGHTEEN.

On page 8, line 35, of the printed bill, after the word "engineering", insert the words "in accordance with law".

AMENDMENT NUMBER NINETEEN.

On page 8, line 35, of the printed bill, after the word "have", strike out the word "full".

AMENDMENT NUMBER TWENTY

On page 9, line 3, of the printed bill, after the word "[illegible]," insert the words "in accordance with law".

AMENDMENT NUMBER TWENTY-ONE

On page 9, line 7, of the printed bill, after the word "[illegible]", strike out the word "full".

AMENDMENT NUMBER TWENTY-TWO

On page 9, line 24, of the printed bill, after the word "expended" add the following: "from the proceeds of the bonds issued under this Act".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE

SENATE CHAMBER, SACRAMENTO, May 5, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1596, with instructions to amend, respectfully reports the same back, amended as per instructions.

THOMPSON, Committee.

Report read and, on motion of Senator Birdsall, adopted.

Bill ordered to print.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON COUNTY GOVERNMENT

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1548—An Act to [illegible] and permanently locate the boundary line between the counties of Butte and [illegible], has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BREED, Chairman.

Assembly Bill No. 1548 ordered on file for second reading.

ON JUDICIARY

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 808—An Act to amend section 276 of the Code of Civil Procedure, relating to [illegible] District Courts of Appeal, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KEHOE, Chairman.

Assembly Bill No. 808 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER

On motion of Senator Thompson, the following Assembly messages were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 669—An Act to amend section 4014 of the Political Code of the State of California, relating to township officers;

Also, Assembly Bill No. 708—An Act to increase the number of judges of the Superior Court of the county of Imperial and to provide for the election of an additional judge.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 669 read first time, and referred to Committee on County Government.

Assembly Bill No. 708 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1534—An Act to amend sections 7 and 9 of an Act entitled "An Act authorizing levee districts of the State to incur a bonded indebtedness for the purpose of building, constructing, or repairing levees of the district; or for excavating and constructing ditches or canals of such districts; or for the purpose of acquiring rights of way for any such levees, ditches, or canals, or for any and all of said purposes," approved March 8, 1911.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1534 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 345—An Act to add a new section to the Political Code of the State of California, to be numbered 1739*a*, relating to the re-organization of county high school districts:

Also: Assembly Bill No. 1019—An Act declaring and establishing a state highway from the intersection of the Foxen Canyon road and Tepusquet Canyon road in the county of Santa Barbara to the boundary line between the counties of San Luis Obispo and Kern, and to be known as the Tepusquet-Cuyama State Highway;

Also, Assembly Bill No. 1479—An Act permitting persons in possession of State lands claiming under patent issued by the State of California, which patent incorrectly describes the land, to have an official map or plat made of such land, such map or plat to be approved by the Surveyor General and filed and recorded, and providing that thereafter such owner may file a petition in the Superior Court of the county in which the land or part thereof is located and that after due notice to all parties whose land may be affected thereby the court may enter a decree establishing the correct descriptions and providing for the apportionment of costs incurred under a proceeding brought under this section;

Also: Assembly Bill No. 1438—An Act to amend section 290 of the Civil Code, relating to the contents of articles of incorporation of corporations.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 345 read first time, and referred to Committee on Education.

Assembly Bill No. 1019 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 1479 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1438 read first time, and referred to Committee on Corporations.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 7—In support of an amendment of the naturalization laws of the United States.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Joint Resolution No. 7 read first time and referred to Committee on Federal Relations.

RECESS.

At eleven o'clock and thirty-five minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate at recess until eleven o'clock and forty-five minutes p.m.

RECONVENED

At eleven o'clock and forty-five minutes p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER)

By consent of the Senate, the following reports of standing committees were received and read out of the regular order:

ON ELECTIONS

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to section 2, article IV, of the Constitution of said State, relating to sessions of the Legislature—has had the same under consideration and respectfully reports the same back and recommends that it be adopted.

BENSON, Chairman.

Also:

MINORITY REPORT

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: A minority of your Committee on Elections, to which was referred Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to section 2, article IV, of the Constitution of said State, relating to sessions of the Legislature—has had the same under consideration and respectfully reports the same back and recommends that it be not adopted.

BENSON.

Senate Constitutional Amendment No. 14 ordered on file.

ON FINANCE

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 152—An Act appropriating money to provide a permanent water supply for the California Polytechnic School;

Also, Assembly Bill No. 163—An Act to provide for locating, surveying and maintaining a highway from Pescadero, in the County of San Mateo, to the California Redwood Park in Santa Cruz County, and making an appropriation therefor;

Also, Assembly Bill No. 430—An Act to provide for the surveying of and setting apart a portion of the Stockton State Hospital grounds for a site upon which to construct an armory; to provide for the conveyance and transfer of the lands comprising said proposed site by said corporation, through its proper officers, board of managers or those exercising the functions of such corporation, to the State of California; to provide for the control and management thereof; to provide for the construction and erection of an armory and drill hall thereon, and appropriating money therefor;

Also, Assembly Bill No. 520—An Act to provide for the erection of a memorial monument to deceased members of the G. A. R.; appointing a commission therefor; and providing an appropriation to carry this Act into effect;

Also, Assembly Bill No. 540—An Act to amend section 3876 of the Political Code, relating to allowance of expenses to county treasurers in settlements with the State, and making an appropriation therefor;

Also, Assembly Bill No. 585—An Act to provide for the fighting of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor;

Also, Assembly Bill No. 1362—An Act appropriating money to pay the claim of A. B. Hooke against the State of California;

Also, Assembly Bill No. 1399—An Act providing for an appropriation for the location, survey and construction of a highway to lead from Surprise Valley, in Modoc County, to the Nevada State line;

Also, Assembly Bill No. 1482—An Act to appropriate money to pay the claim of the Lauritzen Company against the State of California;

Also, Assembly Bill No. 1544—An Act to provide for the purchase by the State of California of drill grounds used by Company D, Seventh Infantry of the National Guard at Pomona, California, and making an appropriation therefor;

Has had the same under consideration, and respectfully recommends that they do pass.

STROBRIDGE, Chairman.

Assembly Bills Nos. 152, 163, 459, 519, 546, 585, 1362, 1390, 1482 and 1544 ordered on file for second reading.

CONSIDERATION OF BILL—OUT OF ORDER.

Senator Brown asked for and was granted unanimous consent for the consideration, out of the regular order, for the purpose of amendment, of Senate Bill No. 189—An Act to be known as the usury law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods, or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections 1917, 1918, 1919 and 1920 of the Civil Code and all Acts or parts of Acts in conflict with this Act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Brown moved to refer to Senator Butler as a Special Committee of One, to amend Senate Bill No. 189 as follows:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, in line 31, strike out the word "twentieth" and insert in lieu thereof the word "fiftieth".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, in line 33, strike out the word "thirtieth" and insert in lieu thereof the word "fortieth".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of line 37 and insert in lieu thereof the following: "acting of the business connected with such loan, or who shall ask, demand, receive, take, accept or charge any fee or commission whatever for the use or loan or the procuring of such loan of any sum of money for a shorter period than six months, or shall violate".

AMENDMENT NUMBER FOUR.

On page 1, line 7, strike out the word "ten" and insert in lieu thereof the word "twelve".

AMENDMENT NUMBER FIVE.

On page 2, line 3, strike out the word "ten" and insert in lieu thereof the word "twelve".

AMENDMENT NUMBER SIX.

On page 2, line 18, strike out the word "ten" and insert in lieu thereof the word "twelve".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 189, with instructions to amend, respectfully reports the same back amended as per instructions.

BUTLER, Committee.

Report read, and on motion of Senator Brown, adopted.

Bill ordered to print, and re-engrossment.

SECOND READING OF BILLS—OUT OF ORDER.

Senator Strobridge asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of bills previously reported from committees on this legislative day.

Assembly Bill No. 163—An Act to provide for locating, surveying and maintaining a highway from Pescadero in the county of San Mateo to the California Redwood Park in Santa Cruz County, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 479—An Act to provide for marking off and setting apart a portion of the Stockton State Hospital grounds for a site upon which to construct an armory; to provide for the conveyance and transfer of the lands comprising said proposed site by said corporation through its proper officers, board of managers or their successors as trustees of such property, to the State of California; to provide for the control and management thereof; to provide for the construction and erection of an armory and drill hall thereon, and appropriating money therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 519—An Act to provide for the erection of a memorial monument to deceased members of the Grand Army of the Republic; appointing a commission therefor, and providing an appropriation to carry this Act into effect.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 585—An Act to provide for the fighting of forest fires in the San Antonio Canyon in the San Gabriel mountains, California, and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1362—An Act appropriating money to pay the claim of A. B. Hooke against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1544—An Act to provide for the purchase by the State of California of drill grounds used by Company D, Seventh Infantry of the National Guard at Pomona, California, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

By consent of the Senate, the following messages from the Assembly were taken up and read, out of the regular order.

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1140—An Act to amend section 268 of the Political Code of the State of California, relating to the compensation of other officers and employees (salaries of officers and attachés of the Senate and Assembly).

Also, Senate Bill No. 1083—An Act to amend section 718 of the Political Code, relating to employees of the Superintendent of the Capitol Building and Grounds, prescribing their duties and fixing their salaries, and appropriating money for the purpose of carrying out the provisions hereof not otherwise provided for by law.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills No. 1140 and 1083 ordered to enrollment.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1150—An Act to amend an Act entitled "An Act to provide for the disincorporation of municipal corporations of the sixth class," approved March 26, 1895, by providing for the taking over and administering by counties of certain functions, powers and property previously administered by municipalities that have disincorporated;

Also: Senate Bill No. 377—An Act to amend section 225 of the Code of Civil Procedure, relating to the manner of serving jurors by the sheriff;

Also: Senate Bill No. 945—An Act to amend sections 1 and 5 of an Act entitled "An Act to provide for the management and control of the State Agricultural Society by the State," approved April 15, 1880, as amended and approved June 11, 1913.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1150, 377 and 945 ordered to enrollment.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 158—An Act to add a new section to the Political Code, to be numbered 620*b*, relating to the withdrawal of deposit of securities by insurance companies;

Also: Senate Bill No. 223—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 337*a*, relating to the time when an action upon an open book account accrues.

Also: Senate Bill No. 224—An Act to amend section 337 of the Code of Civil Procedure of the State of California, relating to time within which certain actions must be commenced;

Also: Senate Bill No. 225—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 905*a*, relating to the enforcement or carrying into execution of judgments rendered by the Justice's Court after the lapse of five years from the date of entry;

Also: Senate Bill No. 316—An Act to amend section 329 of the Civil Code, relating to lost, destroyed or stolen bonds of a corporation;

Also: Senate Bill No. 353—An Act to amend section 4300*e* of the Political Code relating to the fees to be charged by recorders;

Also: Senate Bill No. 558—An Act to amend section 2978 of the Political Code, relating to the Constitution of the State Board of Health and the terms of the members of said board;

Also: Senate Bill No. 796—An Act to amend an Act entitled "An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, by amending sections 1 and 2, both relating to cold storage;

Also: Senate Bill No. 1004—An Act to amend section 4131 of the Political Code relating to the recording of certain instruments;

Also: Senate Bill No. 1197—An Act to add a new section to the Penal Code to be numbered 508*a*, relating to insurance premiums;

Also: Senate Bill No. 1215—An Act to add a new section to the Civil Code to be known and numbered as section 1829, relating to the opening of safe deposit boxes or vaults by safe deposit companies;

Also: Senate Bill No. 1221—An Act to amend section 411 of the Code of Civil Procedure relating to service of summons.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 158, 223, 224, 225, 316, 353, 558, 796, 1004, 1197, 1215 and 1221 ordered to enrollment.

ADJOURNMENT.

At eleven o'clock and fifty-nine minutes and fifty nine seconds p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned.

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Friday, May 7, 1915.

The Senate met at ten o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by Secretary Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, [illegible], Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Dennett, Finn, [illegible], Flint, Gates, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Sample, Strobridge, Thompson, Tyrrell and Wolfe—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

LEAVE OF ABSENCE.

Senator Campbell was, on motion of Senator Maddux, granted leave of absence for this day.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, May 6, 1915, the further reading was dispensed with on motion of Senator Rush.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Concurrent Resolution No. 20—Providing for the appointment of a Joint Committee of the Senate and Assembly to procure, if possible, the approval and adoption by Congress of certain plans for river and harbor improvements and the co-operation of the Federal Government in the performance of the works therein provided for and specified, and making provisions for the payment of the expenses to be incurred by such committee—and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Concurrent Resolution No. 20—Relative to providing for the appointment of a joint committee of the Senate and Assembly to procure, if possible, the approval and adoption by Congress of certain plans for river and harbor improvements and the co-operation of the federal government in the performance of the works therein provided for and specified, and making provision for the payment of the expenses to be incurred by such committee.

ASSEMBLY AMENDMENT TO SENATE CONCURRENT RESOLUTION NUMBER TWENTY.

AMENDMENT NUMBER ONE.

In line 23, of page 3, printed bill, strike out the words "concurring in" and in lieu thereof insert the word "concerning."

The question being: "Shall the Senate concur in Assembly amendment to Senate Concurrent Resolution No. 20?"

The roll was called, and Assembly amendment to Senate Concurrent Resolution No. 20 was concurred in by the following vote:

AYES—Senators Anderson, Birdsall, Chandler, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Maddux, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—21.

NOES—None.

Senate Concurrent Resolution No. 20 ordered to enrollment.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 693—An Act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law.

Also: Senate Bill No. 1101—An Act to amend section 2 of an Act entitled "An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems," approved June 13, 1913.

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bills No. 693 and 1101.

Senate Bill No. 693—An Act to amend section 280*b* of the Code of Civil Procedure, relating to licenses to practice law.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED NINETY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 4 of said bill, after the word "California" insert a comma and add the following: "The Young Men's Christian Association Law College of San Francisco".

The question being: "Shall the Senate concur in Assembly amendment to Senate Bill No. 693?"

The roll was called, and Assembly amendment to Senate Bill No. 693 was concurred in by the following vote:

AYES—Senators Anderson, Birdsall, Carr, Chandler, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Maddux, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—22.

NOES—None.

Senate Bill No. 693 ordered to enrollment.

Also:

Senate Bill No. 1101—An Act to amend section two of an Act entitled "An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems," approved June 13, 1913.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND ONE HUNDRED ONE.

AMENDMENT NUMBER ONE.

In section 2, page 1, in line 7 of the printed bill, after the comma following the word "utility" insert the words "municipality or other public body, institution, or corporation".

AMENDMENT NUMBER TWO.

On page 1, line 11 of the printed bill, after the comma folowing the word "camp" strike out the words "excepting within a" and strike out all of line 12 and the words "health officer" and the comma following the word "officer" in line 13 on said page.

AMENDMENT NUMBER THREE

On page 4, line 17 of the printed bill, after the word "corporation," insert a comma, followed by the word "or".

AMENDMENT NUMBER FOUR

On page 4, line 20 of the printed bill, after the word "other" strike out the word "[illegible]".

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 1101?"

The roll was called, and Assembly amendments to Senate Bill No. 1101 were concurred in by the following vote:

Ayes—Senators Anderson, Birdsall, Brown, Carr, Chandler, Cohn, Duncan, Dennett, Finn, Gerdes, Hans, Irwin, Jones, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—23.

Noes—None.

Senate Bill No. 1101 ordered to enrollment.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 505—An Act to amend section 7 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to deputies of Labor Commissioner.

Also, Senate Bill No. 668—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," by amending sections 1, 9, 11, 15, 20, 25, 28, 32, 36, 37, 46, 47, 48, 49, 52, 61, 61a, 65, 67, 68, 80, 83, 96, 98, 99, 101, 127, 144 and 145 thereof and by adding new sections thereto, to be numbered sections 15, 57 and 85, all relating to the definition and regulation of the business of banking.

Also, Senate Bill No. 1252—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 1255, relating to [illegible].

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 505, 668 and 1252.

Senate Bill No. 505—An Act to amend section 7 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to deputies of Labor Commissioner.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER FIVE HUNDRED FIVE.

Adopted April 21, 1915.

AMENDMENT NUMBER ONE

On page 1, line 5, strike out the word "Commissioner", and insert in lieu thereof the following: "Commissioner".

AMENDMENT NUMBER TWO

On page 2, line 13, strike out the words "less than fifty nor".

Adopted April 28, 1915.

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out the period (.) after the word "affidavits", and insert in lieu thereof the following: "for the purpose of carrying out the provisions of this Act and all other Acts now or hereafter placed in the bureau for enforcement".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 505?"

The roll was called, and Assembly amendments to Senate Bill No. 505 were concurred in by the following vote:

AYES—Senators Anderson, Benedict, Benson, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—25.
NOES—None.

Senate Bill No. 505 ordered to enrollment.

Also:

The Senate took up for consideration Assembly amendments to Senate Bill No. 668.

Senate Bill No. 668—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act" by amending sections 1, 3, 11, 15, 20, 25, 28, 32, 36, 37, 46, 47, 48, 49, 56, 61, 61*a*, 65, 67, 68, 80, 83, 96, 98, 99, 101, 127, 144 and 145 thereof and by adding new sections thereto to be numbered sections 13, 57 and 85, all relating to the definition and regulation of the business of banking.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED SIXTY-EIGHT.

Adopted April 28, 1915.

AMENDMENT NUMBER ONE.

"At the time of issuing the summons in the action provided for in section 1273 of the Code of Civil Procedure, the clerk shall also issue a notice signed by him, giving the title and number of said action, and referring to the complaint therein, and directed to all persons, other than those named as defendants therein, claiming any interest in any deposit mentioned in said complaint, and requiring them to appear within sixty days after the first publication of such summons, and show cause, if any they have, why the moneys involved in said action should not be deposited with the State Treasurer as in said section provided, and notifying them that if they do not so appear and show cause, the State will apply to the court for the relief demanded in the complaint. A copy of said notice shall be attached to and published with the copy of said summons required to be published by said section, and at the end of the copy of such notice so published there shall be a statement of the date of the first publication of said summons and notice. Any person interested may appear in said action and become a party thereto. Upon the completion of the publication of the summons and notice, and the service of the summons on the defendant bank, or banks, as in said section 1273 of the Code of Civil Procedure provided, the court shall have full and complete jurisdiction over the estate, and the said deposits and of the person of everyone having or claiming any interest in the said deposits, or any of them, and shall have full and complete jurisdiction to hear and determine the issues therein, and render the appropriate judgment thereon."

Adopted April 30, 1915.

AMENDMENT NUMBER ONE.

On page 4, line 11, strike out the word "estate", and insert in lieu thereof the following: "State".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 668?"

The roll was called, and Assembly amendments to Senate Bill No. 668 were concurred in by the following vote:

AYES—Senators Anderson, Birdsall, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Thompson, and Wolfe—24.
NOES—None.

Senate Bill No. 668 ordered to enrollment.

Also:

The Senate took up for consideration Assembly amendment to Senate Bill No. 1252.

Senate Bill No. 1252—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered 1235, relating to dissolution of trust companies.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER TWELVE HUNDRED FIFTY-TWO.

AMENDMENT NUMBER ONE.

On page 2, line 8, strike out the word "or" and insert in lieu thereof the word "nor".

The question being: "Shall the Senate concur in Assembly amendment to Senate Bill No. 1252?"

The roll was called, and Assembly amendment to Senate Bill No. 1252 was concurred in by the following vote:

AYES—Senators Anderson, Birdsall, Brown, Butler, Carr, Cogswell, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Mackley, Mott, Owens, Purkitt, Rush, Scott, Shanahan, Slater, Strobridge, Thompson, and Wolfe—26.

NOES—None.

Senate Bill No. 1252 ordered to enrollment.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 705—An Act to amend section 634 of the Penal Code of the State of California, relating to the protection of fish.

Also, Senate Bill No. 19—An Act to amend section 4237 of the Political Code of the State of California, relating to the salaries, fees and expenses of officers in counties of the eleventh class.

Also, Senate Bill No. 578—An Act to amend section 954 of the Penal Code of the State of California, relating to charging two or more different offenses in indictments and informations.

Also, Senate Bill No. 555—An Act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records, and accounts of all such charges, and to make an annual written report thereof, requiring such every charge to be just and reasonable and to be devoted to no other purpose than such hospital service and [illegible] of the [illegible].

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 705, 19, 578 and 555.

Senate Bill No. 705—An Act to amend section 634 of the Penal Code of the State of California, relating to the protection of fish.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SEVEN HUNDRED FIVE.

AMENDMENT NUMBER ONE.

On page 3, line 26 of the printed bill, as amended in Senate April 23, 1915, strike out the comma and the remaining portion of the line and insert in lieu of the comma a period; strike out all of line 27, on page 3.

AMENDMENT NUMBER TWO.

On page 4, line 9, strike out the third letter and next to last letter in the word "[illegible]" and insert in lieu thereof the letters "c" and "n", respectively.

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 705?"

The roll was called, and Assembly amendments to Senate Bill No. 705 were concurred in by the following vote:

Ayes—Senators Anderson, Benedict, Benson, Butler, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

Noes—None.

Senate Bill No. 705 ordered to enrollment.

Also:

The Senate took up for consideration Assembly amendments to Senate Bill No. 19—An Act to amend section 4245 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in counties of the sixteenth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINETEEN.

AMENDMENT NUMBER ONE.

On page 2, line 35 of the printed bill, after the word "county", strike out the period (.) and insert in lieu thereof a comma (,) and the following words: "excepting actions in which the county is interested".

AMENDMENT NUMBER TWO.

On page 8, line 20, strike out the compound word "seventy-five" and insert in lieu thereof the compound word "seventy-seven".

AMENDMENT NUMBER THREE.

On page 9, line 4, strike out the word "for" after the period, all the words on lines 5, 6, 7 and 8 down to and including the period on said line 8.

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 19?"

The roll was called, and Assembly amendments to Senate Bill No. 19 were concurred in by the following vote:

Ayes—Senators Anderson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—27

Noes—None.

Senate Bill No. 19 ordered to enrollment.

Also:

The Senate took up for consideration Assembly amendments to Senate Bill No. 378—An Act to amend section 954 of the Penal Code of the State of California, relating to charging two or more different offenses in indictments and informations.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED SEVENTY EIGHT.

AMENDMENT NUMBER ONE.

Strike out the period after the word "verdict", on line 13, page 1, of the printed bill, and insert in lieu thereof the following: "; *provided*, that the court, in the interest of justice and for good cause shown, may, in its discretion, order that the different offenses or counts set forth in the indictment or information be tried separately, or divided into two or more groups and each of said groups tried separately".

The question being: "Shall the Senate concur in Assembly amendment to Senate Bill No. 378?"

The roll was called, and Assembly amendment to Senate Bill No. 378 was concurred in by the following vote:

Ayes—Senators Anderson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, and Thompson—27.

Noes—None.

Senate Bill No. 378 ordered to enrollment.

Also:

The Senate took up for consideration Assembly amendment to Senate Bill No. 533—An Act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records and accounts of all such charges, and to make an annual written report thereof; requiring each such charge to be just and reasonable and to be devoted to no other purpose than such hospital service; and prescribing penalties for violations of the provisions hereof.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FIVE HUNDRED THIRTY-THREE.

AMENDMENT NUMBER ONE.

Amend section 1, line 10, page 1 of the printed bill as amended April 19, 1915, by inserting after the word "[illegible]" the words "or medical."

The question being "Shall the Senate concur in Assembly amendment to Senate Bill No. 533?"

The roll was called, and Assembly amendment to Senate Bill No. 533 was concurred in by the following vote:

Ayes—Senators Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Flaherty, Gates, [illegible], Hans, Irwin, Jones, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shannon, Slater, Strobridge, and Thompson—25.

Noes—None.

Senate Bill No. 533 ordered to enrollment.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock and five minutes a.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 5th passed Assembly Bill No. 434—An Act to amend section [illegible] of the Civil Code, relating to [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. STEEN, Assistant Clerk.

Assembly Bill No. 434 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 907—An Act to add a new section to the Political Code, to be numbered [illegible], relating to the powers and duties of the State Board of Control as regards claims against the State.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STEEN, Assistant Clerk.

Senate Bill No. 907 ordered to enrollment.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 7, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 132—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 1543*b* relating to superintendents of schools passing and auditing claims of any school district in excess of the funds to its credit, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

ANDERSON, Chairman.

Assembly Bill No. 132 ordered on file for second reading.

CONSIDERATION OF DAILY FILE—THIRD READING OF SENATE BILLS.

Senate Bill No. 1078—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners, providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

On motion of Senator Thompson, Senate Bill No. 1078 was passed on file.

Senate Bill No. 595—An Act to amend section 4014 of the Political Code of the State of California.

On motion of Senator Irwin, Senate Bill No. 595 was passed on file.

Senate Bill No. 130—An Act to amend section 1365 of the Code of Civil Procedure relating to the order of persons entitled to administer upon estates.

On motion of Senator Thompson, Senate Bill No. 130 was passed on file.

Senate Bill No. 813—An Act to carry into effect the provisions of subdivisions 6 and 7 of section 8½ of article XI of the Constitution of the State of California as the said section of said article was amended on November 3, 1914; and also to provide for the alteration of the boundaries of and for the annexation of territory to consolidated cities and counties, for the incorporation of such annexed territory in and as a part thereof, and for the government of such annexed territory as an integral part of such cities and counties.

On motion of Senator Finn, Senate Bill No. 813 was ordered to the file of Unfinished Business.

Senate Bill No. 1266—An Act to provide for the assessment, levy and collection of taxes for the support of the state government for the sixty-seventh and sixty-eighth fiscal years.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1266 passed by the following vote:

AYES—Senators Benson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, [illegible], Gerdes, Hans, Irwin, Lee, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 341—An Act to provide for the creation of the State Commission Market, and the organization thereof, to carry on the business of receiving from the producers thereof the agricultural, fishery, dairy and farm products of the State of California, and selling and disposing of such products on commission, creating the "State Commission Market Fund," and appropriating money therefor.

On motion of Senator Brown, Senate Bill No. 341 was ordered to the file of Unfinished Business.

Senate Bill No. 56—An Act to amend section 59 of the Civil Code of the State of California, relating to marriages that are incestuous and void.

On motion of Senator Butler, Senate Bill No. 56 was passed on file.

SENATE CONSTITUTIONAL AMENDMENT NUMBER FOURTEEN.

A resolution to propose to the people of the State of California an amendment to section 2, article IV, of the Constitution of said State, relating to sessions of the Legislature.

The Legislature of the State of California, at its regular session commencing on the fourth day of January, 1915, two-thirds of the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California to amend section 2 of article IV of the Constitution of the State of California so as to read as follows:

ARTICLE IV.
LEGISLATIVE DEPARTMENT.

Sec. 2. The sessions of the Legislature shall commence at twelve o'clock m. on the first Monday after the first day of January next succeeding the election of its members, and shall be biennial unless the Governor shall in the interim convene the Legislature by proclamation. No bill shall be introduced in either house later than the [illegible] day after the commencement of each session without the consent of three-fourths of the members elected [illegible].

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 14 adopted by the following vote:

Ayes—Senators Anderson, [illegible], Ballard, Boyd, Butler, Carr, Chandler, Cohn, Crowley, Finn, Flaherty, Gates, Hans, Irwin, Jones, Kehoe, King, [illegible], Mott, Owens, Purkitt, Rush, Slater, Sharkey, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

Noes—Senators Brown, Dennett, and Luce—3.

Constitutional amendment ordered to engrossment and transmitted to the Assembly.

INTRODUCTION OF JOINT RESOLUTION (OUT OF ORDER).

By consent of the Senate the following joint resolution was introduced:

By Senator Chandler: Senate Joint Resolution No. 16—Memorializing the President of the United States, the Secretary of the Interior and Congress to take immediate action to establish a policy for the development of the oil lands of the United States.

CONSIDERATION OF JOINT RESOLUTION (OUT OF ORDER).

Senator Chandler asked for and was granted unanimous consent for the consideration at this time, under suspension of the rules, of Senate Joint Resolution No. 16, out of the regular order.

SENATE JOINT RESOLUTION NUMBER SIXTEEN.

Memorializing the President of the United States, the Secretary of the Interior and Congress to take immediate action to establish a policy for the development of the oil lands of the United States.

WHEREAS, The oil industry of the State of California is one of the most important industries of the State, an industry in which vast sums of money have been invested in good faith and in which the State of California leads all the other states of the Union; and

WHEREAS, The continued development of the oil lands of the State is essential to the continuance of this great industry and such development has been, and now is, seriously hampered by the chaotic conditions of the Federal laws governing the same, due in part to the inapplicability of the mineral laws of the United States to the oil industry, and the confusion resulting from the various executive withdrawal orders, and the conflicting decisions of the courts and the Department of the Interior; therefore be it

Resolved by the Senate, the Assembly concurring, That the President of the United States, the Secretary of the Interior, and Congress, be memorialized, urging that steps be immediately taken by the government to lay down and establish a fixed rule and definite policy covering the condition referred to; and further be it

Resolved, That a copy of this resolution be sent to every member of the House of Representatives and of the Senate of the United States, and to the Secretary of the Interior, and to the President of the United States.

Joint resolution read.

The question being on the adoption of the joint resolution.

The roll was called, and Senate Joint Resolution No. 16 adopted by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Jones, King, Lee, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Joint resolution ordered to print, and engrossment, and transmitted to the Assembly.

RUSH ORDER TO PRINTER.

On motion of Senator Chandler, the Secretary was directed to issue a rush order for printing Senate Joint Resolution No. 16.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 667—An Act to amend sections 2, 3, 6, 12, 16, 17 and 32 of an Act entitled "An Act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act, including a State Superintendent of Weights and Measures, and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers, and making an appropriation to carry this Act into effect," approved June 16, 1913, known as "The Weights and Measures Act."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 667 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, King, Lee, Maddux, Mott, Owens, Rush, Scott, [illegible], Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONSTITUTIONAL AMENDMENT NUMBER TWENTY-SEVEN.

A resolution proposing to the people of the State of California, an amendment to the Constitution of the State of California, by adding a new section [illegible] thereof, to be designated as section 20 of said article XI of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment therefor.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session commencing on the fourth day of January, 1915, two-thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California that a new section be added to article XI of the Constitution of the State of California, to be known and designated as section 20 of article XI of the Constitution of the State of California, and to read as follows:

Sec. 20. The State, or any county, city and county, or incorporated city or town, taking or appropriating property within the limits thereof for public use, for any proposed public improvement, [illegible] thereof, in excess of that actually to be devoted to or occupied by the proposed improvement, and such additional property so taken shall be deemed to be taken for public use. [illegible]

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 27 adopted by the following vote:

Ayes—Senators Anderson, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, [illegible], Flint, Gerdes, Hans, [illegible], Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Stuckenbruck, Thompson, and Wolfe—28.

Noes—None.

Constitutional amendment ordered to engrossment and transmitted to the Assembly.

Senate Bill No. 453—An Act making an appropriation for the building and construction of an armory for the National Guard at Napa City, Napa County, California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 453 passed by the following vote:

Ayes—Senators Anderson, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flint, Gerdes, Hans, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 1076—An Act to amend section 535 of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1076 passed by the following vote:

AYES—Senators Anderson, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 917—An Act to amend section 319 of the Civil Code of the State of California, relating to the meetings of stockholders and boards of directors of corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 917 passed by the following vote:

AYES—Senators Anderson, Benedict, Breed, Butler, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson and Wolfe—29.

NOES—Senator Hans—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 863—An Act to amend section 4146 of the Political Code of the State of California, relating to the duties of the coroner.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 863 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Breed, Butler, Chandler, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, May 7, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 345—An Act to add a new section to the Political Code of the State of California, to be numbered 1739a, relating to the reorganization of county high school districts, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

ANDERSON, Chairman.

Assembly Bill No. 345 ordered on file for second reading.

RECESS.

At twelve o'clock and twenty minutes p.m., on motion of Senator Tyrrell, the President pro tem. declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1110—An Act for the relief of M. B. Ball.

On motion of Senator Strobridge, Assembly Bill No. 1110 was ordered to the file of Unfinished Business.

Assembly Bill No. 496—An Act prohibiting the advertisement or publication of any advertisement that any person will cure or treat or attempt to cure or treat any venereal disease or diseases of the sexual organs, or the advertisement of any medicine, medical preparation, remedy or prescription for such diseases or ailments and providing a penalty therefor.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator King moved to refer to Senator Flint, as a Special Committee of One, to amend Assembly Bill No. 496 as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the words [illegible]

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out the words [illegible]

AMENDMENT NUMBER THREE.

On page 1, line 9, of the printed bill, strike out the words "or any disease of the sexual organs."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, May 4, 1915.

MR. PRESIDENT: Your Special Committee of One, to whom was referred Assembly Bill No. 496, with instructions to amend, respectfully returns the same back, amended as per instructions.

FLINT, Committee.

Report read and, on motion of Senator King, adopted.

Bill ordered to print.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 243—An Act to establish a standard for the packing and marketing of apples, fixing penalties for the violation of its provisions, and providing for its enforcement, and making an appropriation to carry into effect the provisions hereof.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 243 passed by the following vote:

Ayes—Senators Benedict, Benson, Breed, Cogswell, Cohn, Duncan, Finn, Flint, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—22.

Noes—Senator Ballard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 540—An Act to amend an Act entitled "An Act regulating the sanitation and ventilation in and at camps where five or more persons are employed; and providing a penalty for the violation thereof," approved May 29, 1913, and making an appropriation to carry out the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 540 passed by the following vote:

Ayes—Senators Anderson, Benedict, Benson, Breed, Butler, Carr, Crowley, Cohn, Duncan, Finn, Flint, Kehoe, King, Luce, Lyon, Maddux, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—21.

Noes—Senators Ballard, Cogswell, and Mott—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 799—An Act declaring hedges to be a private nuisance in certain instances and providing for the abatement thereof.

By order of the President pro tem., Assembly Bill No. 799 was passed on file.

LEAVE OF ABSENCE.

Senator Crowley was, on motion of Senator Kehoe, granted leave of absence for the balance of this legislative day.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 21—An Act to provide a method of procedure whereby a poor person, having a good cause of action or a good defense, may have an attorney assigned to prosecute his action or to conduct his defense and relieving him from the payment of costs.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 21 passed by the following vote:

Ayes—Senators Anderson, Benedict, Birdsall, Brown, Butler, Carr, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Hans, Irwin, King, Luce, Lyon, Mott, Scott, Slater, Stuckenbruck, Thompson, and Wolfe—23.

Noes—Senators Ballard, Maddux, Owens, and Purkitt—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Irwin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 21 was this day passed.

SENATOR FLINT IN THE CHAIR.

At two o'clock and forty minutes p.m., Senator Flint of the Eleventh District, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1570—An Act to amend section 925 of the Penal Code relating to the powers and duties of a grand jury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1570 refused passage by the following vote:

Ayes—Senators Finn, Flaherty, Flint, Gates, Hans, Luce, and Stuckenbruck—7.

Noes—Senators Ballard, Benedict, Benson, Breed, Butler, Carr, Chandler, Cohn, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Thompson, and Wolfe—18.

Assembly Bill No. 718—An Act to prevent blindness from opthalmia neonatorum; to vest certain power and duties in the State Board of Health and health officers; to impose certain duties upon physicians, midwives, nurses, and other persons; and to provide for the enforcement of this Act and the repeal of chapter XIV, Statutes of 1897, entitled "An Act to regulate medical practice to prevent blindness in infants," and other Acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 718 passed by the following vote:

Ayes—Senators Benedict, Benson, Breed, Brown, Butler, Carr, Chandler, Cohn, Dennett, Finn, Flaherty, Flint, Gates, Hans, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Thompson, and Wolfe—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 432—An Act to amend section 156 of the Code of Civil Procedure of the State of California, relating to qualifications of Justices of Supreme Court.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 432 passed by the following vote:

Ayes—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Dennett, Finn, Flaherty, Flint, Gates, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—34.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 700—An Act to amend section 4300a of the Political Code of the State of California, relating to witness fees.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 700 passed by the following vote:

AYES—Senators Ballard, Behan, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—33.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1572—An Act to amend section 988 of the Penal Code, relating to the arraignment of the defendant in a criminal trial.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1572 refused passage by the following vote:

AYES—Senator Stuckenbruck—1.
NOES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cohn, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Slater, Strobridge, Thompson, and Wolfe—26.

Assembly Bill No. 1596—An Act authorizing the construction, improvement, maintenance and control of the uncompleted portions of the system of state highways prescribed and contemplated by an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California; specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of state bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D. 1910, and known and cited as the "State Highways Act" specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of state bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said system; creating a revolving fund to be used by the State Department of Engineering for the purposes of this Act; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1596 passed by the following vote:

AYES—Senators Anderson, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Strobridge, Thompson, and Wolfe—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1477—An Act to provide for work in and upon highways, streets, avenues, lanes, alleys, courts, places and sidewalks in counties, and upon property and rights of way owned by counties, and for establishing and changing the grade of the same, etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1477 passed by the following vote:

AYES—Senators [illegible]

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON [illegible]

SENATE CHAMBER, SACRAMENTO, May [illegible], 1915.

MR. PRESIDENT: Your Committee on [illegible] has examined Senate Constitutional Amendment No. [illegible] [illegible]

Also, Senate Constitutional Amendment No. [illegible] [illegible]

Also, Senate Joint Resolution No. [illegible] [illegible]

And report that the same have been correctly [illegible].

FLAHERTY, Chairman.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1579—An Act to amend section [illegible] of the Code of Civil Procedure of the State of California, relating to the adverse possession of land.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1579 passed by the following vote:

AYES—Senators [illegible]

NOES—Senators Benson, Butler, Duncan, [illegible]—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act to provide for the issuance of county improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places, etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1566 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Breed, Brown, Butler, Carr, Chandler, Cogswell, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Scott, Stuckenbruck, Tyrrell, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1391—An Act to provide for the formation, government, operation, alteration of boundaries of districts already formed, reorganization and dissolution of sanitary districts in any part of the State, etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1391 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Breed, Brown, Butler, Chandler, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Maddux, Mott, Owens, Purkitt, Rush, Scott, Slater, Stuckenbruck, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 7, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 633—An Act to amend section 3766 of the Political Code, relating to the manner of publication of the delinquent tax list;

Also, Senate Bill No. 267—An Act to amend an Act entitled "An Act authorizing the Governor of the State of California to issue licenses to bodies of men to organize, drill, and bear arms as military companies or organizations, and providing for their control," approved March 9, 1911, by adding thereto two new sections, to be numbered sections 2 and 3, providing for an allowance for armory rent and proper and necessary incidental expenses and providing for such companies means of target practice and making an appropriation therefor;

And reports that the same have been correctly engrossed.

FLAHERTY, Chairman.

THIRD READING OF ASSEMBLY BILLS (RESUMED).

ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-SIX

Relative to a legislative investigation as to the advisability of the compilation of school textbooks within this State; sectional textbooks for individual use; and the introduction of free textbooks in the secondary schools of the State of California.

WHEREAS, The purchase of textbook plates and the annual payment of royalties amounts to a sum greater than would necessarily be expended if this work was compiled by California authors; and

WHEREAS, There is a sentiment among the school faculties and parents of school children, that the books should be issued in sections to cover a term instead of several years, and used by but one pupil; and

WHEREAS, The issuance of free textbooks to the students of the elementary schools has proved a success, both in educational advantages and economy; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Speaker of the Assembly shall appoint three members, and the President of the Senate shall appoint three members, who shall act as a committee of the Legislature to investigate the [illegible] or their respective contingent funds.

Concurrent resolution read.

The question being on the adoption of the concurrent resolution.

The roll was called, and Assembly Concurrent Resolution No. 26 adopted by the following vote:

Ayes—Senators [illegible]

Noes—None.

Concurrent resolution ordered transmitted to the Assembly.

Assembly Bill No. 1194—An Act amending sections 1, 2, 3, 4, 5, 8 and 9 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road or other State improvement of any kind and to repeal an Act entitled, "An Act to regulate contracts on behalf of the State in relation to erections and buildings, approved March 28, 1876,"" approved March 22, 1909, approved June 11, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1194 passed by the following vote:

Ayes—Senators [illegible], Carr, Chandler, [illegible], Flint, Gates, Hans, Irwin, Kehoe, King, Luce, Mott, Owens, Rush, Scott, Shearer, Strobridge, and Sturtevant—21.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1411—An Act to amend section 4252 of the Political Code of the State of California, relating to salaries and compensation of the county and township officers of counties of the twenty-third class.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1411 passed by the following vote:

Ayes—Senators Ballard, Beban, [illegible], Birdsall, Breed, Brown, Butler, Carr, Chandler, [illegible], Duncan, Flint, Gates, Hans, Irwin, Kehoe, King, Luce, [illegible], Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Sturtevant and Tyrrell—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1303—An Act to amend an Act entitled "An Act to provide for the organization and management of county fire insurance companies."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—[illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act to amend section [illegible] of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party; and providing the means and methods of enforcing such liability; and creating a 'State Compensation Insurance Fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and prescribing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an Industrial Accident Commission, providing for its organization, defining its powers and duties and prescribing the procedure of [illegible], and appropriating money to carry out the provisions of this Act; repealing all acts and parts of acts inconsistent with the provisions of this Act," approved May [illegible], 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—[illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act to provide for the organization and management of mutual casualty insurance corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—[illegible]

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

[illegible]

THIRD READING OF ASSEMBLY BILLS—CONTINUED.

Assembly Bill No. 491—An Act creating a State Board of Forestry and providing for the qualifications and duties of the members of said board and the payment of their expenses; providing for the appointment of a State Forester and providing for the appointment of a proper person therefor; providing for the appointment of a deputy and an assistant State Forester and for the salaries of such forester, deputy forester and assistant forester; providing for the appointment of technical and other assistants and for their compensation; providing for the duties of the State Forester, Deputy State Forester, Assistant State Forester and other assistants; providing for coöperation with land owners, counties and others in forest protection; providing for a system of State and private forest fire protection and for the employment of firewardens; providing for the assistance of citizens to assist in fighting forest fires; providing for the issuance of permits for burning brush, inflammable debris or rubbish; providing for the inspection of forest areas; declaring certain dangerous areas and forest fires to be public nuisances; providing for notice to owners and others of the existence of such nuisance and for the abatement thereof by such owners or others or by the State Forester; providing for a lien upon the property of such owner for the cost of such abatement; exempting certain classes of owners from the liens created by this Act; providing for the foreclosure of such liens; providing for the payment into county treasuries of all of moneys recovered under the penal sections of the forest laws of this State; making certain violations of the forest laws of this State misdemeanors and fixing a penalty therefor; defining the term "forest"; repealing chapter two hundred sixty-four of the laws of 1905 and all acts and parts of acts in conflict herewith.

Bill read third time.

The question being on the pasasge of the bill.

The roll was called, and Assembly Bill No. 491 passed by the following vote:

Ayes—Senators Anderson, Ballard, [illegible], [illegible], [illegible], [illegible], [illegible], Butler, Carr, Chandler, Cohn, Duncan, Flint, Gerdes, Hans, Irwin, Kehoe, King, [illegible], Lyon, [illegible], Owens, Rush, Scott, [illegible], [illegible], Strobridge, [illegible], [illegible], Thompson, Tyrrell and Wolfe—31.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 831—An Act to amend an Act entitled "An Act creating a reclamation district to be called and known as 'Reclamation District No. 1500', providing for the management and control thereof and dissolving all levee districts, swamp land districts, and reclamation districts lying wholly within the boundaries of said Reclamation District No. 1500, providing for the liquidation and winding up of said dissolved districts, and excluding from any levee district, swamp land district and reclamation district any land lying within the boundaries of said Reclamation District No. 1500," approved April [illegible], 1913, in effect August 10, 1913, conferring powers and duties upon the trustees of said district and upon the reclamation board of this State, substituting the reclamation board for the board of supervisors of Sutter County, and declaring that the work herein described is public work for the public benefit.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 831 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—33.

NOES—None.

AMENDMENT TO TITLE.

Senator Benson moved to amend the title as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 14 to 17 of the title of the bill, as amended in Assembly May 4, 1915, strike out all of said lines 14 to 17, inclusive, and insert in lieu thereof the following: "relating to the management and control thereof".

Motion carried.

Title, as amended, read and approved.

Bill ordered to print, and transmitted to the Assembly.

Assembly Bill No. 251—An Act to establish in certain cities State employment offices under the control and management of the Commissioner of the Bureau of Labor Statistics, defining the duties and powers of said Commissioner in relation to such offices and the manner of conducting same, providing for suitable rooms or offices, to be located in different cities and providing for the equipment and maintenance thereof, providing for necessary employees' fees and compensation and defining their powers and duties; prescribing the fees to be paid by persons furnished positions and making an appropriation is the purpose of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 251 passed by the following vote:

AYES—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Kehoe, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—32.

NOES—Senator Ballard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 257—An Act relating to persons engaged in the business of public weighing for hire and prescribing for such a bond and fixing the amount thereof; regulating fees to be collected for such service, a certificate and the form thereof; defining the duties of public weigh masters and providing penalties for violations of the provisions of this Act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 257 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Boynton, Birdsall, Breed, Butler, Carr, Cogswell, Cohn, Duncan, Finn, Flaherty, Flint, Gates, Irwin, Jones, King, Luce, Lyon, Maddux, Mott, Owens, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF MOTION TO RECONSIDER—(POSTPONED).

On motion of Senator Lyon, the consideration of the motion to reconsider the vote whereby Assembly Bill No. 816 was refused passage was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 692—An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California, as recommended in the special report of the California Debris Commission dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, chief of engineers, C. H. McKinstry, major, corps of engineers, and Thomas H. Jackson, captain, corps of engineers, of the United States Army, and printed with the annual report of the Chief of Engineers of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 692 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Carr, Cogswell, Cohn, Duncan, Flaherty, Flint, Gates, Jones, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Strobridge, Stuckenbruck, Thompson, and Wolfe—24.

NOES—Senator King—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 113—An Act to provide for the reforestation, the cutting of fire lanes and fire trails on the Angeles National Forest, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 113 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Boynton, Birdsall, Breed, Carr, Cohn, Duncan, Flaherty, Flint, Gates, Irwin, Jones, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Strobridge, Stuckenbruck, and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 187—An Act to appropriate money for the construction and furnishing of a girls' nursery building at the Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 187 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, Luce, Maddux, Mott, Owens, Rush, Strobridge, Stuckenbruck, and Wolfe—24.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 296—An Act to appropriate money to maintain a continuous course of instruction at the San Jose State Normal School.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 296 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Cohn, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Luce, Maddux, Mott, Rush, Slater, Strobridge, and Thompson—22.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At five o'clock p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 302—An Act to appropriate the sum of twenty thousand dollars for the purchase of the Great Sierra Wagon Road.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 302 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Birdsall, Breed, Brown, Carr, Cohn Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Maddux, Mott, Owens, Rush, Slater, Strobridge, and Thompson—23.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 414—An Act to appropriate money for the construction of a horse barn at the state prison at Folsom.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 414 passed by the following vote:

AYES—Senators Beban, Benedict, Birdsall, Breed, Brown, Butler, Carr, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—27
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 579—An Act to appropriate money to pay the deficiency in the appropriation for traveling expense for the State Board of Agriculture in the sixty-second fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 579 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cohn, Duncan, Finn, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, [illegible], Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 736—An Act to provide for the survey, location and estimate of cost of a state highway from a point on the present located California State Highway in Kern County, California, south of Bakersfield, southerly to the town of Nordhoff, Ventura County, making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 736 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cohn, Duncan, Finn, Flaherty, Gerdes, Hans, Irwin, Jones, Kehoe, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 773—An Act making an appropriation to pay the claim of Daisy M. Drewry against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 773 passed by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 998—An Act making an appropriation for office equipment for Secretary of State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 998 passed by the following vote:

AYES—Senators Ballard, Benedict, Benson, Birdsall, Breed, Butler, Carr, Cohn, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1113—An Act making an appropriation for the location and survey of a state highway, to be known as the Pasadena State Highway.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1113 passed by the following vote:

AYES—Senators Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Duncan, Flaherty, Flint, Gerdes, Jones, Kehoe, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1193—An Act to provide for the filing of bonds by certain employees of the Department of Engineering and for the payment by the said department of the premiums or charges on bonds of its employees when given by surety companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1193 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1507—An Act appropriating money to enable the State Normal School at Los Angeles to hold Saturday sessions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1507 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1581—An Act making an appropriation to provide the Superintendent of Capitol Building and Grounds with a revolving fund for the purchase of stationery and office supplies for legislative and State offices.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1581 passed by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, Luce, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1579—An Act providing for the acquisition by purchase or gift, of state forest lands for reforestation purposes, for the management and control of same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1579 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Flaherty, Finn, Gerdes, Irwin, Jones, Kehoe, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson and Tyrrell—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 845—An Act to amend section 1868 of the Political Code of the State of California, relating to the attendance of children in the public schools of the State.

On motion of Senator Scott, Assembly Bill No. 845 was passed on file.

Assembly Bill No. 1199—An Act to perpetuate marks, brands and counterbrands established in the several counties of the State under sections 3168 and 3169 of the Political Code, to provide methods of perpetuation and declaring all marks, brands and counterbrands not so perpetuated to be inoperative and void.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1199 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Dennett, Flaherty, Finn, Gerdes, Irwin, Jones, Lyon, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson and Tyrrell—28.

Noes—Senator Kehoe—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1437—An Act to amend section 296 of the Civil Code, relating to filing of articles of incorporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1437 passed by the following vote:

Ayes—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Cogswell, Cohn, Dennett, Flaherty, Finn, Gerdes, Irwin, Jones, Kehoe, King, Lyon, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1439—An Act to amend section 362 of Civil Code of the State of California, relating to amendment of articles of incorporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1439 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1440—An Act to amend section 359 of the Civil Code, relating to the issuance of stocks or bonds of corporations, to the increase or diminution of their capital stock, and to the creation or increase of bonded indebtedness of corporations, including the creation or increase of a consolidated bonded indebtedness by two or more corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1440 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Irwin, Jones, Kehoe, King, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1436—An Act to amend the Civil Code of the State of California by adding a new section thereto to be known as and numbered section 361, relating to increasing or decreasing the number of directors or trustees of corporations or associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1436 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Carr, Cogswell, Cohn, Duncan, Flaherty, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Mott, Owens, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR COGSWELL IN THE CHAIR.

At five o'clock and thirty minutes p.m., Senator Cogswell of the Thirty-third District, in the chair.

THIRD READING OF ASSEMBLY BILLS (RESUMED).

Assembly Bill No. 485—An Act granting to the city of Burlingame the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and regulating the management, use and control thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 485 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benson, Birdsall, Breed, Butler, Carr, Cogswell, Cohn, Duncan, Flaherty, Flint, Hans, Irwin, King, Mott, Owens, Scott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—23.
Noes—Senators Luce, Purkitt, and Shearer—3.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 521—An Act to amend section 1613 of the Penal Code of the State of California, relating to labor of prisoners.
Bill read third time.
On motion of Senator Scott, Assembly Bill No. 521 was passed on file.
Assembly Bill No. 533—An Act to amend section 4029 of the Political Code, relating to changes in supervisorial districts.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 533 refused passage by the following vote:

Ayes—Senators Kehoe, Owens, Purkitt, Scott, and Shearer—5.
Noes—Senators Anderson, Ballard, Benson, Birdsall, Breed, Butler, Carr, Cogswell, Cohn, Duncan, Flaherty, Flint, Hans, Jones, King, Luce, Maddux, Mott, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—23.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At five o'clock and fifty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1595—An Act to amend section 2653 of the Political Code, relating to the levying of highway taxes by boards of supervisors.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1595 refused passage by the following vote:

Ayes—Senators Anderson, Breed, Cohn, Flaherty, Gerdes, Hans, Luce, Mott, Scott, Tyrrell, and Wolfe—11.
Noes—Senators Ballard, Benson, Birdsall, Brown, Butler, Carr, Cogswell, Duncan, Flint, Irwin, Jones, Kehoe, King, Maddux, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—20.

RECESS.

At six o'clock p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate at recess until eight o'clock p.m.

RECONVENED.

At eight o'clock p.m., the Senate reconvened.
Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.
Assistant Secretary J. W. Kavanagh at the desk.

RECESS.

At eight o'clock and two minutes p.m., on motion of Senator Wolfe, the President declared the Senate at recess until eight o'clock and thirty minutes p.m.

RECONVENED.

At eight o'clock and thirty minutes p.m., the Senate reconvened. Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Flint, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1563—An Act protecting county auditors and county treasurers and their sureties from any liability or responsibility, when the treasurer of any county on a warrant issued by the auditor of such county according to a statute or law, pays out moneys, should that law afterward be declared to be unconstitutional;

Also: Assembly Bill No. 1583—An Act prescribing terms and conditions upon which corporations may transact business in this State and providing penalties and forfeitures for non-compliance;

Also: Assembly Bill No. 1596—An Act authorizing the acquisition, construction, improvement, maintenance and control of the uncompleted portions of the system of State highways prescribed and contemplated by an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of State highways in the State of California; specifying the work, fixing the payment to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people," approved March 22, 1909 and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, A. D. 1910, and known and cited as the "State Highways Act," and certain extensions therefrom; specifying the work, fixing the payments to be made by counties for moneys expended therein; providing for the issuance and sale of State bonds to create a fund for the construction, improvement and acquisition of the uncompleted portions of said system and certain extensions therefrom; creating a revolving fund to be used by the State Department of Engineering for the purposes of this Act; creating a sinking fund for the payment of said bonds; and providing for the submission of this Act to a vote of the people.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Amendments to Assembly Bill No. 265—An Act to add a new section to the Penal Code to be numbered 556, relating to the sale of coal;

Also: Assembly Bill No. 400—An Act authorizing any municipal corporation organized under a freeholders charter, to exercise plenary powers in municipal affairs, as set forth in such charter or amendment or amendments thereof, and in the absence of charter provisions thereon, to act in such affairs under general laws in lieu of the charter provisions;

Also: Assembly Bill No. 804—An Act to amend sections 1131, 1132, 1142 and 1151 of the Political Code, relating to elections, to add a new section to the Political Code, to be known as section 1142*a*, relating to the same subject, and to repeal section 1144 of the Political Code;

Also: Assembly Bill No. 930—An Act to amend section 1 of an Act entitled "An Act in relation to fences and other structures erected to annoy, and for the abatement of nuisances," approved May 28, 1913;

Also: Assembly Bill No. 1262—An Act to amend section 2185c of the Political Code, relating to the commitment of inebriates and drug habitués to state hospitals.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 7, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on May [illegible] refused passage of Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, relating to [illegible] grade and to the [illegible] of teachers' salaries in the elementary schools.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Also:

SACRAMENTO, May 7, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1269—An Act calling and authorizing and directing the Governor of the State to call a special election to be held on Tuesday, October 26, 1915, and providing for the submission thereat to the qualified electors of the State of [illegible] amendments to the Constitution of the State of California proposed by the Legislature of said State at its regular session, and of all Acts passed by the said Legislature at its forty-first session, which may be delayed from going into effect by referendum petition.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bill No. 1269 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 7, 1915.

Mr. President: Your Committee on Engrossment and Enrollment has examined Senate Bill No. [illegible]—An Act to be known as the [illegible] act, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on payments after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections 1917, 1918, 1919 and 1920 of the Civil Code and all Acts or parts of Acts in conflict with this Act, and reports that the same has been correctly engrossed.

FLAHERTY, Chairman.

Also:

SACRAMENTO, May 7, 1915.

Mr. President: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 571—An Act to prohibit insurance companies, associations, or societies and their agents from misrepresenting the terms of any policy of insurance;

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code of the State of California, relating to the [illegible];

Also: Senate Bill No. 694—An Act to amend sections 2, 6, 8, 11, 12 and 13 of an Act entitled "An Act to provide for work upon public roads, streets, avenues, boulevards, lanes and alleys not within the territory of incorporated cities or towns; for the [illegible] establishment of grades thereof; for the constructions therein or thereon of sidewalks, [illegible]; for the issue of bonds representing the costs and expenses thereof, and a special fund derived in part from the county road fund and in part by special assessment upon a district, and for the establishment of such districts," (approved March [illegible], 1907);

Also: Senate Bill No. 865—An Act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, of an Act entitled "An Act to provide for the organization, [illegible] of high school cadet companies, and for the promotion of rifle practice therein, and appropriating the sum of five thousand dollars therefor." (approved [illegible] 5, 1911);

Also: Senate Bill No. 1175—An Act to regulate the sale of butter that has been shipped or imported into the State of California from any point or place outside of the United States, requiring the marking thereof by all persons selling or offering same for sale, and fixing penalties for the violation of the same or of any of the provisions thereof;

Also: Senate Bill No. 152—An Act to amend section 4244 of the Political Code of the State of California relating to salaries and fees of officers in counties of the fifteenth class;

Also: Senate Bill No. 651—An Act to revise and amend chapter VIII of title II of part IV of division first of the Civil Code relative to mortgage insurance;

Also: Senate Bill No. 975—An Act to amend section 628c of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 570—An Act to add a new section to the Political Code to be numbered 633½, concerning insurance and surety companies, agents and brokers, requiring that policies or contracts of insurance or surety bonds shall show the correct premium consideration and the risks insured thereunder; prohibiting the giving or the acceptance of rebates on insurance or surety bonds and providing penalty therefor and for the revoking of the license of any agent or broker violating the same, and prescribing the powers and duties of the insurance commissioner in relation thereto;

Also: Senate Bill No. 56—An Act to amend section 3051 of the Civil Code of the State of California, relating to liens upon personal property;

Also: Senate Bill No. 85—An Act to amend section 10 of the Code of Civil Procedure of the State of California, relating to holidays;

Also: Senate Bill No. 86—An Act to amend section 10 of the Political Code of the State of California, relating to holidays;

Also: Senate Bill No. 87—An Act to amend section 7 of the Civil Code of the State of California, relating to holidays;

Also: Senate Bill No. 31—An Act to add a new section to the Political Code of the State of California, to be numbered section 3476½, relating to reclamation and swamp land districts;

Also: Senate Bill No. 143—An Act to amend section 4112 of the Political Code of the State of California, relating to county treasurers' reports;

Also: Senate Bill No. 436—An Act empowering county boards of supervisors to appropriate and use county funds for the support and maintenance of extension work in agriculture in co-operation with the United States Department of Agriculture and the University of California;

Also: Senate Bill No. 524—An Act to amend section 4258 of the Political Code, relating to salaries and fees of officers and to the fees to be allowed trial and grand jurors of counties of the twenty-ninth class;

Also: Senate Bill No 261—An Act to amend section 4283 of the Political Code, relating to compensation of officers in counties of the fifty-fourth class;

Also: Senate Bill No. 535—An Act to amend an Act entitled "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending sections 2, 3, 4, 5, 6, 7½ and 8 thereof, by adding a new section thereto, to be known and numbered as section 6½, and repealing section 7 thereof, all relating to the powers and duties of the State Veterinarian, assistant state veterinarian and deputy state veterinarians, and fixing salaries and prescribing penalties for violation of this Act;

Also: Senate Bill No. 580—An Act to amend section 1 of an Act approved May 1, 1911, entitled "An Act for the regulation and control of fraternal benefit societies";

Also: Senate Bill No. 669—An Act to amend section 3 of an Act entitled "An Act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of Commissioner of Corporations, and making an appropriation therefor," approved May 28, 1913;

Also: Senate Bill No. 1172—An Act authorizing any county and cities within such county to join in the acquisition, construction or maintenance of bridges or viaducts;

Also: Senate Bill No. 531—An Act to amend section 1750 of the Political Code, relating to adoption of course of study and textbooks by high school boards;

Also: Senate Bill No. 820—An Act to add a new section to the Political Code, to be numbered section 1743*a*, relating to reports of high school principals;

Also: Senate Bill No. 953—An Act to amend section 3462 of the Political Code, relating to assessments of reclamation districts;

Also: Senate Bill No. 12—An Act to amend sections 3457 and 3466 of the Political Code of the State of California, relating to reclamation and swamp land districts;

Also: Senate Bill No. 717—An Act to amend section 396 of the Code of Civil Procedure, relating to change of place of trial to the proper county;

Also: Senate Bill No. 688—An Act to amend section 628*b* of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Bill No. 884—An Act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers;

Also: Senate Joint Resolution No. 11—Relative to the dredging and improvement of the Mokelumne River;

Also: Senate Concurrent Resolution No. 13—Relative to a measure pending in Congress known as House Joint Resolution 344, sixty-third Congress, second session.

providing for the [illegible] and [illegible] Congress to adopt the resolution so that it may immediately go into effect.

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of an Act entitled "An Act to [illegible] Home for the Care and Training of [illegible] approved April [illegible], to include the [illegible] School, the [illegible] School [illegible] and the California School for [illegible] the terms of said Act."

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of the Code of Civil Procedure, relating to the [illegible] property deposited with any bank, banker, trust company or savings and loan society, by [illegible].

Also: Senate Bill No. [illegible]—An Act to add a new section to the [illegible] Code, to be known as section [illegible], relating to the [illegible].

Also: Senate Bill No. 518—An Act to amend section 270 of the Penal Code of the State of California.

Also: Senate Bill No. [illegible]—An Act to add a new section to the Code of Civil Procedure, to be numbered [illegible], relating to the [illegible] of the peace.

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of the Code of Civil Procedure, relating to the [illegible] of the Superior Court.

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, relating to the [illegible] Superintendent of [illegible].

Also: Senate Joint Resolution No. [illegible], Relative to [illegible] extension work between the United States Department of Agriculture and the University of California.

Also: Senate Bill No. 77—An Act to amend an Act entitled "An Act to amend sections [illegible] and [illegible] of an Act entitled 'An Act to provide for the [illegible] of municipal [illegible],' approved March [illegible]," approved March [illegible], 1911.

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, relating to the [illegible].

Also: Senate Bill No. [illegible]—An Act to add to the Civil Code a new section to be numbered [illegible], providing for the [illegible] holders of [illegible] corporation [illegible].

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885;

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of the Civil Code of the State of California, relating to [illegible].

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code relating to [illegible].

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of an Act entitled "An Act to carry into effect the provisions of section [illegible] of article XIII of the Constitution of the State of California as said Constitution was amended November [illegible], providing for the separation of State from local taxation, and providing for the taxation of public service and other corporations, banks and insurance companies for the benefit of the State, all relating to revenue and taxation," approved April 1, 1911 (statutes 1911, page 530), as amended by an Act approved June 12, 1913 (statutes 1913, page [illegible]), relating to revenue and taxation.

Also: Senate Bill No. [illegible]—An Act to amend an Act entitled "An Act [illegible] the [illegible] of certain [illegible], and providing the punishment for the violation thereof," approved April 22, 1911, by amending sections [illegible] and [illegible] thereof and by adding two sections thereto, to be known and designated as section 7 and section 8.

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of the Penal Code of the State of California, relating to the protection of fish and game.

Also: Senate Bill No. [illegible]—An Act to add a new section to the Penal Code of the State of California, to be numbered [illegible], relating to the [illegible].

Also: Senate Bill No. [illegible]—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section [illegible], relating to the disposition of funds paid in [illegible].

Also: Senate Bill No. 1005—An Act to carry into effect the provisions of section [illegible] of article XIII of the Constitution of California, [illegible] relative to said [illegible] and adding a new section to the Political Code of the State of California to be numbered [illegible].

Also: Senate Bill No. [illegible]—An Act empowering the legislative body of any city or municipal corporation to [illegible] proceedings taken under an Act entitled "An Act to provide for the improvement of public streets, lanes, alleys, courts and places in municipalities, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby," approved April 21, 1909, and referred to as the "Street Improvement Act of 1909".

Also: Senate Bill No. 755—An Act to amend section 635 of the Penal Code of the State of California, relating to the pollution of the streams and the use of explosives in the streams and public waters and to repeal section 374½ of the Penal Code;

Also: Senate Bill No. 757—An Act to amend section 626 of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 954—An Act to amend an Act entitled "An Act regulating the employment of women and minors and establishing an industrial welfare commission to investigate and deal with such employment, including a minimum wage, providing for an appropriation therefor and fixing a penalty for violations of this Act," approved May 26, 1913, by amending sections 8, 11 and 12;

Also: Senate Bill No. 988—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California, 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860, and approved June 13, 1913, Statutes of California, 1913, page 737;

Also: Senate Bill No. 142—An Act to create the office of public defender; to provide for the appointment of such officers, and prescribing their duties and compensation;

Also: Senate Bill No. 572—An Act to amend section 633 of the Political Code, relating to the licensing of insurance agents;

Also: Senate Bill No. 741—An Act to add a new section to the Penal Code of the State of California, to be numbered section 628, relating to the protection of fish;

Also: Senate Bill No. 756—An Act to amend section 626*m* of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 1045—An Act to amend section 394 of the Code of Civil Procedure of the State of California, relating to the place of trial of actions;

Also: Senate Bill No. 102—An Act providing for the admission of humane officers to places where scientific experiments are performed upon living animals, for investigating such experimentation and securing evidence of violation of law, for prohibiting certain experiments on living animals in any elementary or secondary schools in this State; and prescribing penalties for the violation of the provisions hereof;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this 6th day of May, 1915, at three o'clock p.m.

FLAHERTY, Chairman.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Elections, to which was referred Assembly Bill No. 1607—An Act to add two new sections to the Political Code to be numbered 1125, and 1126, relating to elections, and to repeal sections 1127 and 1129 of the Political Code, has had the same under consideration, and respectfully reports the same back and recommends that it do pass as amended.

BENSON, Chairman.

Assembly Bill No. 1607 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, May 7, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 992—An Act to amend section 12 of an Act entitled "An Act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevards; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an Act entitled 'An Act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the Act amendatory thereof, approved April 15, 1909; approved

May 1, 1911," approved June 5, 1913, [illegible] pertaining to the [illegible] of the [illegible] and [illegible], [illegible] the same under consideration, and respectfully [illegible] the same back and recommending that it do pass.

BIRDSALL, Chairman.

Assembly Bill No. 902 ordered on file for second reading.

SECOND READING FILE OF ASSEMBLY BILLS.

Assembly Bill No. 134—An Act to amend section 1576a of the Political Code of the State of California relating to the appointment of clerks of school districts, prescribing his term of office and affixing his compensation.

Bill read second time and ordered on file for third reading.

Assembly Bill No. 888—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27th, 1911," etc.

COMMITTEE AMENDMENTS.

During second reading of the bill the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the whole section commencing with the words "The Reclamation Board" in line 24 on page 2, to and including the words "Board of Election" in line 4 on page 3, and insert in lieu thereof the following:

"The Reclamation Board shall in said resolution specify the day on which said election shall be held and shall specify and designate one or more polling places as it may determine to be necessary in each county wherein are situated any of the lands affected by such assessment, for the holding of such election. In case the board shall consider it necessary or proper to provide more than one polling place in any one county for the holding of such election, the board shall, in said resolution, divide the lands in such county affected by such assessment into separate voting districts and designate and provide one polling place for and within each such voting district, at which shall be cast the votes of owners of land within such voting district. The Reclamation Board shall also in said resolution appoint a board of election for each such polling place, which board of election shall consist of three owners of land subject to such assessment and situated within the county where such polling place is located. Each member of such board of election, whether so appointed by the Reclamation Board or [illegible] acting as a substitute as hereinafter provided, shall be entitled to the sum of five dollars for his services as such, to be paid by the Reclamation Board out of any funds of the Sacramento and San Joaquin Drainage District [illegible]."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 11, after the word "county" change the semicolon to a period.

Amendment adopted.

AMENDMENT NUMBER THREE.

Also, on page 3, strike out from and including the words "and such notice" in line 14, to and including the words "in such county" in line 15, and insert in lieu thereof the following: "The notice of such election, so posted and published in each county shall specify the time of holding such election, the polling place or polling places appointed for such election in that county, the names of the board of election so appointed by the Reclamation Board for each such polling place in that county, and if more than one polling place is appointed for such election in that county, a general description sufficient to identify the same of the separate voting districts so provided for".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 20, strike out the words "in the county" and insert in lieu thereof the following: "for the county, and for the separate voting district, if any,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 23, after the word "county" insert a comma and add the following: "and within such separate voting district, if any, where such votes are cast".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 24, after the words "and by such assessment", insert a period and strike out from and including the words, "to be determined" in said line 24 to and including the words "county treasurer" at the end of line 33 on said page 3.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 36, after the word "them." insert the following: "The vote of any public or private corporation, or of any reclamation district, levee district, drainage district, or other public agency, entitled to vote at such election, may be cast by the president thereof, or by any other person authorized by the board of directors or trustees or other managing body thereof, which authorization shall be in writing and certified to by the secretary or clerk thereof and attested by its seal and filed with the board of election".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, in line 12, after the word "oath." insert the following: "Such oath any member of such board of election is hereby authorized to administer".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 13, after the word "perjury." insert the following: "Any person voting or attempting to vote at such election who is not entitled to vote at such election as herein provided, shall be subject to the same penalties and punishments as provided by the general election laws of this State for voting or attempting to vote illegally".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 16, change the word "name" to "signature".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 17, after the word "him." insert the following: "If the ballot is cast by proxy it shall also contain the name of the land owner for whom the ballot is cast and the signature of the person casting such vote as such proxy".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 25, after the word "for" and before the word "such" insert the word "any".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 28, after the words "then present" insert the following: "and entitled to vote at such election at such polling place"

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 5, line 7, after the word "election" change the period to a semicolon and add the following: "and the Reclamation Board shall examine and canvass said certificates received from the board or boards of election and determine [illegible] and declare, and enter in its minutes, the total result of such election".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 5, line 9, strike out the word "declared" and insert in lieu thereof the following: "so determined and declared by the Reclamation Board,".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 152—An Act appropriating money to provide a permanent water supply for the California Polytechnic School.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 546—An Act to amend section 3870 of the Political Code, relating to allowance of mileage to county treasurers in settlements with the State, and making an appropriation therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1290—An Act providing for an appropriation for the location, survey and construction of a highway to lead from Surprise Valley, in Modoc County, to the Nevada State line.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1482—An Act to appropriate money to pay the claim of the Lauritzen Company against the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 808—An Act to amend section 276 of the Code of Civil Procedure of the State of California, relating to testimonials, examination before District Court of Appeal.

AMENDMENT FROM FLOOR.

The following amendment was offered, and its adoption moved by Senator Duncan.

AMENDMENT NUMBER ONE

Strike out in section 1, lines 6 and 7, the words "or a law school or with an attorney-at-law in good standing."

On motion of Senator Wolfe further consideration of the above amendment was postponed until the next legislative day.

Assembly Bill No. 1496—An Act to provide for the formation, management and dissolution of county power pumping districts, for supplying the land owners and inhabitants thereof with water and with the power necessary to pump the same, for the levy and collection of taxes on property in such districts, and for the issuance of county power pumping district bonds and for the payment thereof.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1524—An Act to be known as "The California Irrigation Act," providing cooperation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes; creating an irrigation board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts; providing for the management, control and supervision of such water districts and of the works constructed pursuant to this Act; directing the State Department of Engineering relative to such works; authorizing irrigation districts to reorganize under this Act and generally providing a policy relating to storage, diversion and use of water, and adopting a plan for providing revenues therefor.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 6, strike out the period following the word "board" and insert in lieu thereof, a comma and add the following: "and the members so appointed shall serve for four years and until their successors have been appointed".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 8, strike out the period at the end of the line and insert a semicolon and add the following: "*provided*, that the board may maintain an office in the city of San Francisco".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 28, after the word "acres", insert the following: "and by the owners of a majority in value as shown by the last assessment roll of the county".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 8, strike out lines 2, 3, 4, 5, 6, 7, 8 and 9.

Amendment adopted.

AMENDMENT NUMBER FIVE

On page 9, line 20, strike out the word "re-appoint" and insert in lieu thereof the word "re-apportion".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 10, line 10, strike out the word "or" and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 13, line 19, after the word "board", insert the following: "cause an election to be held in such district, at which election shall be submitted to the owners of real estate in such districts the question whether or not bonds of such district shall be issued. Said election shall be held in the manner provided in section 6 of this Act, and each owner of real estate shall be entitled to cast one vote for each one dollar ($1.00) of valuation of real estate owned by him in the district, as shown by the last assessment roll of the county in which said district is situated. If a majority of said votes shall be in favor of the issuance of bonds the board shall".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, beginning with the word "The" in line 2, strike out all down to and including the period after the word "applicable" in line 7.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 27, strike out all after the comma after the word "board" down to and including the word "district" in line 29, and insert in lieu thereof the following: "signed by a majority of the owners of real estate, excluding incorporated cities and towns, and a majority of the assessed valuation of real estate, excluding incorporated cities and towns, as shown by the last equalized assessment roll of the county or counties in which any of said lands are situated within the boundaries of said proposed district".

Amendment adopted.

AMENDMENT NUMBER [illegible]

On page 18, between lines 9 and 10, insert the following:

"Sec. [illegible] [illegible] of the United States and such approval [illegible]

"[illegible] be construed to give the board power to interfere [illegible]"

Amendment adopted.

AMENDMENT NUMBER [illegible]

After line 15, page 17 of the printed bill, add the following:

"Sec. 17. [illegible]"

Amendment adopted.

AMENDMENTS FROM FLOOR.

The following amendments were offered, and their adoption moved by Senator [illegible]

AMENDMENT NUMBER ONE.

[illegible]

Amendment adopted.

AMENDMENT NUMBER TWO.

[illegible]

Amendment adopted.

AMENDMENT NUMBER THREE.

[illegible]

Amendment lost.

AMENDMENT NUMBER FOUR.

[illegible]

Amendment lost.

Bill read second time, ordered to print, and third reading.

Assembly Bill No. 1548—An Act to change and permanently locate the boundary line between the counties of Butte and Glenn.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent to take up at this time Assembly Concurrent Resolution No. 21, out of the regular order, for the purpose of amendment.

Assembly Concurrent Resolution No. 21—Relative to adjourning *sine die* of the forty-first session of the Legislature of the State of California, to fix a day for said adjournment.

AMENDMENT FROM FLOOR.

The following amendment was offered, and its adoption moved by Senator Strobridge:

AMENDMENT NUMBER ONE.

Amend Assembly Concurrent Resolution No. 21 by striking out all after the word "of" in line 3 and insert in lieu thereof "the hour of eight p.m. Sunday, May ninth."

The question being on the adoption of the amendment.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Anderson, Kehoe, and Birdsall.

The Secretary was directed to call the roll.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Kehoe, Luce, Mulvany, Mott, Rush, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—26.

NOES—Senators Anderson, Brown, Duncan, Gerdes, Irwin, King, Scott, Shearer, and Wolfe—9.

RESOLUTION—(OUT OF ORDER).

By consent of the Senate, the following resolution was offered, out of the regular order:

By Senator Wolfe:

Resolved, That after twelve o'clock midnight of Friday, May 7, the Senate will not consider or act upon any Senate bills, except for the purpose of considering Assembly amendments to Senate bills already passed, or to act upon the reports of Conference Committees concerning such bills.

Resolution read and, on motion of Senator Wolfe, adopted.

LEAVE OF ABSENCE.

Senator Lyon was, on motion of Senator Finn, granted leave of absence for the balance of this legislative day.

CONSIDERATION OF SENATE BILL—(OUT OF ORDER).

Senator Brown asked for and was granted unanimous consent to take up for consideration at this time Senate Bill No. 189, out of the regular order.

Senate Bill No. 189—An Act to be known as the usury law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods, or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections 1917, 1918, 1919 and 1920 of the Civil Code and all Acts or parts of Acts in conflict with this Act.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Brown moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Breed, [illegible], Brown, Campbell, Carr, Chamberlin, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Gerdes, Kehoe, Luce, Maddux, Mott, Rush, Scott, Slater, Strobridge, Sharkey, Thompson, Tyrrell, and Wolfe—29.

The Secretary announced the absentees.

Time, nine o'clock and twenty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At nine o'clock and thirty minutes p.m., Senators Benson, Purkitt, King, Benedict, Butler, Owens, [illegible], and Irwin were brought to the bar of the Senate, and on motion of Senator Slater, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At nine o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Brown.

The Secretary was directed to call the roll, on the passage of Senate Bill No. 189, of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 189 passed by the following vote:

Ayes—Senators Anderson, Benedict, Benson, Birdsall, Breed, Brown, Carr, Chamberlin, Cogswell, Finn, Flaherty, Flint, Gerdes, Irwin, Kehoe, King, Luce, Maddux, Rush, Scott, Slater, Shanahan, Strobridge, and Tyrrell—24.

Noes—Senators Ballard, Butler, Campbell, Cohn, Crowley, Duncan, Mott, Owens, Purkitt, Rigdon, Sanford, Thompson, and Wolfe—13.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY EDWIN F. SMITH AT THE DESK

[CONSIDERATION OF CONCURRENT RESOLUTION—OUT OF ORDER]

Senator Strobridge asked for and was granted unanimous consent for the consideration at this time of Assembly Concurrent Resolution No. 21, out of the regular order.

ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-ONE

Relative to adjourning sine die of the forty-first session of the Legislature of the State of California, to fix a day for said adjournment.

Resolved by the Assembly, the Senate concurring, That the forty-first session of the Legislature of the State of California adjourn sine die at the hour of 8 p.m., Saturday, May eighth, nineteen hundred fifteen.

Concurrent resolution read.

The question being on the adoption of the concurrent resolution.

The roll was called, and Assembly Concurrent Resolution No. 21 adopted by the following vote:

Ayes—Senators Ballard, Benedict, Benson, Birdsall, Breed, Butler, Campbell, Carr, Chamberlin, Cogswell, Crowley, Finn, Flaherty, Flint, Gerdes, Kehoe, Luce,

Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.
NOES—Senators Anderson, Brown, Cohn, Duncan, and King—5.

Concurrent resolution ordered transmitted to the Assembly.

CONSIDERATION OF SENATE BILL—(OUT OF ORDER).

Senator Benedict asked for and was granted unanimous consent for the consideration, at this time, of Senate Bill No. 27, out of the regular order.

Senate Bill No. 27—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding a new section to said Act, to be known as section 6*a*, relating to doing of public work by municipalities.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 27 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Kehoe, King, Luce, Maddux, Mott, Shearer, Slater, Stuckenbruck, and Thompson—23.
NOES—Senators Cohn, Crowley, Finn, Gerdes, Owens, Purkitt, Scott, Strobridge, and Wolfe—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR KEHOE IN THE CHAIR.

At ten o'clock p.m., Senator Kehoe of the First District, in the chair.

CONSIDERATION OF SENATE BILL—(OUT OF ORDER).

Senator Benson asked for and was granted unanimous consent to take up for consideration, at this time, out of regular order, Senate Bill No. 633—An Act to amend section 3766 of the Political Code, relating to the manner of publication of the delinquent tax list.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 633 refused passage by the following vote:

AYES—Senators Benson, Brown, Finn, Rush, Scott, Stuckenbruck, and Wolfe—7.
NOES—Senators Anderson, Ballard, Birdsall, Breed, Butler, Campbell, Chandler, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, Kehoe, Luce, Maddux, Mott, Owens, Purkitt, Shearer, and Thompson—21.

ASSISTANT SECRETARY J. W. KAVANAGH AT THE DESK.

CONSIDERATION OF SENATE BILL—(OUT OF ORDER).

Senator Scott asked for and was granted unanimous consent for the consideration at this time, out of the regular order, Senate Bill No. 267—An Act to amend an Act entitled "An Act authorizing the Governor of the State of California to issue licenses to bodies of men to organize, drill, and bear arms as military companies or organizations, and providing for their control," approved March 9, 1911, by adding thereto two new sections to be numbered sections 2 and 3, providing for an allowance for armory rent and proper and necessary incidental expenses, and providing for such companies means of target practice.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 267 passed by the following vote:

AYES—Senators Anderson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, [illegible] and [illegible].

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

APPROVAL OF JOURNALS.

On motion of Senator Thompson, the Journals of Saturday, May 1, 1915, Monday, May 3, 1915, Tuesday, May 4, 1914, Wednesday, May 5, 1915, and Thursday, May 6, 1915, were approved as corrected.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At eleven o'clock p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

RECALL OF BILL FROM ASSEMBLY.

Senator Finn moved that Assembly Bill No. 533 be recalled from the Assembly and that the same be restored to its place on the third reading file.

Motion carried.

RECESS.

At eleven o'clock and fifteen minutes p.m., on motion of Senator Kehoe, the President pro tem. declared the Senate at recess until eleven o'clock and forty-five minutes p.m.

RECONVENED.

At eleven o'clock and forty-five minutes p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

RECALL OF BILL FROM ASSEMBLY.

Senator Birdsall moved that Senate Bill No. 27 be recalled from the Assembly and that the same be restored to its place on the third reading file.

Motion carried.

MESSAGES FROM THE ASSEMBLY (OUT OF ORDER).

On motion of Senator Strobridge, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day returned Senate Bill No. 27, which was recalled this day by your honorable body—An Act to amend an Act entitled "An Act to provide for work- men [illegible] within municipalities," approved March 18, 1885, by adding a new section to said Act, to be known as section 6a, relating to doing of public work by municipalities.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible] Assembly Bill No. 533, which was recalled this day by your [illegible]

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Concurrent Resolution No. 21 [illegible] of the State of California, to fix a day for said adjournment.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 7, 1915.

MR. PRESIDENT: [illegible] and dissolving all levee districts, [illegible] idation and winding up [illegible] district, swamp land district [illegible] effect August 10, 1913, conferring powers and duties [illegible] herein described is public work for the public benefit;

Also: Assembly Bill No. [illegible] ment of mutual casualty insurance corporations;

Also: Assembly Bill No. 1194—An Act amending sections 1, 2, 3, 4, 5, 8 and 9 of [illegible] 1913;

Also: Assembly Bill No. 540—[illegible]

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible] June 30, 1907, and made jointly by Brigadier General A. Mackenz[illegible] neers, C. H. McKinstry, major, corps of engineers, and Thomas H. J[illegible] June 30, 1907, and making an appropriation for such work;

Also: Assembly Bill No. 1391—An Act to provide for the formation, government, [illegible] ns in such districts; the assessment, levying, collection, [illegible] nent of taxes therein; the issuance, disposal and retirement of [illegible] the payment of such bonds, and the disposal of their proceeds;

Also, Assembly Bill No. 243—An Act to establish a standard for the packing and [illegible] barrel;

Also, Assembly Bill No. [illegible]—An Act [illegible] thereof; and providing penalties for [illegible] violation of the provisions of this Act.

L. E. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Also—

SACRAMENTO, May 7, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 16—Memorializing the President of the United States, [illegible] United States.

L. E. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Joint Resolution No. 16 ordered to enrollment.

NOTICE OF MOTION TO RECONSIDER.

Senator [illegible] gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. [illegible] was passed.

NOTICE OF MOTION TO RECONSIDER.

Senator [illegible] gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. [illegible] was this day refused passage.

[illegible]

REPORTS OF COMMITTEES [illegible]

By consent of the Senate, the following reports of standing committees were received and read out of the regular order:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 7, 1915.

Mr. President: Your Committee on Judiciary, to which was referred Assembly Bill No. 1591—An Act to amend section 14 of the "Workmen's Compensation, Insurance and Safety Act," approved May 26, 1913;

Also, Assembly Bill No. 1598—An Act to amend section 170 of the Code of Civil Procedure, [illegible];

Also, Assembly Bill No. 1479—An Act permitting persons in possession of State lands [illegible];

Also, Assembly Bill No. 1074—An Act to amend section 206 of the Code of Civil Procedure, [illegible];

Also, Assembly Bill No. 354—An Act to amend section 1 of an Act entitled "An Act [illegible] materialmen, [illegible] or other public work,' approved March 27, 1897," approved May 1, 1911;

Also, Assembly Bill No. 993—An Act to add a new section to the Civil Code of the State of California to be numbered [illegible], relating to transfer of property for highway purposes;

Has had the same under consideration, and respectfully reports the same back and recommends that they do pass.

KEHOE, Chairman.

Assembly Bills Nos. 1591, 1598, 1479, 1074, 354 and 993 ordered on file for second reading.

Also:

SACRAMENTO, May 7, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 286—An Act authorizing the issuance of letters patent to P. W. [illegible] for certain swamp and overflowed land in Tuolumne County, California.

Also: Assembly Bill No. 688—An Act to amend section 102*b* of the Code of Civil Procedure, relating to justices' courts and justices in townships having a population of two hundred fifty thousand or over;

Has had the same under consideration, and respectfully reports the same back and recommends that they do not pass.

KEHOE, Chairman.

Assembly Bills Nos. 286 and 688 ordered on file for second reading.

Also:

SACRAMENTO, May 7, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1417—An Act to amend section 1305 of the Penal Code of the State of California, relating to the forfeiture of bail and the discharge of bail forfeiture, approved February 14, 1872, repealed 1905, as amended, by adding thereto a provision that such bail may be refunded by the board of supervisors, if such bail be the sole cause of the appearance and return to custody of defendant, upon the conviction of defendant—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

KEHOE, Chairman.

Assembly Bill No. 1417 ordered on file for second reading.

Also:

SACRAMENTO, May 7, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 121—An Act to amend section 1449 of the Penal Code, relating to the time for rendering judgment in justices' and police courts—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

KEHOE, Chairman.

Assembly Bill No. 121 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 7, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1599—An Act to promote the public safety by requiring that small boats be equipped with metal railings at or near the water line or along the side, and to prescribe penalties for violations of the provisions hereof—has had the same under consideration, and respectfully reports the same back with amendments and recommends that it do pass as amended.

CARR, Chairman.

Assembly Bill No. 1599 ordered on file for second reading.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from committees on this legislative day.

Assembly Bill No. 992—An Act to amend section 12 of an Act entitled "An Act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such district; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an Act entitled 'An Act to provide for the formation of boulevard districts, and the construction, maintenance and use of boulevards, and defining the term 'boulevard,' approved March 22, 1905, and the Act amendatory thereof, approved April 15, 1909, approved May 1, 1911," approved June 5, 1913, said amendment pertaining to the definition of the term boulevard, and use of said boulevards.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 132—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 1543b, relating to superintendents of schools, passing and auditing claims of any school district in excess of the funds to its credit.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 345—An Act to add a new section to the Political Code of the State of California to be numbered 1739a relating to the reorganization of county high school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1607—An Act to add two new sections to the Political Code to be numbered 1125 and 1126, relating to elections, and to repeal sections 1127 and 1129 of the Political Code.

COMMITTEE AMENDMENTS.

During second reading of the bill the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, lines 7 and 8, strike out the words "and which has a registrar of voters" and in lieu thereof insert the following: "or which has a registrar of voters provided for by freeholders' charter or by general law".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 21, strike out the words "and which has a registrar of voters" and in lieu thereof insert the following: "or which has a registrar of voters provided for by freeholders' charter or by general law".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, after line 31, insert a new paragraph as follows:

"Any precincts formed [illegible] this Code prior to the board of supervisors [illegible] election and voting precincts shall be subject to and controlled by, the provisions of this section".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, lines 1 and 2, strike out the words "and which has a registrar of voters" and in lieu thereof insert the following: "or which has a registrar of voters provided for by freeholders' charter or by general law".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, lines 17 and 18, strike out the words "and which has a registrar of voters" and in lieu thereof insert the following: "or which has a registrar of voters provided for by freeholders' charter or by general law".

Amendment adopted.

AMENDMENT NUMBER SIX

On page 3, after line 28, insert a new paragraph as follows:

"Any provisions found elsewhere in this Code giving to the Board of Supervisors the power to establish, abolish, and change election precincts shall be subject to, and controlled by, the provisions of this section".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 1591—An Act to amend section 14 of the "Workmen's Compensation, Insurance and Safety Act," approved May 26, 1913.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1598—An Act to amend section 170 of the Code of Civil Procedure, relating to disqualification of judicial officers to sit or act.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1479—An Act permitting persons in possession of State lands claiming under patent issued by the State of California which patent incorrectly describes the land, to have an official map or plat made of such land, such map or plat to be approved by the Surveyor General and filed and recorded, and providing that thereafter such owner may file a petition in the Superior Court of the county in which the land or part thereof is located and that after due notice to all parties whose land may be affected thereby the court may enter a decree establishing the correct descriptions and providing for the apportionment of costs incurred under a proceeding brought under this section.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1074—An Act to amend section 206 of the Code of Civil Procedure relating to the number of names which lists of jurors shall contain.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 554—An Act to amend sections 1 and 2 of an Act entitled "An Act to amend an Act entitled 'An Act to secure the payment of the claims of materialmen, mechanics, or laborers employed by contractors upon state, municipal or other public work,' approved March 27, 1897," approved May 1, 1911.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 993—An Act to add a new section to the Civil Code of the State of California to be numbered 1109*a* relating to transfer of property for highway purposes.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1417—An Act to amend section 1305 of the Penal Code.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE

On page 2, line 3, of the bill, after the comma following the word "defendant", insert the following: "upon the conviction of the defendant for the crime charged,".

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 688—An Act to amend section 1025 of the Code of Civil Procedure, relating to justices' courts and justices in townships having a population of two hundred fifty thousand or over.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 986—An Act authorizing the issuance of letters patent to F. W. Fahey for certain swamp and overflowed land in Tuolumne County, California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1300—An Act to promote the public safety by requiring that small boats be equipped with metal railings at or near the water line or along the keel, and to prescribe penalties for violations of the provisions hereof.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 6, after the period, add the following: "This Act shall not apply to boats which do not carry more than four persons."

Amendment adopted.

Bill read second time, and ordered to print, and third reading.

Assembly Bill No. 121—An Act to amend section 1449 of the Penal Code, relating to the time for rendering judgment in justices' and police courts.

Bill read second time, and ordered on file for third reading.

RECESS.

At eleven o'clock and forty-eight minutes p.m., on motion of Senator Kehoe, the President declared the Senate at recess until eleven o'clock and fifty minutes p.m.

RECONVENED.

At eleven o'clock and fifty minutes p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

FILE CLERK D. S. ANGUS AT THE DESK.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

By consent of the Senate, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as an urgency measure Assembly Bill No. 1060—An Act to appropriate money to pay the claim of Lake Tahoe Railway and Navigation Company upon a judgment rendered against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1060 read first time, and referred to Committee on Finance.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 18—Directing the State Highway Commission to investigate the probable cost and best methods for the State to acquire the electric railroad systems of California connecting and running through two or more counties, and providing for submission to the voters of California of the question of bonding the State for the accomplishment of that purpose;

Also: Assembly Concurrent Resolution No. 27—Approving amendments to the charter of the city of San Rafael, a municipal corporation, in the county of Marin, State of California, voted for and ratified by the qualified electors of said city at a general election held therein on the twelfth day of April, 1915.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Concurrent Resolution No. 18 referred to Committee on Public Utilities.

Assembly Concurrent Resolution No. 27 referred to Committee on Municipal Corporations.

Also:

SACRAMENTO, May 6, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1539—An Act to create the office of Poultry Commissioner, defining his duties and providing for an appropriation to carry out the provisions of this Act;

Also: Assembly Bill No. 100—An Act appropriating money to pay the claim of Lassen County against the State of California;

Also: Assembly Bill No. 97—An Act making an appropriation for the location, survey, and construction of a proposed State road from the junction of the counties of San Joaquin, Calaveras, and Amador to Jackson, Amador County;

Also: Assembly Bill No. 205—An Act making an appropriation of money to pay the claim of Frith Crossland against the State of California for injuries received while in the employ of the State;

Also: Assembly Bill No. 837—An Act making an appropriation for the subsistence, supplies, transportation and other expenses incidental to the encampment of the troops of the National Guard of California, upon the occasion of the Panama-Pacific International Exposition;

Also: Assembly Bill No. 391—An Act to amend section 893 of the Code of Civil Procedure relating to form of judgments and notice thereof to be given to litigants.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 1539, 100, 97, 205 and 837 read first time, and referred to Committee on Finance.

Assembly Bill No. 391 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, May 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1560—An Act to amend section 199 of the Code of Civil Procedure, in relation to the competency of jurors;

Also: Assembly Bill No. 308—An Act amending section 9 of an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act," approved March 20, 1903;

Also: Assembly Bill No. 1147—An Act to amend an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalty, establishing a state laboratory for foods, liquors and drugs, and making an appropriation therefor.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1560 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 308 read first time, and referred to Committee on Agriculture.

Assembly Bill No. 1147 read first time, and referred to Committee on Public Health and Quarantine.

Also:

SACRAMENTO, May 7, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 1—Relative to aid from the [illegible] machinery and devices; setting aside of certain lands to [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. Stern, Assistant Clerk.

Assembly Joint Resolution No. 1 referred to Committee on Federal Relations.

Also:

SACRAMENTO, May 7, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. [illegible]—An Act to amend an Act entitled "An Act [illegible] by adding a [illegible]

Also, Assembly Bill No. [illegible]—An Act to amend an Act entitled "An Act to [illegible]

L. B. MALLORY, Chief Clerk of Assembly.
By M. Stern, Assistant Clerk.

Assembly Bill No. [illegible] read first time, and referred to Committee on Finance.

Assembly Bill No. 1547 read first time, and referred to Committee on Education.

Also:

SACRAMENTO, May 7, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1600—An Act to amend section 2099 of the Political Code, relating to the relief of officers and enlisted men of the National Guard of California who may be wounded, injured, disabled or killed while in the service of the State.

L. B. MALLORY, Chief Clerk of Assembly.
By M. Stern, Assistant Clerk.

Assembly Bill No. 1600 read first time, and referred to Committee on Military Affairs.

Also:

SACRAMENTO, May 7, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Assembly Joint Resolution No. 4—Memorializing Congress relative to [illegible] civil service employees.

L. B. MALLORY, Chief Clerk of Assembly.
By M. Stern, Assistant Clerk.

Assembly Joint Resolution No. 4 referred to Committee on Federal Relations.

[illegible]

Also:

SACRAMENTO, May 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 328—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 534, relating to actions concerning water rights.

Also: Assembly Bill No. 219—An Act to add a new section to the Penal Code to be numbered section 288*a*, relating to sex perversions and defining the same to be felonies;

Also: Assembly Bill No. 1604—An Act to amend section 2957 of the Civil Code, relating to mortgages upon personal property.

Also: Assembly Bill No. 1537—An Act validating the action of the trustees of the State Library in accepting as a gift from the heirs of the late Adolph Sutro of the city and county of San Francisco the library commonly denominated the "Sutro Library," and in establishing a branch of the State Library in the city and county of San Francisco to be known as the "Sutro Library";

Also: Assembly Bill No. 609—An Act to amend section 2021 of the Code of Civil Procedure, relating to the taking of depositions.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bills Nos. 328, 219, 1604, 1537 and 609 read first time and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, May 7, 1915.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Assembly Bill No. 1600—An Act to amend section 2099 of the Political Code, relating to the relief of officers and enlisted men of the National Guard of California who may be wounded, injured, disabled or killed while in the service of the State, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

SCOTT, Chairman.

Assembly Bill No. 1600 ordered on file for second reading.

ADJOURNMENT.

At twelve o'clock p.m., on motion of Senator Mott, the President pro tem. declared the Senate adjourned.

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Saturday, May 8, 1915.

The Senate met at ten o'clock a.m.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

The roll was called by Secretary Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Father Henry J. Stark.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, May 7, 1915, the further reading was dispensed with, on motion of Senator Rush.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 7, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1647—An Act to prevent the sale of [illegible] Act; to prescribe penalties for violations of the [illegible]—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

STROBRIDGE, Chairman.

Assembly Bill No. 1647 ordered on file for second reading.

Also:

SACRAMENTO, May 7, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 654—An Act to [illegible] and repealing all Acts and portions of the Acts in conflict with this Act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

STROBRIDGE, Chairman.

Assembly Bill No. 654 ordered on file for second reading.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Bill No. 575—An Act relating to the conservation of [illegible], and providing penalties for violations thereof—has had the same under consideration and respectfully reports the same back with recommendation that it do pass.

KING, Chairman.

Assembly Bill No. 575 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Special Committee:

MR. PRESIDENT: Your Special Committee appointed pursuant to Assembly Concurrent Resolution No. 24 to draft resolutions in memory of the late Honorable Frank M. Rutherford, begs leave to submit the following:

WHEREAS, In the death of Frank M. Rutherford this Legislature has sustained the loss of one of its most valued and respected members, and the State of California a most honored, useful and [illegible] citizen; it is but fitting and proper that we should at this time give some expression to that sense of irreparable loss which so heavily oppresses us, and to the feeling of sincere veneration that so deeply moves our hearts; and

WHEREAS, Frank M. Rutherford was faithful, loyal and sympathetic in his friendships; honest, conscientious and painstaking in his performance of duty; always worthy of the confidence reposed in him; reliable in every respect. His work as a public capacity was constructive and enduring; his professional life was an expression of the highest integrity and the loftiest ethical conceptions; in his private life and in his intimate associations of friendship were made manifest his true greatness of heart and soul. Genial, loving and unselfish by nature, he drew men close to him all who were privileged to associate with him, and especially [illegible]. Therefore, are we mindful of the immeasurable loss sustained by those closest to him in family relationship and to his wife and family so sorely bereaved we extend a heartfelt sympathy, hoping that there may be given to them some comfort in the thought that the loved one departed is held in loving esteem by those who were here associated with him in the discharge of public duty; therefore be it

Resolved, That a copy of these resolutions be engrossed by the Secretary of the Senate and that the same be conveyed to the wife and family of Frank M. Rutherford.

BENEDICT,
TYRRELL,
RUSH,
SLATER,
WOLFE,
Senate Committee.

ENGLE,
PETTIS,
JOHNSON,
SCHMITT,
WILLS,
Assembly Committee.

Resolution read and on motion of Senator Benedict unanimously adopted by rising vote.

STATEMENT BY SENATOR CAMPBELL.

The following statement by Senator Campbell was read and ordered printed in the Journal:

Mr. President and Members of the Senate:

I respectfully call the attention of the Senate to the communication of George G. Radcliff, Superintendent of Capitol Building and Grounds, printed in Tuesday's Journal, May 4th. This communication deserves the careful perusal, not only of the legislators, but of every citizen of California. I sincerely hope that every member of this house will carefully read the report, that due credit will be given to Mr. Radcliff for the economical manner in which he has conducted his department and the assistance rendered the Legislature. This is the first official report of such department's business with the Legislature ever presented in the history of the State and printed in the Journals of each house. It establishes a precedent that undoubtedly will have to be followed in the future and will be of great assistance to officers and members of future legislatures in ascertaining their requirements and the cost of the same.

CONSIDERATION OF DAILY FILE—THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 799—An Act declaring hedges to be a private nuisance in certain instances and providing for the abatement thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

MOTION FOR CALL OF THE SENATE.

Pending the announcement of the vote, Senator Lyon moved a call of the Senate.

Motion lost.

The roll was called and Assembly Bill No. 799 refused passage by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Butler, Flint, Lyon, Rush, Strobridge, and Thompson—10.

NOES—Senators Birdsall, Campbell, Chandler, Crowley, Duncan, Gerdes, Hans, Maddux, Mott, Scott, Shearer, Slater, and Stuckenbruck—13.

SENATOR STROBRIDGE IN THE CHAIR

At ten o'clock and fifty minutes a.m., Senator Strobridge of the Thirteenth District in the chair.

THIRD READING OF ASSEMBLY BILLS—RESUMED

Assembly Bill No. 1574—An Act to regulate the manner and style of marking and printing of bills introduced in the Legislature.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1574 passed by the following vote:

Ayes—Senators [illegible]—21.

Noes—Senator Strobridge—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 116—An Act to provide for the survey and construction of a state highway through the Pacheco Pass connecting the State Highway in Santa Clara County at Gilroy with the State Highway in Merced County, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 116 passed by the following vote:

Ayes—Senators [illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 529—An Act to prohibit the bringing of actions against owners of live stock trespassing upon unfenced private lands within the boundaries of any national forest in the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 529 passed by the following vote:

Ayes—Senators [illegible].

Noes—Senators Anderson, Ballard, Breed, Gates, King, Mott and Strobridge—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 496—An Act to add a new section to the Penal Code of the State of California to be numbered 400½, relating to advertising the cure or treatment of venereal diseases.

Bill read third time previously.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 496 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Brown, Birdsall, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Duncan, Flint, Hans, Irwin, Jones, King, Lyon,

Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, and Wolfe—29.

Noes—Senator Ballard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1188—An Act to amend sections 2, 3, 10, 13, 15, 18, 30, 31, 33, 39, 40, 52, 53, 54½, 67, 79 and 93 of an Act entitled "An Act to provide for the organization and government of irrigation districts and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, and to add four new sections to said Act to be numbered 1½, relating to the signing of petitions for organizations; 54¾, relating to the giving of advice by the State Engineer regarding the organization and conduct of irrigation districts; 64, relating to the filing of a notice of purpose to endeavor to organize an irrigation district and requesting the Water Commission to withdraw from appropriation certain waters; 78½, relating to the securing of assent from the Secretary of the Interior before boundaries may be changed by a district that has a contract with the United States.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1188 passed by the following vote:

Ayes—Senators Anderson, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Duncan, Finn, Flint, Hans, Irwin, Jones, Lyon, Maddux, Mott, Owens, Rush, Scott, Shearer, Slater, Strobridge, and Wolfe—25.

Noes—Senator Ballard—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 163—An Act to provide for locating, surveying and maintaining a highway from Pescadero in the county of San Mateo to the California Redwood Park in Santa Cruz County, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 163 passed by the following vote:

Ayes—Senators Benedict, Benson, Breed, Brown, Butler, Carr, Chandler, Cogswell, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, King, Lyon, Maddux, Mott, Owens, Rush, Shearer, Slater, Strobridge, and Wolfe—25.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT OF THE SENATE IN THE CHAIR.

At twelve o'clock and forty minutes p.m., Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 439—An Act to provide for marking off and setting apart a portion of the Stockton State Hospital grounds for a site upon which to construct an armory; to provide for the conveyance and transfer of the lands comprising said proposed site by said corporation through its proper officers, board of managers or their successors as trustees of such property, to the State of California; to provide for the control and management thereof; to provide for the construction and erection of an armory and drill hall thereon, and appropriating money therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 439 passed by the following vote:

Ayes—Senators Anderson, Benedict, Breed, Brown, Butler, Chamberlin, Carr, Chandler, Crowley, Duncan, [illegible], Flint, Gates, Hart, Irwin, Jones, Lyon, Madden, Mott, Rush, Scott, Sharkey, Slater, [illegible], and Wolfe—25.

Noes—Senator [illegible]—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 519—An Act to provide for the erection of a memorial monument to deceased members of the Grand Army of the Republic; appointing a commission therefor; and providing an appropriation to carry this Act into effect.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 519 passed by the following vote:

Ayes—Senators Anderson, Benedict, Boggs, Breed, Brown, Burnett, [illegible], Butler, Chamberlin, Carr, Chandler, Crowley, Duncan, Evans, Flint, Gates, Hart, Irwin, Jones, Kehoe, [illegible], Lyon, Madden, Mott, Rush, Shearer, Slater, and Wolfe—28.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION—(OUT OF ORDER).

By consent of the Senate, the following resolution was offered, out of the regular order:

By Senator Wolfe:

WHEREAS, It has come to the notice of the Senate of the State of California that Senator D. W. Mott, one of our colleagues, is this day celebrating the sixtieth anniversary of the day of his birth; and

WHEREAS, Senator Mott has endeared himself to every member of the Senate by his sterling integrity and strict devotion to duty; therefore, be it

Resolved, That the Senate of the State of California extends to Senator D. W. Mott its heartiest congratulations and expresses the hope that he may be spared to his family for the enjoyment of good health for many years to come and to the people of the State for greater activities and an enlarged sphere of usefulness.

On motion of Senator Wolfe, the resolution was adopted unanimously by a rising vote.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 585—An Act to provide for the fighting of forest fires in the San Antonio Canyon in the San Gabriel Mountains, California, and to make an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 585 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Crowley, Duncan, Finn, Flint, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Rush, Slater, Stuckenbruck, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

POINT OF ORDER.

Senator Benedict raised the point of order: "That Senate Bill No. 27 be immediately transmitted to the Assembly despite notice of reconsideration, as its reconsideration could not properly be had under the terms of the resolution adopted on Friday, May 7, which limited the action of the Senate to the passage of Assembly bills and the consideration of amendments by the Assembly to Senate bills."

POINT OF ORDER NOT WELL TAKEN.

The President announced his decision and declared the point of order not well taken.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1362—An Act appropriating money to pay the claim of A. B. Hooke against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1362 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Owens, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1544—An Act to provide for the purchase by the State of California of an armory and grounds located at Pomona, California, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1544 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Mott, Slater, Stuckenbruck, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Birdsall moved to reconsider the vote whereby Senate Bill No. 27—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding a new section to said Act, to be known as section 6a, relating to doing of public work by municipalities," was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider lost by the following vote:

Ayes—Senators [illegible] and Wolfe—9.

Noes—Senators Anderson, [illegible] Carr, Chandler, Cogswell, [illegible] Flint, [illegible] and Slater—19.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 152—An Act appropriating money to provide a permanent water supply for the California Polytechnic School.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 152 passed by the following vote:

Ayes—Senators Anderson, [illegible]—26.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 546—An Act to amend section 3876 of the Political Code, relating to allowance of mileage to county treasurers in settlements with the State, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 546 passed by the following vote:

Ayes—Senators Anderson, [illegible] and Thompson—30.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1399—An Act providing for an appropriation for the location, survey and construction of a highway to lead from Surprise Valley, in Modoc County, to the Nevada state line.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1399 passed by the following vote:

Ayes—Senators Anderson, Ballard, [illegible] Benedict, Beban, Birdsall, Butler, Carr, Chandler, [illegible] Flint, Gates, Jones, Kehoe, King, Luce, Lyon, [illegible] Rush, [illegible] Slater, Strobridge, [illegible] and Thompson—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1482—An Act to appropriate money to pay the claim of the Lauritzen Company against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No 1482 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Crowley, Duncan, Flint, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Rush, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—24.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER SET.

Senator Kehoe moved that Assembly Bill No. 1524 be made a special order for this day at two o'clock p.m.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1548—An Act to change and permanently locate the boundary line between the counties of Butte and Glenn.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1548 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Butler, Duncan, Finn, Flint, Gerdes, Jones, Kehoe, Luce, Lyon, Maddux, Mott, Slater, Strobridge, Stuckenbruck, and Thompson—21.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read, out of the regular order:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No 1147—An Act to amend an Act entitled, "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors, and regulating the traffic therein, providing penalty, establishing a State laboratory for foods, liquors and drugs, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BUTLER, Chairman

Assembly Bill No. 1147 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 8, 1915

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 219—An Act to add a new section to the Penal Code to be numbered section

2887, [illegible] have had the same under consideration, and respectfully report the same back and recommend that it do pass.

KEHOE, Chairman.

Assembly Bill No. 219 ordered on file for second reading.

Also—

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1557—An Act authorizing the trustees of the State Library to accept, as a gift from the heirs of the late Adolph Sutro of the City and County of San Francisco the library commonly known and designated the "Sutro Library," and establishing a branch of the State Library in the City and County of San Francisco to be known as the "Sutro Library," have had the same under consideration, and respectfully report the same back and recommend that it do pass.

KEHOE, Chairman.

Assembly Bill No. 1557 ordered on file for second reading.

Also—

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 293—An Act to amend section 1203 of the Penal Code, relating to [illegible] punishment, have had the same under consideration, and respectfully report the same back without recommendation.

KEHOE, Chairman.

Assembly Bill No. 293 ordered on file for second reading.

Also—

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1529—An Act providing for the sale of certain State lands suitable for cultivation, have had the same under consideration, and respectfully report the same back with amendments and recommend that it do pass, as amended.

KEHOE, Chairman.

Assembly Bill No. 1529 ordered on file for second reading.

RECESS.

At twelve o'clock and thirty minutes p.m., the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

CONSIDERATION OF SPECIAL ORDER—POSTPONED.

The hour having arrived for the consideration of Assembly Bill No. 1224, heretofore set as a special order for two o'clock p.m., the same was postponed until two o'clock and forty minutes p.m.

SECOND READING OF BILLS—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of a bill previously reported from committee on this legislative day.

Assembly Bill No. 1549—An Act to prevent the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service; to provide for the enforcement of this Act; to prescribe penalties for violation of the provisions hereof; and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER

By consent of the Senate, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Assembly Bill No. 1608—An Act to amend section 4078 of the Political Code, relating to the allowance of claims by boards of supervisors and the right of claimants to sue.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 1608 read first time, and referred to Committee on Judiciary.

Also:

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 7 passed Assembly Bill No. 256—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Assembly Bill No. 256 read first time, and referred to Committee on Public Health and Quarantine.

Also:

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on the 6th day of May passed Senate Bill No. 751—An Act to amend section 2287 of the Civil Code of the State of California relating to appointment of trustees.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 751 ordered to enrollment.

Also:

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 202—An Act to authorize county boards of supervisors to employ visiting nurses;

Also: Senate Bill No. 448—An Act to amend section 1489 of the Political Code, relating to the powers and duties of normal school boards;

Also: Senate Bill No. 642—An Act to add a new section to the Civil Code, to be numbered section 320a, relating to waiver of notice of meeting by directors of corporations;

Also: Senate Bill No. 1207—An Act to amend section 2 of an Act entitled, "An Act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878;

Also: Senate Bill No. 811—An Act to amend section 1741 of the Political Code relating to the powers and duties of high school boards;

Also: Senate Bill No. 850—An Act to amend section 868 of the Penal Code, relating to who may be present at an examination before a magistrate.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 202, 448, 642, 1207, 811 and 850 ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were received and read out of the regular order:

ON [illegible]

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on [illegible], to which was referred Assembly Bill No. [illegible] [illegible]

[illegible]

[illegible] and cruises [illegible]

[illegible]

[illegible]

STROBRIDGE, Chairman.

Assembly Bills Nos. [illegible] ordered on file for second reading.

Also—

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on [illegible], to which was referred Assembly Bill No. [illegible] [illegible] back with [illegible]

STROBRIDGE, Chairman.

Assembly Bill No. [illegible] ordered on file for second reading.

ON AGRICULTURE

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Assembly Bill No. [illegible]—An Act amending section 9 of an Act entitled "An Act to regulate [illegible]" approved March [illegible], has had the same under consideration and reports the same back and recommends that it do pass.

KING, Chairman.

Assembly Bill No. [illegible] ordered on file for second reading.

ON EDUCATION

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. [illegible]—An Act to amend an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, approved as amended March 14, 1885; March 4, 1887; March 19, 1889; March [illegible] 1891; March [illegible] 1893; March [illegible] 26 and 27, 1895; March 9, 18 and 27 and April 1, 1897, as amended and made law without approval of Governor, March [illegible] 1899; approved as amended February 26 and 28, 1901; as amended and made law without approval of Governor March 12 and 14, 1901; approved as amended March 23, 1901; February 26, March 9, 13, 20 and 23, 1903; February 20, March [illegible] 1905; March 15, 1907; March 6 and 19 and April 16, 1909;

February 14, March 9 and 14 and April 10, 1911, February 4, April 4, 7, and June 3, 1913, by adding thereto a new article to chapter VII to be designated article VII, relating to school departments of cities of the sixth class, and to repeal sections 871 and 872 of said Act, relating to the boards of education of the state, their election and terms of office, has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

ANDERSON, Chairman.

Assembly Bill No. 1547, ordered on file for second reading.

SECOND READING OF BILLS (OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of a bill previously reported from committee on this legislative day.

Assembly Bill No. 708—An Act to increase the number of judges of the Superior Court of the county of Imperial and to provide for the election of an additional judge.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title, strike out the word "election" and insert in lieu thereof the word "appointment".

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of section 2 of the printed bill and substitute the following:

"SEC. 2. Within sixty days after this Act takes effect, the Governor shall appoint one additional judge of the Superior Court of the county of Imperial, who shall hold office until the first Monday after the first day of January, 1917. At the next general election one judge of such Superior Court of said county shall be elected who shall succeed the judge appointed under this Act, and the person so elected shall hold office for the term prescribed by law."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Strobridge, the Secretary was directed to issue a rush order for printing Assembly Bill No. 708.

Motion carried.

THIRD READING OF ASSEMBLY BILLS (RESUMED).

Assembly Bill No. 132—An Act to amend the Political Code of the State of California by adding a new section thereto, to be numbered 1543*b*, relating to superintendents of schools passing and auditing claims of any school district in excess of the funds to its credit.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 132 passed by the following vote:

AYES—Senators Anderson, Ballard, Breed, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flaherty, Flint, Irwin, Jones, Kehoe, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 346—An Act to add a new section to the Political Code of the State of California to be numbered 1750a relating to the reorganization of county high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 346 passed by the following vote:

AYES—Senators [illegible] and Thompson—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR FLINT IN THE CHAIR

At two o'clock and twenty minutes p.m., Senator Flint of the Twenty-third District, in the chair.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1097—An Act to add two new sections to the Political Code to be numbered 1125 and 1126 relating to elections and to repeal sections 1127 and 1169 of the Political Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1097 passed by the following vote:

AYES—Senators Anderson, Ballard, Butler, Campbell, Carr, Chandler, Cohn, [illegible] Purkitt, Rush, Slater, Strobridge and Thompson—[illegible].

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1591—An Act to amend section 14 of the "Workmen's Compensation, Insurance and Safety Act," approved May 26, 1913.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1591 passed by the following vote:

AYES—Senators Anderson, Ballard, Campbell, Carr, Chandler, [illegible] Slater, Strobridge, and Thompson—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1508—An Act to amend section 170 of the Code of Civil Procedure, relating to disqualification of judicial officers to sit or act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1598 passed by the following vote:

Ayes—Senators Anderson, Ballard, Breed, Butler, Campbell, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Jones, Kehoe, King, Lyon, Maddux, Owens, Rush, Scott, Slater, Strobridge and Stuckenbruck—22.

Noes—Senator Purkitt—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION OF CONCURRENT RESOLUTION—OUT OF ORDER.

By consent of the Senate the following concurrent resolution was introduced, out of the regular order:

By Senator Scott: Senate Concurrent Resolution No. 24—Relative to the request of the President of the United States for an expression of public opinion on the sinking of the British steamship Lusitania by a German submarine with the loss of more than a hundred American lives.

Resolution referred to Committee on Federal Relations.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Assembly Bill No. 1534—An Act to amend sections 7 and 9 of an Act entitled "An Act authorizing levee districts of the State to incur a bonded indebtedness for the purpose of building, constructing, or repairing levees of the district; or for excavating and constructing ditches or canals of such districts or for the purpose of acquiring rights of way for any such levees, ditches, or canals; or for any and all of said purposes," approved March 8, 1911—has had the same under consideration, and respectfully reports the same back without recommendation.

CHANDLER, Chairman.

Assembly Bill No. 1534 ordered on file for second reading.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Assembly Bill No. 1524 heretofore set as a special order for two o'clock and forty minutes p.m., the same was taken up for consideration.

Assembly Bill No. 1524—An Act to be known as "The California Irrigation Act," providing co-operation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes; creating an irrigation board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts; providing for the management, control and supervision of such water districts and of the works constructed pursuant to this Act; directing the State Department of Engineering relative to such works; authorizing irrigation districts to reorganize under this Act and gencally providing a policy relating to storage, diversion and use of water, and adopting a plan for providing revenues therefor.

Bill read third time.

PETITIONS—OUT OF ORDER.

By consent of the Senate the following petitions were presented by Senator Shearer:

COTTONWOOD, CALIFORNIA, May 3, 1915.

Senator W. B. Shearer, Senate of California, Sacramento:

On behalf Cottonwood Board of Trade we earnestly ask that you fight Sisson's reclamation board bill on floor of Senate. We consider bill as being framed for the carrying out of project dangerous and destructive to resources of our community. For details we refer you to Rosser Anderson, Secretary Shasta County Development Association, now in Sacramento.

A. W. SMITH,
CHAS. F. TOZER,
W. L. ROSE,
Executive Committee.

Attest: L. R. WILLIAMS, Secretary.

REDDING, CALIFORNIA, May 6, 1915.

Senator W. B. Shearer, Senate Chamber, Sacramento:

Do all in your power to defeat Assembly Bill No. 1524 now before Senate. Unconstitutional because it vests arbitrary power in "Boards," denies representation of property owners with regard to question of taxation.

FRANCIS CARR.

REDDING, CALIFORNIA, May 3, 1915.

Senator W. B. Shearer, California Legislature, Sacramento:

Do your utmost to defeat Sisson Reclamation Board bill. If passes will work great injury to this county.

REDDING CHAMBER OF COMMERCE.

ANDERSON, CALIFORNIA, May 1, 1915.

W. B. Shearer, Senate Chamber, Sacramento:

Assembly Bill No. 1524 will be very detrimental to the interests of Shasta County and all of Northern California north of Red Bluff, expressly cutting off the Sacramento Valley at that point and will be a great set back to the Anderson Cottonwood Irrigation District and the Pit River Project, besides untold thousands of dollars of flood damage to our agricultural district. We would request that you urgently oppose this bill.

ANDERSON CHAMBER OF COMMERCE,
O. V. DAVIS, President.

CONSIDERATION OF SPECIAL ORDER—(RESUMED).

The question being on the passage of Assembly Bill No. 1524.

The roll was called, and Assembly Bill No. 1524 passed by the following vote:

AYES—Senators Anderson, Beban, Boynton, Birdsall, Campbell, Cogswell, [illegible], [illegible], [illegible], [illegible], Gates, Kehoe, King, Luce, Lyon, Owens, Purkitt, Rush, Scott, Strobridge, Stuckenbruck, Thompson, and Wolfe—23.

NOES—Senators Brown, Butler, Carr, Chandler, Duncan, Maddux, Mott, and Shearer—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At three o'clock and twenty-five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

RE-REFERENCE OF BILL

On motion of Senator [illegible], Assembly Bill No. [illegible] was ordered re-referred to Committee on Finance.

RECALL OF BILL FROM COMMITTEE

Senator [illegible] moved that Assembly Bill No. [illegible] be recalled from the Committee on Finance.

Motion withdrawn.

MOTION TO RECONSIDER

Pursuant to his notice given on a previous day, Senator [illegible] moved to reconsider the vote whereby Assembly Bill No. [illegible]—An Act providing for a two-platoon system in the fire departments of cities having paid fire departments—was refused passage.

Bill read third time previously.

SENATOR [illegible] IN THE CHAIR

At three o'clock and forty-five minutes p.m., Senator [illegible] of the [illegible] District, in the chair.

MOTION TO RECONSIDER—ADOPTED

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider carried by the following vote:

Ayes—Senators [illegible]

Noes—Senators [illegible]

LEAVES OF ABSENCE

Senator [illegible] was, on motion of Senator [illegible], granted leave of absence for this day.

Senator [illegible] was, on motion of Senator [illegible], granted leave of absence until four o'clock p.m. of this day.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER

By consent of the Senate, the following reports of standing committees were received and read out of the regular order:

ON FEDERAL RELATIONS

Senate Chamber, Sacramento, [illegible]

Mr. President: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. [illegible] [illegible]

[illegible], Chairman.

Assembly Joint Resolution No. [illegible] ordered to file.

ON MUNICIPAL CORPORATIONS

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1096—An Act to amend an Act entitled "An Act to provide for the planting, protection and care, and the removal and change of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places whereon such work is to be done," approved June 11, 1913, by providing for the planting, protection, and care, and the removal and change of trees, shrubs, palms and plants along and in public streets, avenues, lanes, alleys, courts places and pathways, within municipalities, and for the assessment of the cost and expenses thereof upon the lots, parts of lots and lands within the district assessed, in proportion to the benefits to be received where such work is to be done, by amending the title of said Act and by amending sections 1, 2, 3, 4, 6, 7 and 16 thereof—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

TYRRELL, Chairman.

Assembly Bill No. 1096 ordered on file for second reading.

RESOLUTION—(OUT OF ORDER).

By consent of the Senate, the following resolution was received and read at this time out of the regular order:

BY COMMITTEE ON CONTINGENT EXPENSES.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Senate in favor of the persons named or persons named below, for the amounts set opposite their names as per itemized statements hereto, and the State Treasurer is hereby directed to pay the same:

[illegible]	$4 00
Wells Fargo & Co., expressage, [illegible]	67 [illegible]
[illegible] Carriage Co., [illegible] during call of Senate	19 50
Sacramento Hotel, [illegible] during call of Senate	3 25
Sergeant-at-Arms, [illegible] during call of Senate	44 [illegible]

BEBAN, Chairman.

Senator Beban moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, Ballard, [illegible], [illegible], Birdsall, [illegible], [illegible], Campbell, Carr, Chandler, Cogswell, [illegible], [illegible], [illegible], [illegible], [illegible], [illegible], Jones, King, Luce, [illegible], Owens, Purkitt, [illegible], [illegible], Strobridge, Tyrrell and Wolfe—28.

Noes—None.

THIRD READING OF ASSEMBLY BILLS (RESUMED).

Assembly Bill No. 888—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27th, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries or upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a Reclamation Board and defining its powers," approved December 24, 1911, (as heretofore amended by an Act approved May 26, 1913), by adding a new section thereto to be designated as section 33, relating to and providing for the issuance and disposal of bonds of the Sacramento and San Joaquin Drainage District, and testing the validity of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 888 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Finn, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, Luce, Mott, Scott, Thompson, Tyrrell and Wolfe—26.

NOES—Senators Chandler, Irwin, King, Maddux, Purkitt, and Stuckenbruck—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

CASE OF URGENCY.

The following resolution was offered out of the regular order, by Senator Cogswell:

Resolved, That Assembly Bills Nos. 651, 575, 1147, 219, 1537, 293, 1529, 100, 604, 837, 1060, 1539, 708, 308, 1547, 1534 and 1606 present cases of urgency, as that term is used in section 15 of article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read second and third times, and placed upon their passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Flaherty, Flint, Gerdes, Hans, Jones, Kehoe, King, Luce, Mott, Purkitt, Scott, Slater, Strobridge, Thompson, and Wolfe—30.

NOES—None.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Cogswell, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 151—An Act to amend section 3491 of the Political Code of the State of California, relating to reclamation and swamp land districts;

Also: Senate Bill No. 155—An Act to amend section 629 of the Penal Code relative to the placing and maintaining of screens over the inlets of pipes, flumes, ditches, canals and mill races, taking water from any river, creek, stream or lake in which fish have been placed or may exist;

Also: Senate Bill No. 237—An Act to provide for the establishment and maintenance of classes for the training of vocational teachers;

Also: Senate Bill No. 413—An Act to amend section 1247 of the Code of Civil Procedure relating to the jurisdiction of a court to regulate the mode of making crossings;

Also: Senate Bill No. 414—An Act to amend section 1251 of the Code of Civil Procedure of the State of California relating to when a plaintiff in eminent domain proceedings must pay the sum of money assessed;

Also: Senate Bill No. 415—An Act to amend section 465 of the Civil Code, relating to the powers of railroad corporations;

Also: Senate Bill No. 602—An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part of public highways, squares, lanes, alleys, parks, storm water drains, settling basins, courts, and places, within counties, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement;

Also, Senate Bill No. 707—An Act to amend section 3856 of the Political Code relating to settlements of county treasurers with the State;

Also, Senate Bill No. 719—An Act to [illegible] of the Code of Civil Procedure of the State of California, [illegible] Code of Civil Procedure;

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, [illegible];

Also, Senate Bill No. [illegible]—An Act to repeal sections [illegible] and 2002 of the Civil Code of the State of California, [illegible];

Also, Senate Bill No. 1105—An Act authorizing the sale of certain property belonging to the State of California, and located in [illegible] County;

Also, Senate Bill No. 1106—An Act [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bills Nos. 151, 155, 237, 413, 414, 415, 602, 707, 719, 842, 985, 1105 and 1106 ordered to enrollment.

Also,

Sacramento, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly [illegible] Senate Bill No. 344—An Act to add a new section to the Civil Code to be numbered 486a, relating to crossings over railroads.

Also, Senate Bill No. 603—An Act to amend an Act entitled "An Act [illegible] taxes therein; and creation [illegible]," approved March [illegible], amended [illegible] 1911, and June [illegible], 1913.

And [illegible] asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 344 and 603.

Senate Bill No. 344—An Act to add a new section to the Civil Code to be numbered 486a, relating to crossings over railroads.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER THREE HUNDRED FORTY-FOUR.

AMENDMENT NUMBER ONE.

On page 1, line [illegible], strike out the word [illegible] and insert [illegible] the Railroad Commission shall have the authority [illegible] such crossing and the place, manner and conditions [illegible]."

The question being "Shall the Senate concur in Assembly amendment to Senate Bill No. 344?"

The roll was called, and Assembly amendment to Senate Bill No. 344 was concurred in by the following vote:

Ayes—Senators Anderson, Ballard, [illegible], Benson, Birdsall, Brown, Butler, Campbell, Carr, Cogswell, [illegible], Crowley, Duncan, Flaherty, Hans, Jones, Kehoe, King, Lyon, [illegible], Owens, Purkitt, Scott, Slater, Strobridge, Thompson, and Wolfe—27.

Noes—None.

Senate Bill No. 344 ordered to enrollment.

Also:

Senate Bill No. 603—An Act to amend an Act entitled "An Act to allow unincorporated towns and villages to establish, equip and maintain systems of street lights on public highways; to provide for the formation, government and operation of highway lighting districts; the calling and holding of elections in such districts; the assessment, collection, custody and disbursement of taxes therein; and creation of ex officio boards of supervisors," approved March 20, 1909; amended March 23, 1911.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED THREE.

AMENDMENT NUMBER ONE.

On page 3, line 1, strike out the words "If any" and all of lines 2, 3, 4, 5 and the following words in line 6: "be filed at any time", and the period.

The question being: "Shall the Senate concur in Assembly amendment to Senate Bill No. 603?"

The roll was called, and Assembly amendment to Senate Bill No. 603 was concurred in by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benson, Birdsall, Boyce, Brown, Butler, Campbell, Carr, Cogswell, Cohn, Crowley, Duncan, Flaherty, Gerdes, Jones, Kehoe, King, Luce, [illegible], Mott, Owens, Scott, Slater, Strobridge, Thompson, and Wolfe—28.

Noes—None.

MESSAGES FROM THE ASSEMBLY—RESUMED.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 749—An Act to amend section 1167 of the Code of Civil Procedure, relating to service of summons in unlawful detainer;

Also: Senate Bill No. 1098—An Act to amend section 3366 of the Political Code, relative to the powers of boards of supervisors, city councils and town trustees, in their respective counties, cities and towns to impose a license tax;

Also: Senate Bill No. 944—An Act authorizing the board of trustees of Whittier State School to maintain a department for the care and training of defective persons and for the study of mental defectiveness at the Whittier State School and to provide for the commitment of defective persons thereto;

Also: Senate Bill No. 1059—An Act to amend an Act entitled "An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners, and repealing an Act to amend an Act entitled 'An Act to establish a Board of Parole Commissioners for the parole of, and government of paroled prisoners' approved March 23, 1893," approved June 16, 1913, by adding thereto a new section to be numbered section 12, relating to the granting of paroles and the forfeiture of credits for the violation thereof or of a law of the State or any rule or regulation of the prison or the Board of Prison Directors or of the Board of Parole Commissioners;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 749, 1098, 944 and 1059.

Senate Bill No. 749—An Act to amend section 1167 of the Code of Civil Procedure, relating to service of summons in unlawful detainer.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SEVEN HUNDRED FORTY-NINE.

AMENDMENT NUMBER ONE.

On page 2, line 2, after the word "situated", insert the following: "when service by posting and mailing is ordered the service of summons shall be deemed complete at the expiration of seven days after the posting and depositing of such copy in the post office, as ordered."

The question being: "Shall the Senate concur in Assembly amendment to Senate Bill No. 749?"

The roll was called, and Assembly amendment to Senate Bill No. 749 was concurred in by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benson, Birdsall, Breed, Brown, Butler, Campbell, Cogswell, Crowley, Duncan, Flaherty, Gerdes, Hans, Kehoe, Luce, [illegible], Mott, Owens, Scott, Sharkey, Strobridge, Thompson and Wolfe—25.
Noes—None.

Senate Bill No. 749 ordered to enrollment.

Also:

Senate Bill No. 1098—An Act to amend section 3366 of the Political Code relative to the powers of boards of supervisors, city councils and town trustees in their respective counties, cities and towns to impose a license tax.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND NINETY-EIGHT.

AMENDED APRIL 28, 1917.

AMENDMENT NUMBER ONE.

On page 1, line 13, after the word "vessel", insert the following: "or Confederate States".

AMENDMENT NUMBER TWO.

On page 2, line 1, strike out the following: "in either the Union or Confederate army".

AMENDED APRIL 29, 1917.

AMENDMENT NUMBER ONE.

On page 1, line 3, after the words "who is", insert the word "honorably".

AMENDMENT NUMBER TWO.

On page 2, line 1, after the word "Navy", insert the words "and who shall be a qualified elector of the State of California".

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 1098?"

The roll was called, and Assembly amendments to Senate Bill No. 1098 were concurred in by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benson, Birdsall, Brown, Butler, Campbell, Carr, Cogswell, Duncan, Flaherty, Gerdes, Hans, Kehoe, Luce, Purkitt, Scott, Shearer, Sharkey, Thompson and Wolfe—22.
Noes—Senator Strobridge—1.

Senate Bill No. 1098 ordered to enrollment.

Also:

Senate Bill No. 944—An Act authorizing the board of trustees of Whittier State School to maintain a department for the care and training of defective persons at the Whittier State School and to provide for the commitment of defective persons thereto.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER NINE HUNDRED FORTY-FOUR.

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the word "persons", insert the following: "and for the study of mental defectiveness".

AMENDMENT NUMBER TWO.

In line 2, page 1, after the word "maintain", insert "on the property of the Whittier State School".

AMENDMENT NUMBER THREE.

In line 4, page 1, after the comma following the word "persons", insert "and for the study of mental defectiveness and the proper care of defective persons".

AMENDMENT NUMBER FOUR.

Strike out on page 1, line 4, beginning with word "said" and all of lines 5 to 15, inclusive.

AMENDMENT NUMBER FIVE.

On page 2, line 2, place a period after the word "department".

AMENDMENT NUMBER SIX.

Strike out on page 2, all of line 2 after the word "department", and all of lines 3, 4, 5, 6, 7 and the words "trustees of said department" in line 8.

AMENDMENT NUMBER SEVEN.

On page 2, line 15, strike out the word "shall", and insert in lieu thereof the word "may".

AMENDMENT NUMBER EIGHT.

On page 2, line 19, strike out the words "and provided", all of lines 20 to 30, inclusive, and the words "of industry" in 31.

AMENDMENT NUMBER NINE.

On page 2, line 32, strike out the words "or whom it is desired to transfer from the", and in line 33, strike out the words "Preston School of Industry".

AMENDMENT NUMBER TEN.

On page 2, line 36, strike out the words "or to be transferred".

AMENDMENT NUMBER ELEVEN.

On page 3, line 7, before the word "trustee", insert the following "superintendent and".

AMENDMENT NUMBER TWELVE.

On page 3, line 12, strike out the words "a separate", and insert in lieu thereof the word "an".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 14, after the word "to", insert the following "the best methods to be employed in conducting the same, the character of buildings and equipment best adapted to the purpose, and as to".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 944?"

The roll was called, and Assembly amendments to Senate Bill No. 944 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Birdsall, Brown, Butler, Campbell, Carr, Cogswell, Duncan, Flint, Gerdes, Hans, Irwin, Kehoe, Luce, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Thompson, and Wolfe—24.

NOES—None.

Senate Bill No. 944 ordered to enrollment.

Also:

Senate Bill No. 1059—An Act to amend an Act entitled "An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners, and repealing an Act to amend an Act entitled 'An Act to establish a Board of Parole Commissioners for the parole of, and government of paroled prisoners' approved March 23, 1893," approved June 16, 1913, by adding thereto section 1½, relating to the granting of paroles and the forfeiture of credits for the violation thereof or of a law of the State or any rule or regulation of the prison, or the Board of Prison Directors or of the Board of Parole Commissioners.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND FIFTY-NINE.

AMENDMENT NUMBER ONE.

On page 1, line 7, of the title of the printed bill, insert after the word "thereto" the following: "a new section to be numbered".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, insert after the word "section" the following "to be numbered section one and one-half".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 1059?"

The roll was called, and Assembly amendments to Senate Bill No. 1059 were concurred in by the following vote:

Ayes—Senators Anderson, [illegible] Wallace—22.

Noes—None.

Senate Bill No. 1059 ordered to enrollment.

MESSAGE FROM THE ASSEMBLY—[illegible]

Assembly Chamber, Sacramento, May 7, 1933.

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 626—An Act to amend section 585 of the Code of Civil Procedure of the State of California, referring to judgment upon failure to answer.

Also, Senate Bill No. 1044—An Act to amend section [illegible] of the Civil Code relating to occupancy of real property.

And respectfully asks that the amendments be concurred in.

J. R. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 626 and 1044.

Senate Bill No. 626—An Act to amend section 585 of the Code of Civil Procedure of the State of California, referring to judgment upon failure to answer.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED TWENTY-SIX.

AMENDMENT NUMBER ONE.

On page 1, line 7, after the word "if" insert "the defendant has been personally served and".

AMENDMENT NUMBER TWO.

On page 1, line 10, after the word "if" insert "the defendant has been personally served and".

AMENDMENT NUMBER THREE.

On page 2, line 14, after the word "in" insert "of".

AMENDMENT NUMBER FOUR.

On page 2, line 18, strike out the word "demand men-" and on line 19 "tioned in" and insert in lieu thereof: "allegations of".

AMENDMENT NUMBER FIVE.

On page 2, line 23, strike out the word "such" and insert in lieu thereof the word "any".

AMENDMENT NUMBER SIX.

On page 2, line 23, after the word "demanded" insert "mentioned in the complaint".

AMENDMENT NUMBER SEVEN.

On page 2, line 24, after the word "recover" insert ", provided that, in".

AMENDMENT NUMBER EIGHT

On page 2, line 25, strike out "4. In".

AMENDMENT NUMBER NINE.

On page 2, after the word "court", line 32, strike out everything to and including the word "thereof" in line 34 and insert in lieu thereof "shall require evidence establishing plaintiff's equitable right to judgment before rendering such judgment."

AMENDMENT NUMBER TEN.

On page 2, line 34, after the word "*provided*" strike out the comma and insert in lieu thereof "*further*".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 626?"

The roll was called, and Assembly amendments to Senate Bill No. 626 were concurred in by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Brown, Butler, Campbell, Cogswell, Cohn, Duncan, Gerdes, Hans, Irwin, Kehoe, King, Luce, Maddux, Mott, Owens, Scott, Shearer, Slater, Strobridge, and Wolfe—24.

NOES—None.

Senate Bill No. 626 ordered to enrollment.

Also:

Senate Bill No. 1043—An Act to amend section 1006 of the Civil Code, relating to occupancy of real property.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND FORTY THREE.

AMENDMENT NUMBER ONE.

In line 5, page 1, of the printed bill, after the word "succession" strike out the period and the words "Neither this" and all of lines 6, 7, 8, and 9, and insert in lieu thereof the following: ", *provided, however*, that the title conferred by such occupancy shall not be a sufficient interest in real property to enable the occupant or his privies to commence or maintain an action to quiet title under the provisions of section 738 of the Code of Civil Procedure of this State, unless such occupancy shall have ripened into title by prescription".

AMENDMENT NUMBER TWO.

On page 2, line 1, strike out the words "each of the first two classes of", and insert in lieu thereof the words, "said main county".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 1043?"

The roll was called, and Assembly amendments to Senate Bill No. 1043 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Chandler, Cohn, Duncan, Flaherty, Gerdes, Hans, Kehoe, Luce, Mott, Purkitt, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—23.

NOES—None.

Senate Bill No. 1043 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 350—An Act to amend "An Act to provide for the incorporation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary thereto, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, as amended by Act approved December 24, 1911, by adding to said Act two new sections to be numbered 27*a* and 27*b*, providing for the disincorporation of such districts, the payment of its obligations upon such disincorporation, the return of its surplus funds to the tax payers, the disposal of the records of said district, the winding up of the affairs of said district and the powers of boards of supervisors upon the winding up of such affairs;

Also: Senate Bill No. 208—An Act to amend sections 6, 8 and 10 of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California and repealing 'An Act entitled "An Act to provide county library systems," approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act,'" approved February 25, 1911;

Also: Senate Bill No. 428—An Act to amend section 2969 of the Civil Code of the State of California, relating to limitation of rights of officers to levy on mortgaged personal property;

Also, Senate Bill No. 1107—An Act to [illegible]

Also, Senate Bill No. 1129—An Act to amend section 3710 of the Political Code [illegible]

Also, Senate Bill No. 1247—An Act to add a new section to the Penal Code, to be numbered section [illegible]

Also, Senate Bill No. 107—An Act to amend section [illegible] of the Code of Civil Procedure of California, [illegible]

Also, Senate Bill No. 404—An Act to amend section [illegible] of the Penal Code [illegible]

Also, Senate Bill No. 659—An Act to amend section 200 of the Code of Civil Procedure, [illegible]

Also, Senate Bill No. 797—An Act to amend section [illegible] of the Political Code [illegible]

Also, Senate Bill No. 922—An Act to amend section [illegible] of the Civil Code [illegible]

C. E. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bills Nos. 350, 208, 428, 1107, 1129, 1247, 107, 404, 659, 797 and 922 ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—[RESUMED].

Assembly Bill No. 1479—An Act authorizing any owner of swamp and overflow land in this State to bring action against the State of California to correct any errors in description that may exist in the patent to said lands.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1479 passed by the following vote:

Ayes—Senators Anderson, Ballard, Boynton, Breed, Brown, Butler, Campbell, Carr, Chandler, Cohn, Duncan, Gates, Hans, Irwin, Kehoe, King, Mott, Purkitt, Scott, Sharkey, Slater, Strobridge, Thompson, and Wolfe—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 992—An Act to amend section 12 of an Act entitled "An Act to provide for the formation and establishment of boulevard districts; the construction, acquisition, maintenance, control and use of boulevards; defining the term boulevard; providing for the voting, issuing and selling of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevard; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an Act entitled 'An Act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,' approved March 22, 1905, and the Act amendatory thereof, approved April 19, 1909, approved May 1, 1911," approved June 5, 1913, said amendment pertaining to the definition of the term boulevard and use of said boulevards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 992 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Butler, Campbell, Carr, Chandler, Cogswell, Cohn, Duncan, Gerdes, Hans, Irwin, Kehoe, Maddux, Mott, Owens, Purkitt, Scott, Shearer, Slater, Stuckenbruck, and Wolfe—25.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At five o'clock and five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 845—An Act to amend section 1858 of the Political Code of the State of California, relating to the attendance of children in the public schools of the State.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 845 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Brown, Butler, Campbell, Chandler, Cogswell, Cohn, Duncan, Gerdes, Hans, Irwin, King, Maddux, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Wolfe—23.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill 1074—An Act to amend section 206 of the Code of Civil Procedure, relating to the number of names which lists of jurors shall contain.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1074 refused passage by the following vote:

AYES—Senators Anderson, Butler, Carr, Finn, Flaherty, Kehoe, and Wolfe—7.
NOES—Senators Ballard, Beban, Benedict, Benson, Campbell, Chandler, Cogswell, Cohn, Duncan, Gerdes, Hans, Irwin, Maddux, Mott, Owens, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—22.

Assembly Bill No. 354—An Act to amend section 1 of an Act entitled "An Act to amend an Act entitled 'An Act to secure the payment of the claims of materialmen, mechanics, or laborers, employed by contractors upon state, municipal, or other public work,' approved March 27, 1897," approved May 1, 1911.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 354 refused passage by the following vote:

AYES—Senators Beban, Benson, Cohn, Duncan, Finn, Flaherty, Gerdes, Hans, Kehoe, Luce, Scott, Shearer, Slater, Thompson, Tyrrell, and Wolfe—16.
NOES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Jones, Maddux, Mott, Purkitt, Strobridge, and Stuckenbruck—17.

Assembly Bill No. 286—An Act authorizing the issuance of letters patent to F. W. Fahey for certain swamp and overflowed land in Tuolumne County, California.

On motion of Senator Wolfe, Senate Bill No. 286 was passed on file.

RESOLUTION—[OUT OF ORDER]

By consent of the Senate the following resolution was offered out of the regular order:

By Senator Benson:

Resolved, That the State Printer be, and he hereby is, instructed to print [illegible] [illegible] [illegible] and be it further

Resolved, That the Secretary of State be hereby instructed to supply the same for public distribution, and that [illegible] copies of said combined Acts be sent to each member of the Legislature; and be it further

Resolved, That the author of said Acts be requested to assist in the annotating and indexing thereof, such work to be performed without compensation.

Resolution read and, on motion of Senator Benson, adopted.

SECOND READING OF BILLS—[OUT OF ORDER]

Senator Anderson asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, as a bill previously reported from committee on this legislative day:

Assembly Bill No. 1599—An Act providing for the sale of certain State lands suitable for cultivation.

COMMITTEE AMENDMENT

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE

On page 1, line 1 of the printed bill, strike out the word "where" and insert in lieu thereof the folowing: "The unsold portions of the sixteenth and thirty-sixth sections of school lands [illegible] the United States in lieu of the [illegible] school grant, which are suitable for cultivation shall be sold to actual settlers in quantities not exceeding [illegible] section 3495 of the Political Code, [illegible] State Board of Control and the State Surveyor General [illegible] The full purchase price of the land [illegible] and interest to the first day of January following, at the rate of [illegible] m on the unpaid balance of the purchase price; the unpaid balance of the purchase price shall bear interest at the rate of six per cent per annum, payable in advance on the first day of each year, at which time the purchaser may pay as many one-tenths of the purchase price as he may desire; *provided*, that the Legislature may require the payment of the unpaid balance of the purchase price within five years after the passage of an Act requiring such payment; *provided, however*, where".

Amendment adopted.

Bill read second time and ordered to print and third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

By consent of the Senate, the following reports of standing committees were receive and read out of the regular order:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 256—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of Chiropractic Examiners; providing for the appointment of the same; defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California, and to repeal any or all parts of any Act or Acts in conflict with this Act—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

BUTLER, Chairman.

Assembly Bill No. 256 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Concurrent Resolution No. 18—Relative to directing the State Highway Commission to investigate the probable cost and best methods for the State to acquire the electric railroad systems of California connecting and running through two or more counties, and providing for submission to the voters of California of the question of bonding the State for the accomplishment of that purpose—has had the same under consideration, and respectfully reports the same back and recommends that it do pass.

CARR, Chairman.

Assembly Concurrent Resolution No. 18 ordered on file.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1496—An Act to provide for the formation, management and dissolution of county power pumping districts, for supplying the land owners and inhabitants thereof with water and with the power necessary to pump the same; etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1496 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Butler, Chandler, Cogswell, Cohn, Duncan, Flaherty, Gerdes, Hans, Kehoe, Luce, Purkitt, Scott, Slater, Stuckenbruck, Thompson, and Wolfe—21.

NOES—Senators Mott, and Strobridge—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At five o'clock and forty-five minutes p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate at recess until nine o'clock p.m.

RECONVENED.

At nine o'clock p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

LEAVES OF ABSENCE.

Senator Rush was, on motion of Senator Strobridge granted leave of absence for the balance of this legislative day.

Senator Ballard was, on motion of Senator Owens, granted leave of absence for the balance of this legislative day.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived for the consideration of Assembly Bill No. 816 heretofore set as a special order for nine o'clock p.m., the same was taken up for consideration.

Assembly Bill No. 816—An Act providing for a two-platoon system in the fire departments of cities having paid fire departments.

Read third time previously.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the vote, Senator Lyon moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Beban, Benedict, Birdsall, Breed, Brown, Butler, [illegible], Carr, Chandler, Cogswell, [illegible], Duncan, Flaherty, Hans, Irwin, Jones, Kehoe, King, Lyon, Maddux, Mott, Owens, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

The Secretary announced the absentees.

Time, nine o'clock and twenty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At nine o'clock and thirty minutes p.m., Senators [illegible], Benson, Luce, and Shearer were brought to the bar of the Senate, and on motion of Senator Slater excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

At nine o'clock and forty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Lyon.

The Secretary was directed to call the roll, on the passage of Assembly Bill No. 816, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 816 refused passage by the following vote:

Ayes—Senators Anderson, Beban, Birdsall, Campbell, Carr, [illegible], [illegible], Flaherty, Hans, Irwin, Lyon, Mott, Purkitt, Scott, Shearer, Stuckenbruck, and Wolfe—17.

Noes—Senators Benedict, Benson, Breed, Brown, Butler, [illegible], Chandler, Cogswell, Duncan, Flint, Jones, Kehoe, King, Luce, Maddux, Owens, Slater, Strobridge, Thompson, and Tyrrell—20.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At nine o'clock and forty-five minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

CONSIDERATION OF ASSEMBLY BILL—OUT OF ORDER.

Senator Luce asked for and was granted unanimous consent for the consideration at this time out of the regular order of Assembly Bill

No. 708—An Act to increase the number of judges of the Superior Court of the county of Imperial and to provide for the election of an additional judge.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 708 passed by the following vote:

Ayes—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Finn, Flaherty, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

Noes—None.

LEAVE OF ABSENCE.

Senator Shearer was, on his own motion, granted leave of absence for the balance of this day.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 688—An Act to amend section 102*b* of the Code of Civil Procedure, relating to justices' courts and justices in townships having a population of two hundred fifty thousand or over.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 688 refused passage by the following vote:

Ayes—Senators Beban, Crowley, Finn, Flaherty, Hans, Lyon, and Scott—7.

Noes—Senators Anderson, Benedict, Birdsall, Breed, Butler, Carr, Chandler, Cohn, Duncan, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—22.

SPECIAL ORDER.

Senator Luce moved that Assembly Bill No. 1549 be made a Special Order for Sunday, May 9, 1915, at eleven o'clock and thirty minutes a.m.

Motion carried.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 406—An Act to amend section 2552 of the Political Code, relating to the salaries of the Board of State Harbor Commissioners and assistants, said amendment relating to the salary of the president of the board and his duties, and the fund out of which the said salaries and the compensation of employees of the board shall be payable.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 406 passed by the following vote:

Ayes—Senators Anderson, Beban, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cohn, Crowley, Finn, Flaherty, Gerdes, Jones, Kehoe, Lyon, Mott, Scott, Strobridge, Thompson, Tyrrell, and Wolfe—23.

Noes—Messrs. Duncan, Hans, King, Slater, and Stuckenbruck—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1417—An Act to amend section 1305 of the Penal Code of the State of California, relating to the forfeiture of bail and the discharge of bail forfeiture, approved February 14, 1872, approved 1905, as amended, by adding thereto a provision that such bail may be refunded by the board of supervisors if such bail be the sole cause of the appearance and return to custody of defendant upon the conviction of defendant.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1417 passed by the following vote:

Ayes—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Flaherty, Gerdes, Hans, Jones, Kehoe, King, Luce, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1599—An Act to promote the public safety by requiring that small boats be equipped with metal railings at or near the water line or along the keel, and to prescribe penalties for violations of the provisions hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1599 passed by the following vote:

Ayes—Senators Benedict, Benson, Brown, Butler, Cohn, Crowley, Duncan, Finn, Flaherty, Gerdes, Jones, Kehoe, King, Luce, Lyon, Purkitt, Scott, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—21.

Noes—Senators Anderson, Birdsall, Breed, Carr, Chandler, Maddux, Mott, Slater and Thompson—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Flint was on motion of Senator Maddux granted leave of absence for the balance of this day.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 121—An Act to amend section 1449 of the Penal Code of California, relating to the time for rendering judgment in justices' and police courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 121 passed by the following vote:

Ayes—Senators Anderson, Benedict, Benson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Gerdes, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Purkitt, Scott, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

Noes—Senator Strobridge—1.

Title read and approved.

Bill ordered transmitted to the Assemlby.

Assembly Bill No. 134—An Act to amend section 1576*a* of the Political Code of the State of California, relating to the appointment of clerk of school districts, prescribing his term of office and fixing his his compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 134 refused passage by the following vote:

AYES—Senators Anderson, Benedict, Butler, Cohn, Kehoe, Lyon, Scott, and Wolfe—8.

NOES—Senators Benson, Birdsall, Brown, Carr, Chandler, Cogswell, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Jones, King, Luce, Maddux, Mott, Sharkey, Stuckenbruck, Thompson, and Tyrrell—21.

SECOND READING FILE OF ASSEMBLY BILLS.

Assembly Bill No. 808—An Act to amend section 276 of the Code of Civil Procedure of the State of California, relating to testimonials examination before District Court of Appeal.

Bill read second time previously.

AMENDMENT FROM FLOOR.

The following amendment was offered, and its adoption moved by Senator Duncan:

AMENDMENT NUMBER ONE.

Strike out of section 1, lines 6 and 7, the words "in a law school or with an attorney-at-law in good standing".

Motion lost.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 808 refused passage by the following vote:

AYES—Senators Anderson, Benedict, Carr, Chandler, Cogswell, Cohn, Jones, and Thompson—8.

NOES—Senators Birdsall, Breed, Butler, Crowley, Duncan, Finn, Flaherty, Gerdes, Hans, Kehoe, Lyon, Purkitt, Scott, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—18.

SECOND READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1600—An Act to amend section 2099 of the Political Code, relating to release of officers and enlisted men of the National Guard of California who may be wounded, injured, or killed while in the service of the State.

Bill read second time, and ordered on file for third reading.

LEAVE OF ABSENCE.

Senator Mott asked for and was granted leave of absence for the balance of this legislative day.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Strobridge, the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended and on this day passed as amended, Senate Bill No. 333—An Act to prevent the propagation by the production of seed of those certain plants known as *Sorghum halepense, Cnicus arvensis, Salsola kali, Onopordum acanthium, Cnicus lanceolatus* and *Convolvulus arvensis*, and repealing all Acts or parts of Acts inconsistent herewith, and respectfully asks that the amendment be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS

The Senate took up for consideration Assembly amendments to Senate Bill No. 333—An Act to prevent the propagation by the production of seeds, of those certain plants known as *Sorghum halepense, Cnicus arvensis, Salsola kali, Onopordum acanthium, Cnicus lanceolatus* and *Convolvulus arvensis*, and repealing all Acts or parts of Acts inconsistent herewith.

AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED THIRTY-THREE

Adopted May 3, 1915

AMENDMENT NUMBER ONE

On page 2, strike out all of lines 27 and 28.

Adopted May 8, 1915

AMENDMENT TO TITLE

On page 1, of title, in the fourth line thereof, after the word "Arvensis," insert the words "and [illegible] [illegible]."

The question being "Shall the Senate concur in Assembly amendments to Senate Bill No. 333?"

The roll was called, and Assembly amendments to Senate Bill No. 333 were concurred in by the following vote:

Ayes—Senators Anderson, Ballard, Birdsall, Boynton, Brown, Butler, Campbell, Cogswell, Crowley, Duncan, Finn, Flaherty, Gates, Hans, Jones, Kehoe, Lyon, Mott, Purkitt, Scott, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—2[illegible].

Noes—None.

Senate Bill No. 333 ordered to enrollment.

Also:

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 565—An Act empowering municipal corporations to secure and enforce payment of rates and charges for water, gas or electricity furnished by them.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 48—An Act declaring the wagon road from McKinney's to the west end of Donner Lake a state highway;

Also: Senate Bill No. 758—An Act to prevent blindness from ophthalmia neonatorum, to vest certain powers and duties in the State Board of Health and health officers, to impose certain duties upon physicians, midwives, nurses, and other persons, and to provide for the enforcement of this Act, and the repeal of chapter XIV Statutes of 1897 entitled "An Act to regulate medical practice, to prevent blindness in infants," and other Acts in conflict herewith.

Also: Senate Bill No. 770—An Act to amend section 1858 of the Political Code of the State of California relating to the attendance of children in the public schools of the State;

Also: Senate Bill No. 737—An Act to amend an Act entitled "An Act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, by amending sections 1, 2, 3, 4, 6, 7, 8, and 9 thereof and by adding a new section thereto to be known and numbered as section 11½, all relating to the licensing of stallions and jacks, and providing for the reporting of the collection of fees to the State Controller and the creation of a fund to be known as the Stallion Registration Board Contingent Fund.

Also: Senate Bill No. 849—An Act to amend section 1665 of the Political Code of the State of California, relating to the subjects in which instruction shall be provided in the elementary schools of the State;

Also: Senate Bill No. 971—An Act to amend section 626*d* of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 1122—An Act to amend an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of State highways in the State of California, prescribing the work, fixing the payments to be made by counties for moneys expended thereon, providing for the issuance and sale of State bonds to create a fund for the construction and acquisition of such system, creating a sinking fund for the payment of said bonds, and providing for the submission of this Act to a vote of the people," approved March 22, 1909, and approved, ratified and adopted by the people of the State of California at the general election held in the month of November, 1910, A. D., by amending section 8 thereof, relating to the reimbursement to the State by the several counties thereof of sums equal to the interest upon certain outstanding bonds and the premiums of sale thereof, sold and issued as in said Act provided, and providing for the submission of this Act to a vote of the people;

Also: Senate Bill No. 689—An Act to amend section 443 of the Political Code, in regard to the State School Fund;

Also: Senate Bill No. 810—An Act to add a new section to the Political Code to be numbered [illegible], relating to the powers and duties of the governing boards of school districts in levying taxes for building purposes;

Also: Senate Bill No. 809—An Act to amend section 1617*c* of the Political Code, relating to kindergartens.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 48, 758, 770, 737, 849, 971, 1122, 689, 810 and 809 ordered to enrollment.

Also:

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 819—An Act to add a new section to the Political Code of the State of California to be numbered 1764, relating to the county high school fund, and repealing sections 1758 and 1759 of the Political Code.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 819 ordered to enrollment.

Also:

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 16—An Act increasing the number of judges of the Superior Court of the county of San Diego, State of California, and for the appointment of such additional judge;

Also: Senate Bill No. 782—An Act to provide two additional judges of the Superior Court of the county of Alameda;

Also: Senate Bill No. 442—An Act to amend an Act entitled "An Act to regulate the building and occupancy of hotels and lodging houses in unincorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 10, 1913, Statutes of California of 1913, page 1420;

Also: Senate Bill No. 1082—An Act to amend section 67*a* of the Code of Civil Procedure, relating to the number of Superior Court judges and providing for the appointment of two additional Superior Court judges in counties of the first class and providing for their compensation;

Also: Senate Bill No. 1158—An Act to empower the Fish and Game Commission of California to conduct the business of catching and selling fish, and to buy fish, in order to distribute the same to the people;

Also: Senate Bill No. 1214—An Act to increase the number of judges of the Superior Court of the State of California in and for the county of Stanislaus, to provide for the appointment of an additional judge and for his compensation.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 16, 782, 442, 1082, 1158 and 1214 ordered to enrollment.

Also:

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 9—An Act relating to the sale and carrying of dangerous weapons;

Also, Senate Bill No. [illegible]—An Act to add a new section to the Civil Code, to be numbered [illegible], relating to the [illegible] of [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Civil Code of the State of California, relating to the [illegible] of [illegible].

L. B. MALLORY, Chief Clerk of Assembly,
By M. Stowe, Assistant Clerk.

Also—

Sacramento, May 8, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed [illegible] Assembly Bill No. 1168—An Act [illegible] California.

L. B. MALLORY, Chief Clerk of Assembly,
By M. Stowe, Assistant Clerk.

Assembly Bill No. 1168, read first time, and referred to Committee on [illegible].

Also—

Sacramento, May 8, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. [illegible]—Relative to [illegible] of Richard [illegible], [illegible] of the State Board of [illegible].

Also, Assembly Joint Resolution No. [illegible]—[illegible] Congress [illegible] Washington, D. C., [illegible] California, [illegible] cents per [illegible] gallon.

L. B. MALLORY, Chief Clerk of Assembly,
By M. Stowe, Assistant Clerk.

Concurrent resolution referred to Committee on Rules.
Joint resolution referred to Committee on Federal Relations.

RESOLUTIONS—OUT OF ORDER.

By consent of the Senate the following resolution was received and read out of the regular order:

By Senator [illegible]:

Resolved, That the following named persons [illegible] Senate:

Mrs. W. A. [illegible]	$[illegible] per day
[illegible]	[illegible]
C. Olivier, cloakroom clerk	2 50 per day
W. H. [illegible]	4 00 per day

Senator [illegible] moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators [illegible], and [illegible]—[illegible].

Noes—None.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

By consent of the Senate the following report of standing committee was received and read out of the regular order:

ON [illegible]

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

Mr. President: Your Committee on [illegible], to which was referred Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Penal Code relating to the [illegible].

Also, Assembly Bill No. [illegible]—An Act to amend section 647 of the Penal Code, relating to vagrancy;

Also: Assembly Bill No. 328—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered five hundred thirty-four, relating to actions concerning water rights;

Also: Assembly Bill No. 434—An Act to amend section 1861 of the Civil Code of the State of California, relating to lien of hotel keepers on property of guests for charges;

Also: Assembly Bill No. 1608—An Act to amend section 4078 of the Political Code, relating to the allowance of claims by boards of supervisors and the right of claimants to sue;

Also: Assembly Bill No. 586—An Act to amend section 3617 of the Political Code, defining terms;

Has had the same under consideration, and respectfully reports the same back without recommendation.

KEHOE, Chairman.

Assembly Bills Nos. 329, 321, 328, 434, 1608 and 586 ordered on file for second reading.

SECOND READING OF ASSEMBLY BILLS—(OUT OF ORDER).

Senator Kehoe asked for and was granted unanimous consent for the second reading at this time, under suspension of the rules, of the bills previously reported from committees on this legislative day.

Assembly Bill No. 329—An Act to amend section 476*a* of the Penal Code relating to the issuance of bank checks with intent to defraud.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 321—An Act to amend section 647 of the Penal Code relating to vagrancy.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 328—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 534, relating to actions concerning water rights.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 586—An Act to amend section 3617 of the Political Code, defining terms.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 434—An Act to amend section 1861 of the Civil Code, relating to lien of hotel keepers on property of guests for charges.

Bill read second time, and ordered on file for third reading.

ADJOURNMENT.

At twelve o'clock p.m., on motion of Senator Strobridge, the President pro tem. declared the Senate adjourned until Sunday, May 9, 1915, at eleven o'clock a.m.

IN SENATE.

SENATE CHAMBER, SACRAMENTO,
Sunday, May 9, 1915.

Pursuant to adjournment, the Senate met at eleven o'clock a.m.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

The roll was called by Secretary Edwin F. Smith, and the following answered to their names:

Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Crowley, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Lyon, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—38.

Quorum present.

PRAYER

Prayer was offered by the Chaplain, Rev. Father Henry I. Stark.

LEAVES OF ABSENCE

Senator Flaherty was, on motion of Senator Crowley, granted leave of absence for this day.

Senator Campbell was, on motion of Senator Shearer, granted leave of absence for this day.

READING OF THE JOURNAL

During the reading of the Journal of Saturday, May 8, 1915, the further reading was dispensed with, on motion of Senator Rush.

PRIVILEGE OF FLOOR EXTENDED

On request of Senator Cohn, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. R. H. Morey, of San Francisco.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 15—Relative to making a national forest of the [illegible] Forest Reserve and certain vacant land lying contiguous thereto.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Joint Resolution No. 15 ordered to enrollment.

Also,

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended and on this day passed as amended Senate Bill No. 125—An Act to provide for the planting, improving, care and maintenance of parkings and parkways in the public streets, boulevards and highways of incorporated cities, and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 125.

Senate Bill No. 125—An Act to provide for the planting, improving, care and maintenance of parkings and parkways in the public streets, boulevards and highways of incorporated cities.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED TWENTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, strike out all of the title after the words "An Act", and insert in lieu thereof the following: "to provide for the planting, [illegible], [illegible] and removal of trees, shrubs, plants and grass [illegible] and in public streets, avenues, lanes, alleys, courts, places and parkways within municipalities, and providing a [illegible] for the assessment of the costs and expenses thereof."

AMENDMENT NUMBER TWO.

On page 1, strike out, immediately following the enacting clause, [illegible] of the Act, and insert in lieu thereof the following:

"SECTION 1. All streets, avenues, lanes, alleys, courts, places and pathways within the municipalities of this State, now open or dedicated, or which may hereafter be opened or dedicated to public use, shall be deemed and held to be open public streets, avenues, lanes, alleys, courts, places and pathways for the purposes of this Act, and the city council of each municipality of this State is hereby empowered to cause trees, shrubs, plants or grass to be planted, protected, maintained for a period of not exceeding five years, removed or changed, or to maintain existing trees, shrubs, plants and grass along and in said streets, avenues, lanes, alleys, courts, places and pathways, and is hereby invested with jurisdiction to order to be done thereon and therein any of the work mentioned in section 2 of this Act in the manner and under the proceedings hereinafter described.

"SEC. 2. Whenever the public interest or convenience may require, the city council of any municipality of this State is hereby authorized and empowered to order trees, shrubs, plants or grass to be planted, protected or maintained for a period of not exceeding five years, or removed or changed along and in the whole or any part of any such public street, avenue, lane, alley, court, place or pathway in such municipality; also, to order suitable guards, coverings or gratings for the protection of said trees or shrubs, and to order any other work to be done which shall be necessary to plant, protect, maintain, remove or change, trees, shrubs, plants or grass along and in the whole or any part of any such public street, avenue, lane, alley, court, place or pathway, in such municipality.

"SEC. 3. Before ordering any improvement to be made which is authorized by section 2 of this Act, the city council shall adopt a resolution of intention so to do, briefly describing the proposed improvement, which may include the whole or any part of one or more such streets, avenues, lanes, alleys, courts, places or pathways, in any such municipality. Said proposed improvement may include any or all of the different kinds of work mentioned in section 2 of this Act; *provided, however*, that the care of said trees, shrubs, plants or grass, shall be for a period stated in the resolution of intention, which shall not exceed five years; *and provided, further*, that it shall not be necessary to specify or describe in said resolution of intention the kind of trees, shrubs, plants or grass to be planted or removed or changed, their size or age or the method or manner of planting or removing or changing the same. The city council shall also, in the same resolution, refer the proposed improvement to the city engineer or other officer, board or commission designated by the said council, and direct said person, board or commission, to make and file with the clerk of the city council a report in writing presenting the following:

"1. Plans and specifications for the work to be performed and the general method and manner of making the improvement.

"2. An estimate of the cost of said improvement, including the incidental expenses in connection therewith, and the annual cost of the maintenance thereof for a period not exceeding five years.

"3. A diagram of the property affected or benefited by the proposed work or improvement and to be assessed to pay the expenses thereof, including the annual maintenance, if any; such diagram shall show each separate lot, piece or subdivision of land, and the relative location of the same to the work proposed to be done, all within the limits of the assessment district, each of which lots, pieces or subdivisions shall be given a separate number in red ink upon said diagram.

"4. The proposed assessment of the total amount of the costs and expenses of the proposed improvement (including all incidental expenses) upon the lots, pieces or subdivisions of land within said assessment district as shown by said diagram, sufficient to cover the total expenses of the improvement. Each lot, piece or subdivision shall be separately assessed in proportion to the estimated benefits to be received by it. Said assessment shall refer to said lots, pieces or subdivision of land upon said diagram by the respective red ink numbers thereof, and shall show the names of the owners, if known, otherwise designating them as unknown. No mistake in the name of the owner of any lot, piece or subdivision of land shall affect the validity of the assessment thereon.

"SEC. 4. In any municipality having a board, commission or officer in charge of tree planting, created by its charter, or by law or ordinance, the proposed improvement shall be referred to said board, commission or officer, and the report provided for in section 3 of this Act shall be made and filed by said board, commission or officer.

"SEC. 5. Upon the filing of the report provided for in section 3 of this Act, the clerk of the city council shall present the same to the city council for consideration, and said council may modify the same in any respect, and, in case of any such modification, the report as modified shall stand as the report for the purposes of all subsequent proceedings. Thereafter, the council, by resolution, shall appoint a time and place for hearing protests in relation to the proposed improvement, which time shall not be less than twenty days from the date of the passage of said resolution, and shall direct the clerk of the city council to give notice of said hearing, and shall designate the newspaper in which such notice shall be published.

[illegible]

[illegible] the passage of the resolution provided for in section 7 hereof. [illegible]

[illegible]

needed, such part of the cost of such proposed work as has heretofore been ordered to be paid out of the city treasury. Said special fund shall be used only for paying the costs and expenses of the work described in the resolution ordering the work to be done, including the cost of all posting and publication herein provided for, and any other incidental expenses of the work. If the amount raised is insufficient to pay the whole of such costs and expenses the city council may provide for such deficiency by an appropriation out of the general fund of such city, or may take further proceedings to raise the amount of such deficiency by ordering a supplementary assessment to be made upon the same property in the same manner and form and subject to the same procedure as the original assessment, but on such proceedings no report shall be necessary from the person or board making the original report specified in section 3 hereof, except an estimate of the deficiency, and no protest shall be received except as to the amount of money necessary to complete the work. The city council may at any time advance to such special fund out of any available funds in the city treasury, sums in excess of the amount to be paid by the city towards the cost of such work and may reimburse the city for such advances by repaying the same out of any money that may thereafter come into such special fund.

"SEC. 11. At any time after the funds for the work or any part of the work, shall be in the city treasury, or if the municipality has advanced the money from the general fund as a loan to said special fund, the municipality shall itself without awarding a contract therefor, execute and perform the work embraced in the plans and specifications contained in the report provided for in sections 3 and 4 of this Act, in accordance with said plans and specifications, and employ the labor, and provide the nursery stock material and supplies necessary therefor, or at its option do the work or any portion thereof by contract let in the manner provided by the charter of said municipality or the law under which the said municipality is organized. The work must be done under the supervision, direction and control of the board, commission or officer by whom the report provided for in section 3 of this Act was made, and no work shall be paid for except upon the order and approval of said board, commission or officer.

"SEC. 12. Every assessment levied under this Act shall from the date of the levy thereof be a lien upon the land upon which it is levied in the same manner and to the same effect as other city taxes are a lien upon said land. And such lien shall continue and be enforced in the same manner as other taxes of said city are continued and enforced.

"SEC. 13. The following words and phrases shall, where used in this Act, have the following meanings:

"(1) The terms 'municipality' and 'city' include all corporations heretofore organized and now existing, and those hereafter organized, for municipal purposes.

"(2) The terms 'council' and 'city council' include any body or board in which by law is vested the legislative power of any city.

"(3) The terms 'treasurer' and 'city treasurer' include any person or officer, who has charge and makes payments of the city funds.

"(4) The term 'city engineer' includes any person or officer, who has charge of the surveying any engineering work of said city.

"(5) The terms 'clerk' and 'city clerk' include any person or officer who shall be clerk of the said council.

"(6) The term 'improvement' includes all work and improvements mentioned in section 2 of this Act.

"(7) The term 'incidental expenses' shall include the cost and expense of making the report mentioned in sections 3 and 4 hereof, including fees for surveying and engineering work; also the cost of printing and publishing as provided herein; also the expenses of making the assessment for any work authorized by this Act.

"(8) The term 'owner' and 'any person interested' includes the person owning the fee, or the person in whom, on the day any protest or petition is filed, the legal title to real property appears, by deeds duly recorded in the county recorder's office of the county in which said city is situated, or any person in possession of real property, as the executor, administrator, trustee under an express trust, guardian or other legal representative of the owner, or any person in possession of real property under a written contract of purchase thereof duly recorded, or any person in possession of real property as lessee thereof under a lease duly recorded, which shall require such lessee to pay or discharge all assessments for street or other public improvements, that may be levied or assessed against such real property.

"(9) Any act required herein to be performed by resolution may be performed by ordinance with the same force and effect.

"SEC. 14. Proof of publication of any notice required by this Act shall be made by affidavit, as provided in the Code of Civil Procedure, and proof of the posting of any such notice shall be made by the affidavit of the person posting the same, setting forth the facts regarding such posting. It shall be the duty of any officer who is required by this Act to have any notice published or posted, to obtain and file in his office the affidavit or affidavits in proof thereof; *provided*, that his failure so to do shall not affect the validity of any proceedings under this Act. Any such affidavit so filed shall be prima facie evidence of the facts therein stated regarding such publication or posting.

Sec. 29. This Act shall in no way affect an Act entitled "An Act to provide for [illegible] hereunder. This Act may be designated and referred to as the "Tree Planting Act of 1915."

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 125?"

The roll was called and Assembly amendments to Senate Bill No. 125 were concurred in by the following vote:

Ayes—Senators [illegible].

Noes—None.

Senate Bill No. 125 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. [illegible]—An Act to amend section [illegible] of the Civil Code of the State of California, relating to [illegible].

Also, Senate Bill No. 574—An Act to amend section 928 of the Penal Code, relating to grand juries, [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Also:

SACRAMENTO, May 9, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. [illegible]—An Act to promote the public safety by requiring that small boats be equipped with metal railings [illegible].

Also, Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Penal Code.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Also:

SACRAMENTO, May 8, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. [illegible]—An Act to amend an Act entitled "An Act accepting the report of the California Débris Commission [illegible] directing the State Engineer to procure data and make surveys and examinations for the purpose of [illegible] approved December 24, 1911 [illegible] by adding a new section thereto to be designated as section [illegible].

relating to and providing for the issuance and disposal of bonds of the Sacramento and San Joaquin Drainage District, and testing the validity of such bonds.

Also: Assembly Bill No. 1607—An Act to add two new sections to the Political Code to be numbered 1125 and 1126, relating to elections, and to repeal sections 1127 and 1129 of the Political Code.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. [illegible]—An Act to add a new section to the Penal Code of the State of California, to be numbered [illegible], relating to advertising the cure or treatment of venereal diseases;

Also: Assembly Bill No. 529—An Act concerning trespasses by [illegible] upon unfenced privately owned lands within the boundaries of any national forest within the State of California, and prescribing the remedy therefor;

Also: Assembly Bill No. 1524—An Act to be known as "The California Irrigation Act" providing for cooperation between the State of California and the United States and independent proceedings in the storage and diversion of water, the distribution thereof for irrigation, the manufacture of power and for domestic purposes; creating an Irrigation Board to form water districts, make contracts, construct reservoirs, divert and distribute water, generate, lease and sell electric current, lease water power, levy assessments, issue bonds of water districts; providing for the management, control and supervision of such water districts and of the works constructed pursuant to this Act; directing the State Department of Engineering relative to such works; authorizing irrigation districts to reorganize under this Act and generally providing a policy relating to storage diversion and use of water, and adopting a plan for providing revenues therefor;

Also: Assembly Bill No. 432—An Act to amend section 156 of the Code of Civil Procedure relating to qualifications of Justices of Supreme Court and of the District Courts of Appeal.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Aissistant Clerk.

Also:

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 7—An Act to amend section 1454 of the Code of Civil Procedure, relating to the collection by surviving heirs of money in banks;

Also: Senate Bill No. 331—An Act making an appropriation for the location, survey and construction of a State highway from Tahoe City, Placer County, along the northern boundary of Lake Tahoe to the western boundary of the State of Nevada at Crystal Bay in Placer County;

Also: Senate Bill No. 1206—An Act to amend sections 28 and 37 of an Act entitled "An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such district," approved March 20, 1903;

Also: Senate Bill No. 420—An Act to add a new section to the Political Code of the State of California to be numbered 602*b* to provide a uniform system of classification of risks, premium rates and schedule ratings for the State Compensation Insurance Fund and all other insurance carriers in this State insuring employers or employees under the Workmen's Compensation, Insurance and Safety Act, chapter 176, Laws 1913; to establish adequate rates for such insurance; to permit the limited issuance of compensation participating policies; requiring the Industrial Accident Commission to furnish certain information for the use of the State Insurance Commissioner; requiring every insurance carrier writing such insurance to file an annual report of its loss experience, and empowering the State Insurance Commissioner to supervise, control and enforce the provisions of this Act, and fixing penalties for the violation thereof;

Also: Senate Bill No. 1186—An Act to amend sections 9 and 10 of an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885;

Also: Senate Bill No. 1187—An Act to amend an Act entitled "An Act to provide for the establishment and change of grade of public streets, lanes, alleys, courts, places and rights of ways in municipalities, and providing for the improvement thereof, in cases where any damage to private property would result from such improvement, and for the assessment of the costs, damages and expenses thereof upon the property benefited thereby, and to provide a system of local improvement bonds to represent the assessment for the costs, damages and expenses of such improvement, and for the payment and effect of such bonds," approved June 16, 1913, by amending sections 1, 3, 4, 8, 23, 24 and 25 of said Act;

Also, Senate Bill No. 1268—An Act to amend section 642 of the Political Code of the State of California, relating to the Fish and Game Commissioners [illegible].

Also, Senate Bill No. 974—An Act to amend sections 1 and 2 of section [illegible] of the Penal Code of the State of California, relating to [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Penal Code of the State of California, relating to [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code of the State of California, relating to [illegible] of the Supreme Court.

Also, Senate Bill No. [illegible]—An Act to amend section 10 of that certain Act of the Legislature of the State of California entitled "An Act to [illegible]," approved [illegible], known as the [illegible], as amended [illegible] 6, 1911, April 21, 1911, December 18, 1911, December 24, 1911 and May [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible].

Also, Senate Bill No. [illegible]—An Act to provide for the [illegible] of [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible].

Also, Senate Bill No. 731—An Act [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bills Nos. 7, 231, 1200, 420, 1182, 1187, 1268, 974, 768, 132, 957, 927, 205, 441 and 731 ordered to enrollment.

Also:

SACRAMENTO, MAY [illegible], 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to concur in Senate amendments to Assembly Bill No. 708—An Act to increase the number of judges of the Superior Court of the county of Imperial and to provide for the appointment of an additional judge, and requests that your honorable body recede therefrom.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

SENATE REFUSES TO RECEDE.

Senator Luce moved that the Senate refuse to recede from Senate amendments to Assembly Bill No. 708.

The question being, "Shall the Senate recede from Senate amendments to Assembly Bill No. 708?"

The roll was called, and the Senate refused to recede from Senate amendments to Assembly Bill No. 708 by the following vote:

Ayes—None.

Noes—Senators Ballard, Beban, Benson, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flint, Gates, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, and Thompson—27.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

The President announced the appointment of Senators Luce, Anderson and Cogswell as a Committee on Conference to meet with a like committee from the Assembly to consider Senate amendments to Assembly Bill No. 708.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 28—Relative to leave of absence of Richard E. Collins, Member of the State Board of Equalization, Third District, has had the same under consideration, and respectfully reports the same back and recommends that it be adopted.

THOMPSON, Chairman.

Assembly Concurrent Resolution No. 28 ordered on file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION (OUT OF ORDER).

Senator Thompson asked for and was granted unanimous consent for the consideration at this time out of the regular order of Assembly Concurrent Resolution No. 28.

ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-EIGHT.

Relative to leave of absence of Richard E. Collins, member of the State Board of Equalization, Third District.

Resolved by the Assembly, the Senate concurring, That leave of absence from the State of California for a longer period than sixty days during his term of office is hereby granted to Richard E. Collins, member of the State Board of Equalization, Third District.

Concurrent resolution read.

The question being on the adoption of the concurrent resolution.

The roll was called, and Assembly Concurrent Resolution No. 28 adopted by the following vote:

AYES—Senators Ballard, Beban, Benson, Brown, Butler, Carr, Chandler, Cogswell, Crowley, Duncan, Flint, Gerdes, Irwin, King, Luce, Maddux, Mott, Owens, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Wolfe—25.

NOES—None.

Concurrent resolution ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES (RESUMED).

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 14—An Act to amend section 632½ of the Penal Code of the State of California, relating to the protection of steelhead trout;

Also: Senate Bill No. 15—An Act to amend sections 626, 626*f* and 626*g* of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 28—An Act to amend section 632 of the Penal Code of the State of California, relating to the protection and preservation of fish;

Also: Senate Bill No. 40—An Act to prevent the killing and destruction of wild game within certain territory lying within the boundaries of the Cleveland National Forest, in the State of California, and providing a penalty therefor;

Also: Senate Bill No. 49—An Act to amend section 626 of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 50—An Act to amend section 626*a* of the Penal Code of the State of California, relating to the protection of doves;

Also: Senate Bill No. 156—An Act to amend section 637 of the Penal Code, relative to the examination by the State Board of Fish Comissioners of dams and artificial obstructions in rivers and streams, and the ordering of constructing and maintaining fishways around or over dams and artificial obstructions in rivers and streams;

Also: Senate Bill No. 181—An Act to protect bear, and forbidding the use of steel traps, etc., in their pursuit;

Also: Senate Bill No. 210—An Act to add a new section to the Penal Code, to be numbered 634½, relating to fishing;

[illegible] Penal Code [illegible]

[illegible]

[illegible] the killing and destruction of wild [illegible]

[illegible]

[illegible] Penal Code, [illegible] in the [illegible]

[illegible]

[illegible]

[illegible] the construction and maintenance of fishways [illegible]

[illegible]

Has had the same under consideration, and respectfully reports same back without recommendation.

FLINT, Chairman.

Also

SACRAMENTO, May 9, 1915.

[illegible] of the Penal Code of the State [illegible]

[illegible] section 629 of the Penal Code, [illegible]

[illegible]

Has had the same under consideration, and respectfully reports same back without recommendation.

FLINT, Chairman.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

[illegible] Labor and Capital [illegible]

[illegible] for a review of its orders, decisions, and [illegible]

[illegible] Bill No. 328—An Act to regulate the practice or occupation of [illegible] the Commissioner of the Bureau of Labor Statistics; fixing the terms, compensation, powers and duties of the clerk and the members of the said Board of Examiners, fixing the fees to be paid by persons authorized to practice under the provisions of this Act, and creating a fund to be kept by the State Treasurer for the purposes of this Act;

Also: Senate Bill No. 402—An Act to prohibit discrimination against employees who belong to or join any labor organizations, and fixing penalties for violations thereof;

Also: Senate Bill No. 403—An Act to require employers of labor to furnish, without charge, pure drinking water to their employees during working hours;

Also: Senate Bill No. 405—An Act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; creating a liability on the part of the employers to pay damages in certain cases, and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act;

Also: Senate Bill No. 433—An Act to provide for semi-monthly pay days in certain private employments and to regulate the manner of payment of wages or compensation of employees in such employments;

Also: Senate Bill No. 483—An Act to provide for the enforcement of labor laws of the State of California by the Commissioner of the Bureau of Labor Statistics;

Also: Senate Bill No. 519—An Act to provide for one day of rest in seven for public employees;

Also: Senate Bill No. 520—An Act to provide for one day of rest in seven;

Also: Senate Bill No. 601—An Act to amend section 10 of an Act entitled "An Act relating to immigrants and immigration, creating a Commission of Immigration and Housing, providing for the employment by said commission of a secretary, agents and other employees, authorizing said commission to fix their compensation, prescribing the duties of said commission, providing for the investigation by said commission of all things affecting immigrants, and for the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, Statutes of California of 1913, page 608;

Also: Senate Bill No. 765—An Act to forbid managers, superintendents, foremen and other persons having authority from their respective employers to hire, employ, or direct the services of other persons in such employment, to demand or receive any fee, gift or other remuneration or consideration of any such hiring, employment or permission to continue to perform work or services in such employment, and to provide for the enforcement of this Act by the Commissioner of the Bureau of Labor Statistics;

Also: Senate Bill No. 1050—An Act to amend section 1 of an Act entitled "An Act to provide for a day of rest from labor," approved February 27, 1893, said amendment relating to a day of rest for employees in state institutions;

Also: Senate Bill No. 1068—An Act providing that all justices of the peace in townships having a population of less than fifteen thousand shall act as labor and employment agents;

Has had the same under consideration, and respectfully reports the same back without recommendation.

LYON, Chairman.

ON AGRICULTURE.

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Agriculture, to which was referred Senate Bill No. 1—An Act to regulate the distribution of date palms and date palm offshoots and to hold the same in quarantine under the supervision of the State Commissioner of Horticulture until they are free from Marlatt scale (*Phoenicococcus marlatti*) and Blanchard scale (*Parlatori blanchardii*) when introduced from, or grown in, any infested locality within this State or from other states, or if of foreign importation, after they have been released by the Federal Horticultural Board, and to fix a penalty for violation of this Act;

Also: Senate Bill No. 37—An Act to provide for the incorporation, management and dissolution of rural credit unions;

Also: Senate Bill No. 61—An Act to amend an Act entitled "An Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under insanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled 'An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor,' and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911, by amending section 5 thereof;

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] approved March 18, 1905, and all Acts [illegible]

[illegible] Horticultural Experiment [illegible]

[illegible] An Act defining commission merchants and [illegible] requiring records of all consign- [illegible]

[illegible]

[illegible] butter, or in the sale of milk or cream intended for [illegible] for butter making; [illegible] the buying and selling [illegible] of quality or grade; to [illegible] intended for butter making when [illegible] lity or grade; and to provide for the [illegible]

[illegible]

Also: Senate Bill No. 657—An Act regulating the sale or transportation of immature oranges; preventing deception in the packing of oranges, and prescribing penalties for the violation of the provisions hereof;

Also: Senate Bill No. 682—An Act to provide for the branding, marking, buying, selling, handling, breeding, importing, inspection, and general care of all kinds of cattle, horses, mules, hogs, sheep and all other kinds of live stock now or that may hereafter be brought into the State of California; to prevent the importation into the State of California of all or any of the aforesaid until the same have been inspected for diseases; to provide for certificates of inspection to be attached to waybills when such live stock are transported by train or other common carrier into this State, and for certificates of inspection to be given to and retained by any person driving or in any way transporting such live stock into this State other than by common carrier, and for such certificates of inspection to be given to and retained by any person driving or in any way transporting such live stock along or upon the public highways of this State; to provide for the payment of all fees of inspection and other acts to be performed under the terms of this Act; to provide for the necessary fines and punishments for the violation of any or all of the provisions of this Act; and, repealing all Acts or parts of Acts in any way in conflict herewith, which said Acts and parts of Acts are in this Act specifically mentioned.

Also: Senate Bill No. 861—An Act creating the office of State Commissioner of Horticulture, defining his powers and duties; prescribing for the appointment of inspectors, and defining their powers and duties; providing for the inspection of nursery stock, fruit, fruit trees, ornamental trees, shrubbery, plants, cuttings, grafts, buds, scions, seeds, pits, vines, vegetables and all horticultural and agricultural plants and plant products thereof; requiring shipments of nursery stock to have been inspected by an inspector; prescribing quarantine and the method of enforcement thereunder; providing for the disinfection of fruit, fruit trees, ornamental trees and shrubbery, and all horticultural and agricultural plants and plant products thereof; defining the qualifications of inspectors and commissioners; providing for the destruction of infested and infected fruit, fruit trees, ornamental trees, shrubbery and all horticultural and agricultural plants and plant products thereof, providing for a lien against the property whereon the same is standing or growing, and providing for a right of action for all expenses incident thereto; authorizing the destruction of fruit, fruit trees, shrubbery, nursery stock and all horticultural and agricultural plants and plant products thereof infested or infected with pest or disease; and prescribing a salary for those enjoined to enforce the provisions of this Act, and for their removal from office; to provide for the appropriation of money to pay the necessary expenses of the conduct of the office of State Commissioner of Horticulture and repealing certain sections;

Also: Senate Bill No. 862—An Act to establish a standard for the State of California for packing of fresh fruits for sale or for transportation for sale, for interstate and foreign shipment and to prevent deception in the packing of fresh fruits for such purposes;

Also: Senate Bill No. 874—An Act to set aside certain lands now owned by the State of California for the purpose of establishing, maintaining and conducting a state farm, and making an appropriation therefor;

Also: Senate Bill No. 989—An Act to provide for the organization of the State Produce Exchange Commission, to define its powers and duties and the rights and privileges of producers of agricultural, horticultural, dairy and food products, and products manufactured or processed therefrom, which shall be grown, raised, produced, processed, or manufactured within the State of California, and to provide a penalty for the offence of using or imitating the State brand or label adopted by such commission, and appropriating money for establishing and carrying out the provisions of this Act, creating the "State Produce Exchange Fund," and prescribing the manner in which money shall be placed therein and paid therefrom, and appropriating the moneys therein to carry out the provisions of this Act, and to provide that subsequent legislation by the Legislature may be enacted to facilitate the operation of this Act, but without limiting or restricting its purposes, and to repeal all Acts and parts of Acts inconsistent with the provisions of this Act;

Also: Senate Bill No. 1008—An Act to amend sections 2, 3 and 7 of an Act entitled "An Act to provide for the preparation and distribution of serums or vaccines for the prevention of the disease known as cholera in hogs in the State of California, making an appropriation therefor and prescribing the duties of the Controller and Treasurer in relation thereto," approved April 21, 1911;

Also: Senate Bill No. 1232—An Act creating a lien for labor, work, services or material furnished for eradicating scale insects, codling moth, or other pests and infectious diseases, injurious to fruit, trees, vegetables, plants or vines, or their eggs or larvae, by fumigation or other method, by any person, firm, corporation or association, and providing for the method of creating and enforcement of such lien upon the lands upon which such work, labor, services or materials are furnished;

Has had the same under consideration, and respectfully reports the same back without recommendation.

KING, Chairman.

ON [illegible]

[illegible] CHAMBER, SACRAMENTO, May [illegible]

Mr. [illegible] Committee on [illegible], to which was referred Senate Bill [illegible]

Also, Senate Bill No. [illegible] February 6, 1911; April 21, 1911; [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible] an Act entitled "An [illegible] thereof."

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

HANS [illegible]

ON [illegible]

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

Mr. [illegible] Committee on [illegible], to which was referred Senate Bill No. [illegible]

Also, Senate Bill No. [illegible]

Also, Senate Bill No. [illegible] irrigation, [illegible] tion [illegible]

Also, Assembly Bill No. [illegible] water- [illegible] 1911, [illegible]

Also, Assembly Bill No. [illegible]

MADDEN [illegible]

ON [illegible]

SENATE CHAMBER, SACRAMENTO, May [illegible], 1915.

Mr. [illegible] Committee on [illegible], to which was referred Senate Bill No. [illegible] pumping or maintaining an oil or petrol- [illegible] Act.

Also, Senate Bill No. 1163—An Act to protect lands [illegible] oil, gas or petroleum bearing strata or formations by the [illegible] of water therein, providing penalties for the violation thereof, and repealing an Act entitled "An Act to protect [illegible] gas or petroleum bearing strata or formations by the percolation or infiltration of water therein," approved March 20, 1903.

Also, Senate Bill No. 1137—An Act requiring retail dealers in oils and in gasoline and other inflammable fluids to display conspicuously placards showing the quality and price thereof, providing for tests of such fluids and prescribing penalties for violation of the provisions hereof.

Also, Senate Bill No. 1164—An Act to provide for the organization and government of districts for the protection of lands within this State producing or containing oil or gas from injury or damage from the infiltration or intrusion of water into the oil or gas bearing strata in such lands.

Also, Senate Bill No. 725—An Act providing for the formation and conduct of [illegible] districts, qualifications of voters, election of trustees, their powers and duties, [illegible] levying tax, disposition of funds, and specifying [illegible] and further providing for dissolution of districts.

Have had the same under consideration, and respectfully return the same without recommendation.

MOTT, Chairman.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 554—An Act creating a reclamation district to be called and known as "Big Valley Reclamation District," providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said Big Valley Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Big Valley Reclamation District;

Also, Senate Bill No. 555—An Act creating a reclamation district to be called and known as "Upper Lake Reclamation District," providing for the management and control thereof, and dissolving all reclamation districts lying wholly within the boundaries of said Upper Lake Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said Upper Lake Reclamation District;

Also, Senate Bill No. 556—An Act creating a reclamation district to be called and known as "[illegible] Lake Reclamation District," providing for the management and control thereof and dissolving all reclamation districts lying wholly within the boundaries of said [illegible] Lake Reclamation District, and providing for the liquidation and winding up of said dissolved districts, and excluding from any reclamation district any land lying within the boundaries of said [illegible] Lake Reclamation District;

Also, Senate Bill No. [illegible]—An Act [illegible] to be called [illegible] River Control and Drainage District, to provide for the control and improvement of the Sacramento River [illegible]

Also, Senate Bill No. 747—An Act to be entitled an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives [illegible] June 27, 1911, [illegible] Sacramento River [illegible] San Joaquin [illegible] Debris Commission [illegible] approved May 26, 1913 [illegible] Sacramento and San Joaquin Drainage District [illegible]

Also, Senate Bill No. 758—An Act amending section [illegible] of the Political Code of the State of California, [illegible] reclamation districts, [illegible]

Also, Senate Bill No. 1157—An Act to provide for the acquisition of the [illegible] Los Angeles, Rio Hondo and San Gabriel [illegible] in the county of Los Angeles, [illegible] an appropriation [illegible] and [illegible] and making an appropriation therefor.

Also, Senate Bill No. [illegible]—An Act to amend sections [illegible] of an Act entitled "An Act to provide for the [illegible] of [illegible] and [illegible] of the lands [illegible]," approved March [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible] of municipalities, and providing under [illegible].

Also, Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Political Code of the State of California, relating to [illegible], approved February [illegible].

Have had the same under consideration, and respectfully return the same with [illegible] recommendation.

CHANDLER, *Chairman.*

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Assembly Bill No. 1340, heretofore set as a special order for eleven o'clock and thirty minutes a.m., the same was taken up for consideration.

Assembly Bill No. 1340—An Act to prevent the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service; to provide for the enforcement of this Act; to prescribe penalties for violation of the provisions hereof; and to make an appropriation therefor.

Bill read third time.

HOUR OF RECESS EXTENDED.

At twelve o'clock and thirty minutes p.m., on motion of Senator Thompson, the hour of recess was extended until one o'clock and forty minutes p.m.

MESSAGES FROM THE ASSEMBLY (OUT OF ORDER).

Senator Thompson asked for and was granted unanimous consent for the consideration at this time, out of the regular order, of Assembly messages.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 22—Relative to the [illegible] Governor's [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Concurrent Resolution No. 22 ordered to enrollment.

Also—

SACRAMENTO, May 9, 1917.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 122[illegible]—An Act to provide for the organization and government of [illegible] districts and to provide for the acquisition or construction thereby of works for the irrigation, reclamation and drainage of the lands embraced within such districts, and also to provide for the storage of water for irrigation and to provide for the [illegible] of lands [illegible].

Also, Senate Bill No. [illegible]—An Act to authorize the incurring of indebtedness by counties, cities and counties and incorporated cities and towns for public improvements and the acquisition of public utilities, and regulating the procedure of incurring the same.

Also: Senate Bill No. 943—An Act to amend section 1756 of the Political Code of the State of California, relating to the estimate of tax for maintenance of high school;

Also: Senate Bill No. 1248—An Act to amend section 631 of the Code of Civil Procedure, providing when and how trial by jury may be waived;

Also: Senate Bill No. 936—An Act to provide for visual instruction in the public schools of the State under the supervision of the State Board of Education and making an appropriation therefor;

Also: Senate Bill No. 1125—An Act to amend section 1269 of the Code of Civil Procedure, relating to escheated property and the procedure in relation thereto.

L. B. MALLORY, Chief Clerk of Assembly
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1223, 203, 943, 1248, 936, and 1125 ordered to enrollment.

Also:

SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 203—An Act to appropriate money to construct outdoor classrooms for the training school at the San Jose State Normal School;

Also: Senate Bill No. 298—An Act to amend sections 1 and 4 of an Act approved April 25, 1911, and entitled "An Act to carry into effect the provisions of subdivision (c) of section 14 of article 13 of the Constitution of the State of California as the said article was amended on the eighth day of November in the year one thousand nine hundred ten, in so far as the same relates to the State University; and also to provide for the permanent support and improvement of the University of California; and to that end making a continuing apropriation and creating an annual fund therefor; and repealing an Act entitled 'An Act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and to repeal an Act approved February 14, 1887, entitled 'An Act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and also to repeal an Act approved February 27, 1897, entitled 'An Act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California, by the levy of a rate of taxation, and the creation of a fund therefor,' approved March 20, 1909";

Also: Senate Bill No. 937—An Act appropriating money for the construction of a trail in the Sierra Nevada Mountains, to be known as the "John Muir Trail";

Also: Senate Bill No. 1086—An Act appropriating money to pay the claim of James Edward Rogers against the State of California;

Also: Senate Bill No. 777—An Act making an appropriation for the subsistence, supplies, transportation and other expenses incident to the encampment of the troops of the National Guard of California, upon the occasion of the Panama-Pacific International Exposition;

Also: Senate Bill No. 784—An Act making an apropriation to pay the claim of Mrs. Richard D. Barton against the State of California;

Also: Senate Bill No. 856—An Act to appropriate money for the use of the Railroad Commission of the State of California in the control of public utilities within incorporated municipalities;

Also: Senate Bill No. 1189—An Act to provide for the purchase of a portrait of former Lieutenant Governor A. J. Wallace, and to make an appropriation therefor;

Also: Senate Bill No. 1250—An Act to appropriate money to pay the deficiency in the appropriation for the support of the Commission of Immigration and Housing of California for the sixty-sixth fiscal year;

Also: Senate Bill No. 269—An Act to appropriate money for the construction and furnishing of a cottage for male patients at the Agnews State Hospital;

Also: Senate Bill No. 245—An Act to appropriate money for wiring for electricity at the Veterans' Home of California;

Also: Senate Bill No. 250—An Act to appropriate money for the purchase of additional land at the Napa State Hospital;

Also: Senate Bill No. 241—An Act to appropriate money for the building and equipping of ten sanitary cottages for the Veterans' Home of California;

Also: Senate Bill No. 242—An Act to appropriate money for repairs and improvements to the buildings at the Veterans' Home of California;

Also: Senate Bill No. 243—An Act to appropriate money for the construction and equipment of bathrooms in the barracks at the Veterans' Home of California;

Also: Senate Bill No. 244—An Act to appropriate money for plumbing and repairs to plumbing at the Veterans' Home of California;

Also: Senate Bill No. 44—An Act to make an appropriation for the purpose of purchasing additional rights of way, land and trees on and along the course of the Lake Tahoe wagon road;

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] of the Political Code, [illegible]

[illegible]

L. B. MALLORY, Chief Clerk of Assembly.
[illegible]

Senate Bills Nos. [illegible] 240, 241, 242, 243, 244, 44, 148, 417, 390, 398, 418, 430 and 773 ordered to [illegible]

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND FIVE HUNDRED FORTY-NINE—CONTINUED.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1549 passed by the following vote:

Ayes—Senators [illegible]

Noes—Senators [illegible]

Title read and approved.

Bill ordered transmitted to the Assembly.

EXPLANATION OF VOTE.

Senator [illegible] asked for and was granted unanimous consent to have the following explanation of his vote on Assembly Bill No. 1549 printed in the Journal:

> I voted "aye" on Assembly Bill No. 1549 for the following reasons: [illegible]
>
> [illegible]
>
> [illegible] milk bills" in general, has been amply discussed in the press, [illegible] are either favorable [illegible]
>
> [illegible] State of California, and particularly [illegible] them. Since the people in my district who are interested give me no light or assistance upon this subject, I am forced to [illegible]
>
> A [illegible] have spoken in favor of the bill, and state that the small and [illegible] communities are favorable to it. Others claim the contrary,

but a majority of the country members from dairying districts are very favorable to the bill, and under the circumstances I believe it is my duty to vote "aye."

W. E. DUNCAN, JR.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Speaker of the Assembly on this day appointed the following members of the Assembly as a Committee on Conference on Assembly Bill No. 708—An Act to increase the number of judges of the Superior Court of the county of Imperial and to provide for the appointment of an additional judge—to meet a like committee from your honorable body already appointed, to consider above bill: Messrs. Salisbury, Scott, F. C., and Conard.

L. B. MALLORY, Chief Clerk of Assembly.

Also:

SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 47—An Act declaring the county road extending from Auburn, State of California, in an easterly direction to a point near Emigrant Gap, a state highway and making an appropriation for the improvement thereof;

Also: Senate Bill No. 445—An Act to amend section 1465*a* of the Code of Civil Procedure of the State of California, relative to notices of petitions to set aside exempt property for use of family;

Also: Senate Bill No. 963—An Act to amend sections 1 and 2 of an Act entitled "An Act to secure the payment of the claims of materialmen, mechanics, or laborers, employed by contractors upon State, municipal or other public work," approved March 27, 1897, as amended by an Act approved May 1, 1911;

Also: Senate Bill No. 1052—An Act to appropriate money for equipment for the State Treasurer's office;

Also: Senate Bill No. 1149—An Act to appropriate money to pay the claim of Harve Oliver Waterman against the State of California;

Also: Senate Bill No. 1180—An Act to amend sections 2, 3 and 6 of an Act entitled "An Act to provide for the division of municipalities into sewer districts and for the construction of, or acquisition and maintenance of sewers therein, providing a system of district sewer bonds to pay the cost of such construction of, or acquisition and also for the payment of such bonds," approved April 14, 1911;

Also: Senate Bill No. 1241—An Act making an appropriation for the construction of curb and gutter around the Mission San Francisco Del Solano;

Also: Senate Bill No. 678—An Act to appropriate money to pay the claim of Martha O. Ullner against the State of California;

Also: Senate Bill No. 545—An Act to provide for the appointment of a Board of Pio Pico Mansion Trustees and for the acquisition of the Pio Pico Mansion property, and making an appropriation for the preservation and protection of said property;

Also: Senate Bill No. 1265—An Act providing for the appointment of a commission to investigate and report at the forty-second session of the Legislature relative to the adoption of a system of land colonization and rural credits and making an appropriation therefor;

Also: Senate Bill No. 1259—An Act authorizing the Governor of the State of California to appoint a commission to investigate and report at the forty-second session of the Legislature concerning unemployment and making an appropriation therefor;

Also: Senate Bill No. 1087—An Act appropriating money to pay the claim of Fred H. Figel, against the State of California;

Also: Senate Bill No. 88—An Act appropriating two thousand dollars for the restoration and rebuilding of the old Greek Chapel at Fort Ross, Sonoma County, California;

Also: Senate Bill No. 95—An Act to amend section 2982 of the Political Code, relating to the secretary and assistant of the secretary of the State Board of Health;

Also: Senate Bill No. 182—An Act to appropriate money for the construction and furnishing of two barracks for male epileptics at the Sonoma State Home;

Also: Senate Bill No. 477—An Act to amend section 1111 of the Penal Code of the State of California, relating to corroboration of accomplices and definition thereof.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 47, 445, 963, 1052, 1149, 1180, 1241, 678, 545, 1265, 1259, 1087, 88, 95, 182 and 477 ordered to enrollment.

Also,

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 28—Relative to [illegible] of the [illegible] Governor, [illegible] and members of the Senate and Assembly of the forty-first session of the Legislature of the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STEEL, Assistant Clerk.

Senate Concurrent Resolution No. 28 ordered to enrollment.

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended and on this day passed as amended, Senate Bill No. 33—An Act to compel every person, company, association or corporation carrying on or conducting the business of supplying water in any city, city and county, or town, to supply all the inhabitants thereof.

Also, Senate Bill No. 209—An Act to amend section 9 of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911.

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STEEL, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 33 and 209.

Senate Bill No. 33—An Act to compel every person, company, association or corporation carrying on or conducting the business of supplying water in any city, city and county, or town, to supply all the inhabitants thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THIRTY-THREE.

AMENDMENT NUMBER ONE.

On page 1, line 1, strike out the words preceding Section 1.

AMENDMENT NUMBER TWO.

On page 1, strike out lines 2, 3, 4, 5 and 6.

The question being, "Shall the Senate concur in Assembly amendments to Senate Bill No. 33?"

The roll was called, and Assembly amendments to Senate Bill No. 33 were concurred in by the following vote:

Ayes—Senators Ballard, Benson, Birdsall, Boyd, Breed, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, King, Luce, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

Noes—None.

Senate Bill No. 33 ordered to enrollment.

Also,

Senate Bill No. 209—An Act to amend section 9 of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an Act entitled 'An Act to provide county library systems,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act," approved February 25, 1911.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED NINE.

AMENDMENT NUMBER ONE.

On page 2, line 12, after the word "[illegible]" add "and of the thirty-fifth class".

AMENDMENT NUMBER TWO.

On page 2, line 13, after the word "inclusive", add "except the thirty-fifth class,".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 209?"

The roll was called, and Assembly amendments to Senate Bill No. 209 were concurred in by the following vote:

AYES—Senators Ballard, Beban, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cohn, Crowley, Duncan, Flint, Gerdes, Jones, Kehoe, King, Luce, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Senate Bill No. 209 ordered to enrollment.

MESSAGES FROM ASSEMBLY—RESUMED.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 1012—An Act to amend chapter 595 of the laws of the session of the Legislature of California of 1913, approved June 16, 1913, known as the "Inheritance Tax Act," by amending sections 6 and 9 thereof;

Also: Senate Bill No. 251—An Act to provide the manner in which protection districts may be dissolved;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bills Nos. 1012 and 251.

Senate Bill No. 1012—An Act to amend chapter 595 of the laws of the session of the Legislature of California of 1913, approved June 16, 1913, known as the "Inheritance Tax Act," by amending sections 6 and 9 thereof.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TEN HUNDRED TWELVE.

Adopted April 30, 1915.

AMENDMENT NUMBER ONE.

On page 1, line 5 of the title, strike out the words "amending sections 6 and 9 thereof" and insert in lieu thereof the following: "amending sections 1, 9 and 14 thereof; and adding thereto a new section to be numbered section 17½".

AMENDMENT NUMBER TWO.

On page 1, line 1, strike out the word "six" and insert in lieu thereof the following: "one".

AMENDMENT NUMBER THREE.

On page 1, strike out lines 3 to 13, inclusive, and on page 2, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"SECTION 1. (*a*) This Act shall be known as the 'Inheritance Tax Act.'

"(*b*) The words 'estate' and 'property' as used in this Act shall be taken to mean the real and personal property or interest therein of the testator, intestate, grantor, bargainer, vendor, or donor passing or transferred to individual legatees, devisees, heirs, next of kin, grantees, donees, vendees, or successors, and shall include all personal property within or without the State.

"(*c*) The word 'transfer' as used in this Act shall be taken to include the passing of property or any interest therein, in possession or enjoyment, present or future, by inheritance, descent, devise, succession, bequest, grant, deed, bargain, sale, gift, or appointment in the manner herein described.

"(*d*) The word 'decedent' as used in this Act shall include the testator, intestate, grantor, bargainer, vendor, or donor.

"(*e*) The words 'county treasurer' and 'district attorney' and 'inheritance tax appraiser,' as used in this Act shall be taken to mean the treasurer or the district

[illegible]

[illegible] mind of a person on the [illegible] property [illegible]

[illegible]

[illegible] mentioned within the meaning of this Act.

[illegible]

[illegible]

[illegible] ns in each county of the State to act as inheritance tax appraisers [illegible] or expenditure [illegible] nt in [illegible] r from any [illegible] oth, and in addition thereto the court shall dismiss him from [illegible]

[illegible]

[illegible]

[illegible]

AMENDMENT NUMBER ONE

On page 2, line 2[illegible] [illegible] and if made within a[illegible]

AMENDMENT NUMBER TWO

On page 2, strike out all of lines 27, 28, 29 and 30.

[illegible]

AMENDMENT NUMBER ONE

On page 1, line 19 of the printed bill, strike out all of the line beginning with the [illegible]

AMENDMENT NUMBER TWO.

On page 2, of the printed bill, strike out all of lines 20, 21, 22, 23, 24 and 25 and insert in lieu thereof a period.

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 1012?"

The roll was called, and Assembly amendments to Senate Bill No. 1012 were concurred in by the following vote:

AYES—Senators Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Chandler, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lee, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.
NOES—None.

Senate Bill No. 1012 ordered to enrollment.

Also:

Senate Bill No. 251—An Act to provide the manner in which protection districts may be dissolved.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER TWO HUNDRED FIFTY-ONE.

AMENDMENT NUMBER ONE.

On page 3, lines 1 and 2, strike out the words "a majority in number of the holders of title, or evidence of title", and insert in lieu thereof the following: "the holders of title to the majority of acreage".

AMENDMENT NUMBER TWO.

On page 3, lines 14 and 15, strike out the words "a majority in number of the holders of title, or evidence of title", and insert in lieu thereof the following: "the holders of title to the majority of acreage".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 251?"

The roll was called, and Assembly amendments to Senate Bill No. 251 were concurred in by the following vote:

AYES—Senators Ballard, Benedict, Birdsall, Breed, Brown, Butler, Chandler, Cohn, Crowley, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lee, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28
NOES—None.

Senate Bill No. 251 ordered to enrollment.

Also:

SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 472—An Act to provide readers for blind students in the University of California, and to assist deaf students attending the National College for the Deaf at Washington, D. C., and respectfully asks that the amendment be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 472.

Senate Bill No. 472—An Act to provide readers for blind students in the University of California, and to assist deaf students attending the National College for the Deaf at Washington, D. C.

COMMITTEE AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED SEVENTY-TWO.

AMENDMENT NUMBER ONE.

On page 1, line 4, of the title of the printed bill, after the period after the letter "C" on the fourth line, insert a comma and add "and making an appropriation therefor."

The question being: "Shall the Senate concur in Assembly amendment to Senate Bill No. 472?"

The roll was called, and Assembly amendment to Senate Bill No. 472 was concurred in by the following vote:

Ayes—Senators Ballard, Boggs, [illegible], Breed, Brown, Butler, Chamberlin, Cogswell, Crowley, Duncan, Flint, Gerdes, Irwin, Jones, Kehoe, King, Lewis, Maddux, Mott, Purkitt, Rush, Scott, Sharkey, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell and Wolfe—30.

Noes—None.

Senate Bill No. 472 ordered to enrollment.

RECESS

At one o'clock and forty minutes p.m., the President declared the Senate at recess until three o'clock p.m.

RECONVENED

At three o'clock p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 521—An Act to amend section 1613 of the Penal Code of the State of California, relating to labor of prisoners.

Bill read third time previously.

The question being on the passage of the bill,

The roll was called, and Assembly Bill No. 521 refused passage by the following vote:

Ayes—Senators Finn, Gerdes, Scott, and Wolfe—4.

Noes—Senators Anderson, Ballard, [illegible], Breed, Butler, Carr, Cogswell, Cohn, Duncan, Flint, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, and Tyrrell—23.

Assembly Bill No. 993—An Act to add a new section to the Civil Code of the State of California to be numbered 1109a relating to transfer of property for highway purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 993 passed by the following vote:

Ayes—Senators Anderson, Ballard, [illegible], Breed, Butler, Carr, Cogswell, Cohn, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 286—An Act authorizing the issuance of letters patent to P. W. Fahey for certain swamp and overflowed land in Tuolumne County, California.

On motion of Senator Wolfe, Assembly Bill No. 286 was passed on file.

Assembly Bill No. 1600—An Act to amend section 2099 of the Political Code, relating to the relief of officers and enlisted men of the National Guard of California who may be wounded, injured, disabled or killed while in the service of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1600 passed by the following vote:

AYES—Senators Anderson, Birdsall, Breed, Brown, Butler, Carr, Cohn, Duncan, Finn, Flint, Gerdes, Jones, Kehoe, King, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSEMBLY JOINT RESOLUTION NUMBER TWENTY-TWO.

Relative to the re-enactment of section 9 of an Act of Congress, approved June 17, 1902, entitled "An Act appropriating the receipts from the sale and disposal of public lands in certain states and territories to the construction of irrigation works for the reclamation of arid lands," which section 9 was repealed by an Act of Congress approved June 25, 1910, entitled "An Act to authorize advances to the 'Reclamation Fund' and for the sale and disposal of certificates of indebtedness in reimbursement thereof and other purposes."

WHEREAS, The Act of Congress approved June 17, 1902, entitled "An Act appropriating the receipts from the sale and disposal of public lands in certain states and territories to the construction of irrigation works for the reclamation of arid lands," provided that the money received from the sale of public lands in sixteen western states, including the State of California, could be used for the construction and maintenance of irrigation works for the storage, division and development of waters for the reclamation of arid and semi-arid lands in said states and territories by the Secretary of the Interior; and,

WHEREAS, By said section 9 the Secretary of the Interior was required within ten years after the passage of said Act to equalize among said states and territories the expenditures for the benefit of said states and territories according to the proportions and subject to the conditions as to practicability and feasibility; and,

WHEREAS, The sales of public lands within the State of California have since said enactment amounted to about eight million dollars; and,

WHEREAS, There are many million acres of arid lands and semi-arid lands in the State of California, which could have been reclaimed under said Act; and,

WHEREAS, About one million dollars was expended in California while the amount expended in any one of the other states was not less than eight millions; and,

WHEREAS, The Congress of the United States by an Act approved June 25, 1910, entitled "An Act to authorize advances to the 'Reclamation Fund' and for the sale and disposal of certificates of indebtedness in reimbursement therefor, and for other purposes," repealed said section 9 of said Act and thereby deprived the Secretary of the Interior of the power to use the proportionate part of said money to which the State of California was entitled to reclaim the arid and semi-arid lands therein; and,

WHEREAS, Under said Act, and from the sale of public lands aforesaid, the State of California was and is now entitled to about four million dollars in addition to said one million already received; now, therefore, be it

Resolved by the Senate and the Assembly jointly, That our Senators in Congress be instructed and our representatives in Congress be requested to use all honorable means to secure the re-enactment of said section 9 of said original Act and such other laws as are necessary to obtain for the State of California said money to which it was entitled and the same to be used in the construction of irrigation works and the reclamation of the arid and semi-arid lands therein.

Joint resolution read.

The question being on the adoption of the joint resolution.

The roll was called, and Assembly Joint Resolution No. 22 adopted by the following vote:

AYES—Senators Anderson, Ballard, Birdsall, Breed, Butler, Carr, Cohn, Duncan, Finn, Flint, Gerdes, Irwin, Jones, Kehoe, King, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—26.

NOES—None.

Joint resolution ordered transmitted to the Assembly.

Assembly Bill No. 1329—An Act providing for the sale of certain state lands suitable for cultivation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1329 passed by the following vote:

Ayes—Senators [illegible] Purkitt, Rush, Scott, [illegible] and Wolfe—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR [illegible] IN THE CHAIR.

At three o'clock and forty minutes p.m., Senator Strobridge of the [illegible] District, in the chair.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Concurrent Resolution No. 18—Directing the State Highway Commission to investigate the probable cost and best methods for the State to acquire the electric railroad systems of California connecting and running through two or more counties, and providing for submission to the voters of California of the question of bonding the State for the accomplishment of that purpose.

Concurrent resolution read.

The question being on the adoption of the concurrent resolution.

The roll was called, and Assembly Concurrent Resolution No. 18 refused adoption by the following vote:

Ayes—Senators [illegible]—[illegible].

Noes—Senators Anderson, Ballard, Breed, Butler, Chandler, Flint, Irwin, Jones, [illegible]—16.

Assembly Bill No. 329—An Act to amend section 476a of the Penal Code, relating to the issuance of bank checks with intent to defraud.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 329 passed by the following vote:

Ayes—Senators [illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 321—An Act to amend section 647 of the Penal Code, relating to vagrancy.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 321 passed by the following vote:

AYES—Senators Anderson, Ballard, Benson, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Luce, Maddux, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1915

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1049—An Act relating to the establishment and creation of commercial waterway districts, and the construction and maintenance of a system of commercial waterways, including the straightening, deepening and widening of rivers, water courses and streams and the protecting of banks thereof, and to provide for the means of payment thereof;

Also: Senate Bill No. 1249—An Act to amend section 778 of the Political Code, relating to contract for the publishing of Supreme and District Courts of Appeal reports;

Also: Senate Bill No. 164—An Act to amend section 4295 of the Political Code, relating to official services and fees;

Also: Senate Bill No. 649—An Act to amend section 2924 of the Civil Code, relating to mortgages and deeds of trust;

Also: Senate Bill No. 6—An Act appropriating money to provide for the improvement and maintenance of grounds at the State Agricultural Park in the city of Sacramento, California;

Also: Senate Bill No. 1237—An Act to amend section 14 of an Act entitled "An Act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the costs and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an Act entitled 'An Act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905," approved June 6, 1913;

Also: Senate Bill No. 816—An Act to amend section 2319 of the Political Code of the State of California, relating to the State Commissioner of Horticulture, and prescribing the powers, duties and compensation of said State Commissioner of Horticulture and the officers and employees appointed by said Commissioner, and providing for the appointment of additional officers, fixing their compensation and prescribing their duties;

Also: Senate Bill No. 286—An Act to make an appropriation for the construction and completion of a State highway connecting the counties of Trinity, Shasta and Humboldt with the road system of Tehama County;

Also: Senate Bill No. 720—An Act to amend section 4233 of the Political Code of the State of California, relating to officers and salaries in counties of the fourth class;

Also: Senate Bill No. 297—An Act providing for the construction and repairing of live stock barns and sheds on the State Fair Grounds at Agricultural Park in the city of Sacramento, and making an appropriation therefor;

Also: Senate Bill No. 1013—An Act transferring money from the disputed title to lands on San Diego Bay fund to the general fund of the State of California;

Also: Senate Bill No. 1192—An Act to repeal article III of chapter III of title VII of part IV of the Civil Code of the State of California, and to enact a new article III of chapter III of title VII of part IV of the Civil Code of the State of California, relating to bills of lading;

Also: Senate Bill No. 1169—An Act enabling any city or town maintaining a free public swimming bath to take water therefor from a public utility water ditch, and after such use return the water to the ditch, provided such water is not used for domestic or municipal purposes;

Also: Senate Bill No. 450—An Act assenting to the provisions and requirements of the Act of the Congress of the United States entitled "An Act to provide for co-operative agricultural extension work between the agricultural colleges in the [illegible] the Act of Congress approved July 2, 1862 [illegible] United States Department of Agriculture [illegible] by the President of the United States May 8, 1914, and authorizing [illegible] Regents of the University of California [illegible]

Also, Senate Bill No. [illegible]—An Act to appropriate money for the purchase of the [illegible]

Also, Senate Bill No. [illegible]—An Act relating to [illegible]

Also, Senate Bill No. [illegible]—An Act appropriating money to pay the claim of Dr. W. E. [illegible] against the State of California.

Also, Senate Bill No. [illegible]—An Act to amend section 171 of the Civil Code of the State of California, relating to the liability of the wife's separate property for debts [illegible]

Also, Senate Bill No. [illegible]—An Act making an appropriation to pay the claim of W. H. [illegible] against the State of California.

L. B. MALLORY, Chief Clerk of Assembly.
By M. Stone, Assistant Clerk.

Senate Bills Nos. 1048, 1240, 164, 649, 4, 1237, 810, 286, 729, 237, 1013, 718, 1103, 430, 351, 367, 327, 211, and 247 ordered to enrollment.

Also—

SACRAMENTO, May 8, 1915.

Mr. President: I am directed to inform your honorable body that the Assembly [illegible] on this day passed as amended Senate Bill No. 426—An Act to appropriate money to pay the cost of printing, publishing and distributing State textbooks free to the school children of the State in accordance with the provisions of the Constitution, and respectfully asks that the amendment be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. Stone, Assistant Secretary.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Bill No. 426.

Senate Bill No. 426—An Act to appropriate money to pay the cost of printing, publishing and distributing State textbooks free to the school children of the State in accordance with the provisions of the Constitution.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER FOUR HUNDRED TWENTY-SIX

AMENDMENT NUMBER ONE

On page 1, line 1, of the printed bill strike out the words "[illegible]", and insert in lieu thereof the following: "[illegible]"

The question being, "Shall the Senate concur in Assembly amendment to Senate Bill No. 426?"

The roll was called, and Assembly amendment to Senate Bill No. 426 was concurred in by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Birdsall, Boyd, Butler, Carr, Chandler, Cogswell, Cohn, Finn, Flint, Gerdes, Hans, Jones, Kehoe, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—24.

Noes—None.

Senate Bill No. 426 ordered to enrollment.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 328—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 534, relating to actions concerning water rights.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 328 refused passage by the following vote:

AYES—Senators Chandler, Duncan, and Rush—3.

NOES—Senators Anderson, Ballard, Benedict, Birdsall, Breed, Butler, Carr, Cogswell, Cohn, Finn, Flint, Gerdes, Hans, Jones, Kehoe, Lee, Maddux, Mott, Shearer, Slater, Strobridge, Thompson, Tyrrell, and Wolfe—24.

Assembly Bill No. 434—An Act to amend section 1861 of the Civil Code of the State of California, relating to lien of hotel keepers on property of guests for charges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 434 refused passage by the following vote:

AYES—Senators Ballard, Benedict, Butler, Carr, Chandler, Cogswell, Cohn, Gerdes, Hans, Irwin, Mott, Rush, Stuckenbruck, Tyrrell, and Wolfe—15.

NOES—Senators Anderson, Beban, Finn, Flint, Jones, Kehoe, King, Lee, Purkitt, Slater, Strobridge, and Thompson—12.

CASE OF URGENCY.

The following resolution was offered by Senator Wolfe:

Resolved, That Assembly Bill No. 1608 presents a case of urgency, as that term is used in section 15 of article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Breed, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, King, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the Constitution suspended for the purpose of considering at this time Assembly Bill No. 1608—An Act to amend section 4078 of the Political Code, relating to the allowance of claims by boards of supervisors and the right of claimants to sue.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wolfe moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Ballard, Beban, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flint, Gates, Hans, Irwin, Jones, Kehoe, King, Mott, [illegible], Purkitt, Rush, Scott, Shearer, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe.

The Secretary announced the absentees.

Time, four o'clock p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At four o'clock and ten minutes p.m., Senators Breed, Rush, and Birdsall were brought to the bar of the Senate, and on motion of Senator Wolfe, excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At four o'clock and fifteen minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wolfe.

The Secretary was directed to call the roll, on the passage of Assembly Bill No. 1008, of the Senators who had not answered to their names.

The roll was called, and Assembly Bill No. 1008 passed by the following vote:

Ayes—Senators Ballard, Beban, Breed, Butler, Chandler, Cogswell, Cohn, Duncan, Finn, Gates, Hans, Irwin, Jones, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, Tyrrell, and Wolfe—23.

Noes—Senators Anderson, Boynton, Birdsall, Carr, Flint, Kehoe, King, Mott, and Thompson—9.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRESIDENT PRO TEM. THOMPSON IN THE CHAIR.

At four o'clock and twenty minutes p.m., Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Strobridge, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day adopted as amended, Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 31 of article IV thereof, relating to the loan by the State of its credit to public or private corporations; and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENT.

The Senate took up for consideration Assembly amendment to Senate Constitutional Amendment No. 17.

Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 31 of article IV thereof, relating to the loan by the State of its credit to public or private corporations.

ASSEMBLY AMENDMENT TO SENATE CONSTITUTIONAL AMENDMENT NUMBER SEVENTEEN

AMENDMENT NUMBER ONE.

On page 2 of the printed bill as amended in the Senate April 29, 1915, after the word "whatever" in line 10, insert the following: "; *provided, further*, that irrigation districts for the purpose of acquiring the control of any entire international water system necessary for its use and purpose, a part of which is situated in the United States, and a part thereof in a foreign country, may in the manner authorized by law, acquire the stock of any foreign corporation which is the owner of, or which holds the title to the part of such system situated in a foreign country".

The question being: "Shall the Senate concur in Assembly amendment to Senate Constitutional Amendment No. 17?"

The roll was called, and Assembly amendment to Senate Constitutional Amendment No. 17 was concurred in by the following vote:

AYES—Senators Anderson, Ballard, Beban, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Duncan, Finn, Flint, Gerdes, Jones, Kehoe, King, Maddux, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

NOES—None.

Senate Constitutional Amendment No. 17 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—RESUMED.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Constitutional Amendment No. 27—A resolution proposing to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article XI thereof, to be designated as section 20 of said article XI of the Constitution of the State of California, relating to the taking of property for public use and additional property in excess thereof, and for the payment thereof;

Also: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section 1 of article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature and also reserving to the people of the State of California the power to approve or reject at the polls any Act, or section or part of any Act of the Legislature.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Constitutional Amendments Nos. 27 and 22 ordered to enrollment.

Also:

SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended and on this day passed as amended, Senate Bill No. 1023—An Act to amend an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, by amending section 752 thereof relating to the election and term of office of officers of cities of the fifth class;

And respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 1023.

Senate Bill No. 1023—An Act to amend an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, by amending section 752 thereof relating to the election and term of office of officers of cities of the fifth class.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE THOUSAND TWENTY-THREE

AMENDMENT NUMBER ONE

On page 1 of the printed bill, strike out [illegible] "The members of the board of [illegible] and the [illegible] at a general municipal election."

AMENDMENT NUMBER TWO

On page 2 of the printed bill, after the period in line 11, insert the following: "The board of [illegible] the members of the board."

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 1023?"

The roll was called, and Assembly amendments to Senate Bill No. 1023 were concurred in by the following vote:

Ayes—Senators [illegible] and Wagy—30.

Noes—None.

Senate Bill No. 1023 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY—(Continued)

Assembly Chamber, Sacramento, May 9, 1933.

Mr. President: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code of the State of California, relating to [illegible].

Also, Senate Bill No. 1390—An Act to provide for the [illegible].

Also, Senate Bill No. 487—An Act to amend section 1 of an Act entitled "An Act to [illegible]," approved April 10, [illegible].

Also, Senate Bill No. 186—An Act to amend section [illegible] of the Political Code, relating to [illegible] of the Clerk of the Supreme Court.

Also, Senate Bill No. 718—An Act to amend section [illegible] of the Political Code, relating to [illegible].

Also, Senate Bill No. 1260—An Act defining and regulating [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. [illegible], 1390, 487, 186, 718 and 1260 ordered to enrollment.

CASE OF URGENCY

Resolved, That Assembly Bills Nos. [illegible] present cases of urgency, as that term is used in section 15 of article IV of the Constitution and the provision of that section requiring that the bills shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bills be read second and third times and passed upon their merits.

In accordance with the provisions of the above resolution, adopted on the last legislative day, the President declared the provisions of section 15 of article IV of the Constitution suspended for the purpose of considering at this time Assembly Bills Nos. 100, 604, 837, 1060, 1530, 908, 1669, 631, 575, 1647, 1147, 219, 1537, 1534, 708, 293 and 1529.

Assembly Bill No. 100—An Act appropriating money to pay the claim of Lassen County against the State of California.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 100 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Birdsall, Breed, Butler, Chandler, Cogswell, Cohn, Duncan, Finn, Flint, Gerdes, Jones, Kehoe, King, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 604—An Act to amend an Act entitled "An Act to protect domestic live stock from contagious and infectious diseases, to provide for the appointment and duties of officials to carry into effect the provisions of this Act, and to provide an appropriation therefor," which became a law March 18, 1899, and as amended March 20, 1905, and March 23, 1907, and as further amended March 19, 1909, by amending sections 2, 3, 4, 5, 6, 7½ and 8 thereof, by adding a new section thereto to be known and numbered as section 6½, and repealing section 7 thereof, all relating to the powers and duties of the State Veterinarian, Assistant State Veterinarian and deputy state veterinarians, and fixing salaries, and prescribing penalties for violation of this Act.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 604 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Birdsall, Breed, Butler, Carr, Chandler, Cohn, Duncan, Finn, Flint, Gerdes, Jones, Kehoe, King, Maddux, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 837—An Act making an appropriation for the subsistence, supplies, transportation and other expenses incidental to the encampment of the troops of the National Guard of California, upon the occasion of the Panama-Pacific International Exposition.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 837 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flint, Gerdes, Jones, Kehoe, King, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1060—An Act to appropriate money to pay the claim of Lake Tahoe Railway and Navigation Company upon a judgment rendered against the State of California.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1060 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Breed, Brown, Butler, Carr, Chandler, Cogswell, Duncan, Finn, Flint, [illegible], Jones, Kehoe, King, Maddux, Mott, Purkitt, Rush, Sample, Slater, Stuckenbruck, Thompson, Tyrrell, and Wolfe—27.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1529—An Act to create the office of Poultry Commissioner, defining his duties and providing for an appropriation to carry out the provisions of this Act.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1529 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Breed, Brown, Butler, Carr, Cogswell, Flint, Gates, Hans, Jones, Juilliard, Kehoe, King, Maddux, Mott, Rush, Shearer, Sample, Strobridge, Thompson, Tyrrell, and Wolfe—25.

Noes—Senators Boynton, Chandler, Crowley, Duncan, Flint, and Stuckenbruck—6.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Wolfe asked for and was granted leave of absence for the balance of this legislative day.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

By consent of the Senate, the following report of standing committee was received and read out of the regular order:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 1168—An Act appropriating money to pay the claim of Clarence H. Peters against the State of California, have had the same under consideration, and respectfully return the same back and recommend that it do pass.

STROBRIDGE, Chairman.

Assembly Bill No. 1168 ordered on file for second reading.

CASE OF URGENCY.

The following resolution was offered:

By Senator Strobridge:

Resolved, That Assembly Bill No. 1168 presents a case of urgency, as that term is used in section 15 of article IV of our Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.
The question being on the adoption of the resolution.
The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Maddux, Mott, Purkitt, Rush, Shearer, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—30.
NOES—None.

Whereupon the President declared the provisions of section 15 of article IV of the Constitution suspended for the purpose of considering at this time Assembly Bill No. 1168—An Act appropriating money to pay the claim of Clarence H. Peterson against the State of California.
Bill read second time, and ordered on file for third reading.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 1168 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Finn, Flint, Gerdes, Hans, Irwin, Jones, Kehoe, Maddux, Mott, Purkitt, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—29.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.

CONSIDERATION OF CASES OF URGENCY—RESUMED

Assembly Bill No. 308—An Act amending section 9 of an Act entitled "An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act," approved March 20, 1903.
Bill read second time, and ordered on file for third reading.
Bill read third time.
The question being on the passage of the bill.
The roll was called, and Assembly Bill No. 308 passed by the following vote:

AYES—Senators Anderson, Beban, Birdsall, Breed, Brown, Butler, Chandler, Cogswell, Cohn, Finn, Flint, Gerdes, Irwin, Kehoe, Maddux, Mott, Purkitt, Rush, Shearer, Slater, Strobridge, Stuckenbruck, Thompson, Tyrrell, and Wolfe—25.
NOES—None.

Title read and approved.
Bill ordered transmitted to the Assembly.
Assembly Bill No. 1606—An Act to amend an Act entitled "An Act to provide for the planting, protection and care, and the removal and change, of shade trees and ornamental shrubs along and in public streets, avenues, lanes, alleys, courts and places within municipalities, and for the assessment of the costs and expenses thereof upon the lots, parts of lots and lands fronting on the public streets, avenues, lanes, alleys, courts or places where such work is to be done," approved June 11, 1913, by providing for the planting, protection, and care and

the removal and [illegible] of trees, shrubs, plants and grass along and in public streets, avenues, lanes, alleys, courts, places and parkways within municipalities, and for the assessment of the cost and expenses thereof upon the lots, parts of lots, and lands within the district assessed, in proportion to the benefits to be received where such work is to be done,' by amending the title of said Act and by amending sections 1, 2, 3, 4, 6, 7 and 16 thereof.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Anderson, [illegible]—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act to form agricultural districts, providing for boards of directors for the government thereof, and for the management and control of the same by the State, and making an appropriation therefor, and repealing all Acts and portions of the Acts in conflict with this Act.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Anderson, [illegible], and Thompson—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. [illegible]—An Act relating to the conservation of forests, prohibiting the cutting of small trees and providing penalties for violations hereof.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] passed by the following vote:

Ayes—Senators Anderson, [illegible], Thompson, and Tyrrell—[illegible].

Noes—Senators [illegible] and [illegible]—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 2547—An Act to amend "An Act to provide for the organization, incorporation and government of municipal corporations," approved May 13, 1883, etc.

AMENDMENT FROM FLOOR

During second reading of the bill, the following amendment was offered, and its adoption moved, by Senator Anderson.

AMENDMENT NUMBER ONE

Strike out on page 7, line 12, the words "and transfer."

Amendment adopted.

Bill read second time, ordered to print and third reading.

Assembly Bill No. 1147—An Act to amend an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, mislabeled, or misbranded foods and liquors, and regulating the traffic therein, providing penalty, establishing a state laboratory for foods, liquors and drugs, and making an appropriation therefor."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 219—An Act to add a new section to the Penal Code, to be numbered section 288a, relating to sex perversions and defining the same to be felonies.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 219 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Crowe, Finn, Flint, Gates, Lewis, Maddux, Purkitt, Rush, Scott, Slater, Strobridge, and Thompson—23.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1537—An Act validating the action of the trustees of the State Library in accepting as a gift from the heirs of the late Adolph Sutro of the city and county of San Francisco, the library commonly denominated the "Sutro Library," and in establishing a branch of the State Library in the city and county of San Francisco to be known as the "Sutro Library."

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1537 passed by the following vote:

Ayes—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Crowe, Finn, Flint, Gates, Lewis, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, and Thompson—24.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR STROBRIDGE IN THE CHAIR.

At five o'clock p.m., Senator Strobridge, of the Thirteenth District, in the chair.

CONSIDERATION OF URGENCY BILLS—(RESUMED).

Assembly Bill No. 1553—An Act to amend sections 7 and 9 of an Act entitled "An Act authorizing levee districts of the State to incur a bonded indebtedness for the purpose of building, constructing, or repairing levees of the district, or for excavating and constructing ditches or canals of said districts, or for the purpose of acquiring rights of way for any such levees, ditches, or canals, or for any and all of said purposes," approved March 8, 1911.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1553 passed by the following vote:

Ayes—Senators Anderson, [illegible], Behan, Benedict, Birdsall, Brown, [illegible], Butler, Chandler, Cogswell, [illegible], Finn, Gates, Irwin, Maddux, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, and Thompson—[illegible].

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At five o'clock and fifteen minutes p.m., on motion of Senator Thompson, the Acting President declared the Senate at recess until six o'clock and fifteen minutes p.m.

RECONVENED.

At six o'clock and fifteen minutes p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 29, Memorializing Congress at its next session in Washington, D. C., [illegible] the Act approved October 22, 1914, increasing the revenue tax on brandy used in fortification of sweet wines from three cents to fifty-five cents per proof gallon, has had the same under consideration, and respectfully report the same back with amendments, and recommend it be adopted as amended.

RUSH, Chairman.

Assembly Joint Resolution No. 29 ordered on file.

CONSIDERATION OF JOINT RESOLUTION—(OUT OF ORDER).

Senator Strobridge asked for and was granted unanimous consent to take up at this time, out of the regular order, Assembly Joint Resolution No. 29 for the purpose of amendment.

Assembly Joint Resolution No. 29—Requesting Congress at its next session in Washington, D. C., to grant relief to the viticultural interests of California by repealing or amending the Act approved October 22, 1914, increasing the revenue tax on brandy used in fortification of sweet wines from three cents to fifty-five cents per proof gallon.

COMMITTEE AMENDMENTS.

During the consideration of the joint resolution, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out of lines 16 and 17 the following: "which bulletin is attached and made a part of this resolution;"

Amendment adopted.

AMENDMENT NUMBER TWO.

Strike out all of lines 6 to 37, inclusive, on page 2 and all of the remainder of the resolution.

Amendment adopted.
Bill ordered to print.

CONSIDERATION OF CASES OF URGENCY—RESUMED.

Assembly Bill No. 293—An Act to amend section 1228 of the Penal Code, relative to capital punishment.

AMENDMENTS FROM FLOOR.

During second reading of the bill, the following amendments were offered and their adoption moved by Senator Shearer:

AMENDMENT No. 1.

On page 1, line 1, insert before the word "Section" the following: "Section 1."
Amendment adopted.

AMENDMENT No. 2.

On page 1, line 3, strike out the word and figure "Section 1," and insert in lieu thereof "1228."

Amendment adopted.

AMENDMENT No. 3.

On page 1, line 8, strike out the following: "Sec. 2.".

Amendment adopted.
Bill read second time and ordered to print and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

By consent of the Senate, the following report of standing committee was received and read, out of the regular order:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 391—An Act to amend section 893 of the Code of Civil Procedure relating to form of judgments and notice thereof to be given to litigants;

Also: Assembly Bill No. 1355—An Act to amend section 1491*a* of the Code of Civil Procedure relating to the filing statement as to publication of notice to creditors;

Also: Assembly Bill No. 48—An Act to amend section three thousand one hundred [illegible] State of California, [illegible]

Has had the same under consideration, and respectfully reports the same back without recommendation.

KEHOE, Chairman.

Assembly Bills Nos. [illegible], [illegible], and [illegible] ordered on file for second reading.

Also—

SENATE CHAMBER, SACRAMENTO, May 9, 1953.

Mr. President: Your Committee on [illegible], to which was referred Assembly Bill No. [illegible]—An Act to amend section [illegible] of the [illegible] Code, relating to [illegible]

Has had the same under consideration, and respectfully reports the same back with [illegible]

KEHOE, Chairman.

Assembly Bill No. [illegible] ordered on file for second reading.

LEAVES OF ABSENCE

Senator [illegible] was, on motion of Senator [illegible], granted leave of absence for the balance of this legislative day.

Senator [illegible] was, on motion of Senator [illegible], granted leave of absence for the balance of this legislative day.

CASE OF URGENCY

The following resolution was offered:

By Senator Kehoe:

Resolved, That Assembly Bills Nos. [illegible], [illegible], [illegible] and 18 present cases of urgency, as that term is used in section 15 of article IV of the Constitution, and the provision of [illegible] be, and the same is hereby dispensed with, and that said bills shall be read [illegible]

Resolution read.

The question being on the adoption of the resolution.

The roll was called.

CALL OF THE SENATE

Pending the announcement of the vote, Senator Kehoe moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators [illegible], Breed, Brown, Butler, [illegible], King, [illegible], and Thompson—27.

The Secretary announced the absentees.

Time, six o'clock and twenty minutes p.m.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH

At six o'clock and twenty-two minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Kehoe.

The Secretary was directed to call the roll, on the adoption of the resolution, of the Senators who had not answered to their names.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Gerdes, Irwin, Kehoe, King, Luce, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—28.
NOES—None.

Whereupon the President declared the provision of section 15, article IV, of the Constitution suspended for the purpose of considering at this time Assembly Bills Nos. 738, 391, 1355, and 48.

Assembly Bill No. 738—An Act to amend section three thousand eight hundred sixty-six of the Political Code, relating to settlements of county treasurers with the State.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 738 passed by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Carr, Chandler, Cogswell, Duncan, Finn, Gerdes, Irwin, Kehoe, Luce, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Thompson—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY—OUT OF ORDER.

On motion of Senator Strobridge, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused to adopt Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending section seventeen of article VI of said Constitution.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 229—An Act to add a new section to the Code of Civil Procedure to be numbered ten hundred twenty, relating to the service of summons in actions for divorce or annulment of marriage.

Also: Senate Bill No. 1030—An Act to add a new section to the Code of Civil Procedure to be numbered section one thousand twenty-one *a*, relating to costs in civil actions and proceedings.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 667—An Act to amend sections two, three, [illegible], sixteen and seventeen of an Act known as the "Weights and Measures Act," approved June 16, 1913.

Also: Senate Bill No. 1076—An Act to amend section five hundred thirty-five of the Political Code.

Also: Senate Bill No. 267—An Act to amend an Act entitled "An Act authorizing the Governor of the State of California to issue licenses to bodies of men to organize, drill, and bear arms as military companies or organizations, and providing for their control," approved March 9, 1911, by adding thereto two new sections to be numbered sections two and three, providing for an allowance for armory, rent and [illegible] and necessary incidental expenses, and providing for such companies means of target practice.

Also, Senate Bill No. 917—An Act to amend section [illegible] of the Civil Code of the State of California, relating to the [illegible] of directors of corporations.

Also, Senate Bill No. 1072—An Act to add a new section to the Civil Code [illegible] on the [illegible].

Also, Senate Bill No. 703—An Act to repeal section [illegible] of the Penal Code, relating to the [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 667, 1076, 961, 917, 1072, and 703 ordered to Enrollment.

Also:

Assembly Chamber, Sacramento, May 9, 1913.

Mr. President: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. [illegible]—An Act providing for the [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF [illegible]

Assembly Bill No. 291—An Act to amend section [illegible] of the Code of Civil Procedure relating to [illegible] of judgments and notice thereof to be given to litigants.

Bill read second time and ordered on file for third reading.

Bill read third time.

The question being on the passage of the Bill.

The roll was called and Assembly Bill No. 291 passed by the following vote:

AYES—Messrs. [illegible] and Thompson—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Also:

Assembly Bill No. 1355—An Act to amend section [illegible] of the Code of Civil Procedure relating to the filing statement as to publication of notice to creditors.

Bill read second time and ordered on file for third reading.

Bill read third time.

The question being on the passage of the Bill.

The roll was called, and Assembly Bill No. 1355 passed by the following vote:

AYES—[illegible] and Thompson—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Also:

Assembly Bill No. 48—An Act to amend section 3106 of the Political Code of the State of California, relating to cemeteries, and defining what constitutes a public cemetery.

Bill read second time and ordered on file for third reading.

Bill read third time.

On motion of Senator Finn, Assembly Bill No. 48 was passed on file.

CONSIDERATION OF JOINT RESOLUTION—OUT OF ORDER.

Senator Strobridge asked for and was granted unanimous consent for the consideration at this time of Assembly Joint Resolution No. 29, out of the regular order.

ASSEMBLY JOINT RESOLUTION NUMBER TWENTY-NINE

Relative to memorializing Congress at its next session at Washington, D. C., to grant relief to the viticultural interests of California by repealing or amending the Act approved October 22, 1914, increasing the revenue tax on brandy used in fortification of sweet wines from three cents to fifty-five cents per proof gallon.

WHEREAS, By an Act, entitled "An Act to increase the revenue and for other purposes," approved October 22, 1914, congress increased the revenue tax on brandy used in fortification of sweet wines from three cents a proof gallon to fifty-five cents per proof gallon, and according to the official opinion received from the Treasury Department made no provision for nullifying said increase after the end of the year 1915; and

WHEREAS, Such increase of tax and the automatic additional increase to $1.10 per proof gallon after January 1, 1916, will have the effect of practically preventing the use of California grapes for sweet wines in California for all time to come; and

WHEREAS, Such prohibitive taxation not only defeats its own object of acquiring revenue, but deals a crushing blow to the entire vineyard interests of California as evidenced by Bulletin No. 4 just issued by the State Board of Viticultural Commissioners; therefore, be it

Resolved by the Senate and Assembly, jointly, That Congress be requested through California's representatives and senators, and through the State Board of Viticultural Commissioners of this State, to grant such immediate relief by necessary legislation at its next session as will assure the preservation of our viticultural industry, which in California alone represents an investment of $150,000,000.

Joint resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 29 adopted by the following vote:

AYES—Senators Ballard, Beban, Benedict, Birdsall, Brown, Butler, Chandler, Cogswell, Cohn, Finn, Gerdes, Kehoe, Luce, Mott, Purkitt, Scott, Shearer, Slater, Strobridge, Stuckenbruck and Thompson—21.

NOES—None.

Joint Resolution ordered transmitted to the Assembly.

SENATOR COGSWELL IN THE CHAIR

At six o'clock and twenty-five minutes p. m., Senator Cogswell of the Thirty-third District, in the chair.

CASE OF URGENCY

The following resolution was offered:

By Senator Thompson:

Resolved, That Assembly Bill No. 256 presents a case of urgency, as that term is used in section 15 of article IV of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Benson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Dennett, Finn, Gerdes, Irwin, Jones, Kehoe, King, Luce, Mott, Scott, Shearer, Slater, Stuckenbruck and Thompson—26.

NOES—None.

Assembly Bill No. 256—An Act authorizing and regulating the practice of chiropractic in the State of California; creating a State Board of

Chiropractic Examiners, providing for the appointment of the same, defining its powers, duties and emoluments; to provide a standard of education for chiropractors; to provide penalties for the violation of this Act; to provide for the examination and licensing of chiropractors in the State of California and to repeal any or all parts of any Act or Acts in conflict with this Act.

Bill read second time and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. [illegible] refused passage by the following vote:

Ayes—Senators [illegible]—15.

Noes—Senators [illegible]—13.

APPROVAL OF JOURNALS

On motion of Senator Thompson the Journals of Friday, May 7, 1915, and Saturday, May 8, 1915, were approved as corrected.

RESOLUTIONS—[OUT OF ORDER]

By consent of the Senate, the following resolutions were taken up at this time out of the regular order:

BY COMMITTEE ON CONTINGENT EXPENSES

Resolved, That the Secretary of the Senate is hereby authorized and directed to have prepared [illegible] the Senate. For the purpose of [illegible] Secretary of the Senate [illegible] the Treasurer is hereby directed to pay the same.

Resolution read.

Senator [illegible] moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

Ayes—Senators [illegible]—25.

Noes—None.

[illegible]

BY COMMITTEE ON CONTINGENT EXPENSES

Resolved, That the sum of [illegible] be and the same is hereby appropriated out of the fund for pay of officers, clerks and other employees of the Senate, to the order of [illegible], Secretary, for services of self and clerks [illegible] of the Senate [illegible] Secretary of State as provided by law, and for the further purpose of [illegible] and having printed after final adjournment a final calendar of the legislative business of the forty-first session [illegible] subsequent sessions of the Legislature; and, further, a detailed statement of the expenses of both houses of the Legislature during the forty-first session. When said final calendar is prepared the Secretary is directed to forward one copy to each public library in the State which may apply for the same, and one copy to each member of the Senate; be it further

Resolved, That the State Controller is hereby authorized and directed to draw his warrant or warrants upon the unexpended balance of the fund provided for the pay of officers, clerks and all other employees of the Senate in favor of Lewis A. Smith, Secretary of the Senate, in the sum of thirteen hundred dollars or so much thereof as may be necessary, and the Treasurer is hereby directed to pay the same.

Resolution read.

Senator Beban moved that the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Gerdes, Irwin, Jones, Kehoe, King, Luce, Mott, Rush, Scott, Shearer, Slater, Strobridge and Stuckenbruck—25.

NOES—None.

Also:

BY COMMITTEE ON CONTINGENT EXPENSES.

Resolved, That there is hereby appropriated out of the contingent fund of the Senate the sum of one hundred thirty dollars and forty-four cents, being one-half of the cost of printing five thousand reports of the Recreational Inquiry Commission, which printing was done by the State Printer in accordance with Senate Concurrent Resolution No. 15 as adopted at the forty-first session of the Legislature, said amount being one-half of two hundred sixty dollars and eighty-seven cents, total cost of such printing; and

Resolved, further, That the State Controller be and he hereby is directed to draw his warrant upon said contingent fund in favor of R. L. Telfer, Superintendent of State Printing; and the State Treasurer is hereby directed to pay the same.

Resolution read.

Senator Beban moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Brown, Butler, Chandler, Cogswell, Cohn, Finn, Irwin, Jones, Kehoe, King, Luce, Mott, Rush, Scott, Shearer, Slater, Strobridge and Stuckenbruck—22.

NOES—None.

Also:

BY COMMITTEE ON CONTINGENT EXPENSES.

Resolved, That the State Controller be, and he is hereby directed to draw his warrant upon the contingent fund for the sum of twenty-one dollars and fifty cents ($21.50), and the State Treasurer is hereby directed to pay the same, said amount being for the payment of the bills herewith attached:

E. T. Mispley	$18 60
The Pacific Telephone and Telegraph Company	2 90

Resolution read.

Senator Beban moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Beban, Benedict, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Cohn, Duncan, Finn, Gerdes, Irwin, Jones, Kehoe, King, Luce, Mott, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Tyrrell—26

NOES—None.

Also:

BY COMMITTEE ON CONTINGENT EXPENSES.

Resolved, That the Secretary of the Senate be, and he is hereby authorized and instructed to forward by postage or express prepaid to each member of the Senate after the adjournment of the Legislature as soon thereafter as is practicable three copies of the laws and statutes in chapter form of the forty-first session of the Legislature; and be it further

Resolved, That the sum of one hundred [illegible] dollars be appropriated out of the contingent fund of the Senate, payable by the Secretary of the Senate [illegible] the Secretary of the Senate and the State [illegible] directed to pay the same.

Resolution read.

Senator [illegible] moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, Ballard, [illegible] King, [illegible] and [illegible]—27.

Noes—None.

Also:

[illegible]

[illegible]

Resolution read.

Senator [illegible] moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Senators Anderson, [illegible] and [illegible].

Noes—None.

SENATOR JONES IN THE CHAIR.

At six o'clock and thirty minutes p.m., Senator Jones of the Twenty-eighth District in the chair.

CONSIDERATION OF [illegible] (THIRD READING).

Assembly Bill No. 293—An Act to amend section 1228 of the Penal Code, relative to capital punishment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 293 refused passage by the following vote:

Ayes—Senators [illegible].

Noes—Senators Anderson, [illegible] and [illegible]—2[illegible].

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

By consent of the Senate, the following report of standing committee was received and read out of the regular order:

SENATE CHAMBER, SACRAMENTO, May 8, 1919.

Mr. President: Your Committee on Judiciary, to which was referred Assembly Bill No. 1604—An Act to amend section [illegible] of the Civil Code, [illegible], has had the same under consideration, and respectfully reports the same back without recommendation.

KEHOE, Chairman.

Assembly Bill No. 1604 ordered on file for second reading.

CASE OF URGENCY.

The following resolution was offered:

By Senator Kehoe:

Resolved, That Assembly Bill No. 1604 presents a case of urgency, as that term is used in section 15 of article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each House is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Chandler, Cohn, Duncan, Finn, Gerdes, Irwin, Jones, Kehoe, King, Luce, Mott, Purkitt, Rush, Scott, Shearer, Slater, Strobridge, Stuckenbruck, and Tyrrell—27.

NOES—None.

Assembly Bill No. 1604—An Act to amend section 2957 of the Civil Code, relating to mortgages upon personal property.

Bill read second time, and ordered on file for third reading.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1604 passed by the following vote:

AYES—Senators Anderson, Ballard, Beban, Benedict, Birdsall, Breed, Brown, Butler, Chandler, Cohn, Finn, Gerdes, Irwin, Jones, Kehoe, King, Luce, Mott, Purkitt, Rush, Scott, Slater, Strobridge, and Tyrrell—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF CASES OF URGENCY—(RESUMED).

Assembly Bill No. 1547—An Act to amend "An Act to provide for the organization, incorporation, and government of municipal corporations," approved May 13, 1883, etc.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1547 refused passage by the following vote:

AYES—Senators Anderson, Benedict, Brown, Butler, Gerdes, Irwin, Kehoe, Luce, Scott, and Tyrrell—10.

NOES—Senators Ballard, Birdsall, Carr, Chandler, Jones, King, Purkitt, Rush, Shearer, Strobridge, Stuckenbruck, and Thompson—12.

COMMUNICATIONS—(OUT OF ORDER).

The following communications were read, out of the regular order, and ordered printed in the Journal.

By the President:

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

In compliance with the provisions of section 1195 of the Political Code, I have made the following appointments to prepare arguments upon the respective constitutional amendments submitted at this forty-first session of the Legislature:

Senate Constitutional Amendment No. 2—For: Senators Finn and Anderson.
Against: Senator King.
Senate Constitutional Amendment No. 11—For: Senators Benedict and Luce.
Senate Constitutional Amendment No. 17—For: Senators Brown and Maddux.
Against: Senator Ballard.

Senate Constitutional Amendment No. [illegible]—For Senators [illegible] and [illegible]. [illegible]

Senate Constitutional Amendment No. [illegible]—For Senators [illegible] and [illegible].

Senate Constitutional Amendment No. 27—For Senators Benedict and Jones.

Senate Constitutional Amendment No. [illegible]—For Senators [illegible] and [illegible]. [illegible]

[illegible]

JOHN M. ESHLEMAN, President of the Senate.

Also:

By the President:

SENATE CHAMBER, Sacramento, May [illegible], 1915.

In compliance with the provisions of Assembly Concurrent Resolution No. [illegible], I have appointed Senators [illegible], [illegible] and [illegible] to the committee provided for therein.

[illegible]

JOHN M. ESHLEMAN, President of the Senate.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read out of the regular order.

ON JUDICIARY.

SENATE CHAMBER, Sacramento, May [illegible], 1915.

Mr. President: Your Committee on Judiciary, to which was referred Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Civil Code of the State of California;

Also, Assembly Bill No. [illegible]—An Act to add a new section to the Code of Civil Procedure [illegible];

Also, Assembly Bill No. [illegible]—An Act [illegible];

Also, Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Code of Civil Procedure [illegible];

Also, Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Political Code [illegible];

Also, Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Penal Code [illegible];

Also, Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Penal Code [illegible];

Also, Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Code of Civil Procedure of the State of California, relating to [illegible];

Also, Assembly Bill No. [illegible]—An Act to provide for the issuance of [illegible] certificates and official ballots to duly registered voters, to enable voters to whom such certificates and ballots have been issued to [illegible] on the day of any general or primary election, and to provide the manner in which such votes shall be cast and counted;

Also, Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Penal Code [illegible];

Also, Assembly Bill No. [illegible]—An Act to amend section 2021 of the Code of Civil Procedure, relating to the taking of depositions;

Also, Assembly Bill No. [illegible]—An Act to amend section 264 of the Penal Code [illegible];

Also, Assembly Bill No. [illegible]—An Act to amend section 224 of the Civil Code, [illegible];

Also, Assembly Bill No. [illegible]—An Act to amend section 174 of the Civil Code of the State of California, relating to the liability of the husband for necessaries furnished to the wife;

Also, Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Code of Civil Procedure, relating to [illegible];

Also, Assembly Bill No. [illegible]—An Act to amend section 1109 of the Penal Code [illegible];

Also, Assembly Bill No. 1167—An Act to amend section 595 of the Civil Code relating to [illegible];

Also, Assembly Bill No. [illegible]—An Act to add a new section to the Penal Code of the State of California, to be numbered [illegible], relating to the exhibition of representations of diseased human bodies;

Also: Assembly Bill No. 1357—An Act to add a new section to the Penal Code to be known as section 532*b* thereof, relating to the concealment or misrepresentation of identity for the purpose of obtaining property or credit and prescribing the punishment therefor;

Also: Assembly Bill No. 1560—An Act to amend section 199 of the Code of Civil Procedure, in relation to the competency of jurors;

Has had the same under consideration and respectfully reports the same back without recommendation.

KEHOE, Chairman.

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Judiciary to which was referred Senate Bill No. 7—An Act to amend section 1402 of the Civil Code of the State of California;

Also: Senate Bill No. 17—An Act creating small debtors courts in counties of the first, second and third classes, and defining their powers, jurisdiction and procedure;

Also: Senate Bill No. 51—An Act to facilitate the vacating, abating and closing of streets and alleys and the disinterment of bodies in cemeteries which have been transferred to cities or cities and counties and which are held by them in trust for the purpose of maintaining said cemeteries forever as public parks;

Also: Senate Bill No. 52—An Act to authorize a cemetery corporation or association to transfer its land and cemetery lands to the city or city and county within which such cemetery land is located, upon such further trusts as such deed shall be prescribed, and to authorize said city or city and county to accept and execute a trust in relation to such property for the purpose of maintaining said land forever as a public park, to provide for the carrying into effect of the purposes of this Act;

Also: Senate Bill No. 53—An Act to provide compensation to lot owners who have removed bodies, monuments and mortuary emblems from their lots in any cemetery the title of which shall have been transferred to the city or city and county to which it is conveyed in trust for the purpose of maintaining such cemetery forever as a public park, to authorize such city or city and county to pay such compensation, and to provide the means and the procedure to carry out the purposes of this Act;

Also: Senate Bill No. 57—An Act to add a new section to the Civil Code of the State of California, to be numbered 2301, defining agencies;

Also: Senate Bill No. 58—An Act to add a new section to the Penal Code of the State of California, to be numbered five hundred thirty-seven *d*, relating to the defrauding of garage keepers;

Also: Senate Bill No. 69—A new section of the Code of Civil Procedure to be known as section one thousand one hundred ninety-five *a*;

Also: Senate Bill No. 70—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by adding a new section thereto, to be designated and known as section one thousand seven hundred sixteen, relating to negligence and the enforcement of claims against municipal corporations because of negligence in certain cases;

Also: Senate Bill No. 71—An Act to repeal section fifty-five *a* of the Political Code, relative to soliciting, demanding, or pledging votes for or against any particular bill or measure;

Also: Senate Bill No. 73—An Act to amend section one thousand one hundred ninety-five of the Political Code, relating to proposed constitutional amendments, initiative and referendum measures, and providing for the mailing and distribution of the same, together with arguments for and against adoption;

Also: Senate Bill No. 75—An Act to add a new section to the Code of Civil Procedure of the State of California, to be known as section two hundred five *a*, relating to the verification of the qualifications of jurors;

Also: Senate Bill No. 78—An Act to amend section one thousand six hundred eighteen of the Code of Civil Procedure of the State of California, relative to the compensation of executors and administrators;

Also: Senate Bill No. 82—An Act to amend sections two hundred seventy-six, two hundred seventy-seven, and two hundred seventy-nine of the Code of Civil Procedure, relating to the admission and license of attorneys and counsellors at law, and to add three sections to said code, to be known as sections two hundred seventy-six *a*, two hundred seventy-six *b*, and two hundred seventy-six *c*, relating to the same subject, and making an appropriation to carry out the purposes of this Act;

Also: Senate Bill No. 92—An Act to add a new section to the Penal Code of the State of California, to be numbered one hundred fifty-three *c*, relating to sending by mail, or otherwise, threats or statements that judgments rendered against any person will be printed or published;

Also: Senate Bill No. 104—An Act to amend section "14*h*" and "14*n*" of an Act entitled "An Act to amend the title and an Act entitled An Act concerning dependent and delinquent minor children, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and the Preston State School of Industry, and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with such children, and fixing the salaries of probation officers;

[illegible] relative to [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 23 of the Code of Civil [illegible] or judgment;

[illegible] of the Code of Civil [illegible]

[illegible] Civil Code by [illegible] upon corporations, joint stock companies or [illegible]

[illegible] of [illegible]

[illegible] wife, and the evidence required to prove the punishment of such [illegible]

[illegible]

[illegible] 172 of the Civil Code of [illegible]

[illegible] Bill No. 179—An Act to amend the Code of Civil Procedure of the [illegible]

[illegible] March [illegible] 1901 [illegible] prohibiting the defense by district attorneys of [illegible]

[illegible] service; a certificate and the form [illegible]

[illegible] to the Code of Civil [illegible] section 1296, relating to jurisdiction of courts over pro[illegible]

[illegible] Bill No. 238—An Act to amend section 1313 of the Civil Code of the [illegible]

[illegible] No. 252—An Act to amend section 3819 of the Political Code, [illegible]

[illegible] An Act to amend section 162 of the Civil Code of [illegible] wife [illegible]

[illegible] An Act repealing section 169 of the Civil Code of the [illegible] ng to the separate property of the wife;

Also: Senate Bill No. 287—An Act to amend section 441 of the Code of Civil Procedure, relating to answers;

Also: Senate Bill No. 294—An Act to amend section 799 of the Political Code, relating to official bonds or persons authorized to administer oaths;

Also: Senate Bill No. 306—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending sections 85 and 97 thereof, relating to justices' courts and justices of the peace in cities and counties of over four hundred thousand inhabitants;

Also: Senate Bill No. 308—An Act to amend section 86 of the Code of Civil Procedure of the State of California relating to clerks of justices' courts, and repealing all Acts inconsistent herewith;

Also: Senate Bill No. 338—An Act to prohibit the making or soliciting of contracts wherein one party thereto obligates himself to make to the other party periodical payments, which may be applied to the operating expenses of the obligee, or which may be forfeited, and wherein an agreement by the obligee to lend money to the obligor is made to depend upon the date of contract and the number of periodical payments; and to prescribe penalties for violations hereof;

Also: Senate Bill No. 347—An Act to be known as the juvenile court law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, California School for Girls, and other institutions; establishing probation officers and a probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crime; and repealing juvenile court law approved March 8, 1909, as amended by an Act approved April 5, 1911, and as amended by an Act approved June 16, 1913, and all amendments thereof and all Acts or parts of Acts inconsistent herewith are hereby repealed;

Also: Senate Bill No. 393—An Act creating a department of natural resources and creating the office of secretary of said department; defining his powers and duties and fixing his salary; providing for the consolidation of certain commissions, boards and offices; providing for the organization and administration of said department, and defining the power of its officers;

Also: Senate Bill No. 425—An Act to amend section 475 of the Code of Civil Procedure by providing that in certain cases on appeal, the appellate court may disregard errors of the trial court and determine substantial rights upon the record;

Also: Senate Bill No. 437—An Act to regulate private detective agencies and detectives, prescribing certain qualifications of all persons operating as private detectives, providing for the licensing and bonding of such agencies and detectives, under the supervision of the Secretary of State, and defining their liabilities for misconduct to persons injured thereby;

Also: Senate Bill No. 456—An Act to increase the number of judges of the Superior Court of the State of California, in and for the county of [illegible], to provide for the appointment of an additional judge and for his compensation;

Also: Senate Bill No. 473—An Act relating to the sale of coal;

Also: Senate Bill No. 516—An Act to repeal section 79 of the Civil Code of the State of California;

Also Senate Bill No. 522—An Act to amend section 1006 of the Civil Code of the State of California, relating to "occupancy;"

Also: Senate Bill No. 526—An Act to amend section 1228 of the Penal Code, relative to capital punishment;

Also: Senate Bill No. 527—An Act to amend the Penal Code of the State of California by adding a new section thereto to be numbered section 1506, providing for appeals in proceedings in habeas corpus;

Also: Senate Bill No. 543—An Act to amend section 1861 of the Civil Code of the State of California, relating to the lien of hotel, inn, boarding house and lodging house keepers upon the baggage and other property of value of their guests, or boarders, or lodgers, by including therein a lien for apartment house keepers upon the property of their tenants;

Also: Senate Bill No. 557—An Act to amend section 472 of the Political Code of the State of California, relating to the appointees of the Attorney General and his duties;

Also: Senate Bill No. 576—An Act to amend section 661 of the Code of Civil Procedure, relating to new trials and appeals;

Also: Senate Bill No. 577—An Act to amend section 656 of the Code of Civil Procedure, relating to new trials and appeals;

Also: Senate Bill No. 578—An Act to amend section 658 of the Code of Civil Procedure, relating to new trials;

Also: Senate Bill No. 579—An Act to amend section 660 of the Code of Civil Procedure, relating to new trials;

Also: Senate Bill No. 583—An Act to amend section 264 of the Penal Code relating to the punishment for the crime of rape;

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] An Act to confirm and [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] structing or maintaining [illegible] the United States by the Secretary of [illegible]

Also: Senate Bill No. 662—An Act to amend section 394 of the Code of Civil Procedure of the State of California, relating to the place of trial of actions, and providing where actions to prevent works, approved by the Reclamation Board, to carry out the plans of the California Debris Commission, transmitted to the Speaker of the House of Representatives of the United States by the Secretary of War on June 27, 1911, with such amendments and modifications as may be approved by the Reclamation Board, shall be commenced and tried, for the transfer of such actions, and making the Reclamation Board defendants on such actions.

Also: Senate Bill No. 663—An Act to add a new section to the Civil Code to be numbered section 2953, providing for the redemption of real estate when the same is conveyed to secure the payment of money or the performance of an obligation and providing for the notice to be given for the sale of real estate under such conveyance and providing that contracts waiving such right of redemption or dispensing with such notice shall be void.

Also: Senate Bill No. 664—An Act to amend section 700*a*, of the Code of Civil Procedure relating to sales of property under judgments and powers of sale provided in mortgages, deeds of trust and other instruments in writing and providing for the redemption of property from such sales and declaring void any provision waiving such right of redemption.

Also: Senate Bill No. 697—An Act to amend section 1955 of the Civil Code of the State of California, relating to the letting and hiring of personal property.

Also: Senate Bill No. 706—An Act to amend sections 939, 940 and 948, of the Code of Civil Procedure, relating to the time for and manner of taking of appeals, and the justification of sureties on undertaking on appeal, and to repeal sections 941*a*, 941*b*, and 941*c*, relating to an alternative method of appeal.

Also: Senate Bill No. 712—An Act to add a new article to chapter IV under title XI, part II, of the Code of Civil Procedure to be numbered "Article IV," relating to garnishment.

Also: Senate Bill No. 713—An Act to add a new chapter under title VII, part II, of the Code of Civil Procedure to be numbered "Chapter VII," relating to garnishment.

Also: Senate Bill No. 734—An Act to amend section 1674 of the Civil Code, in relation to contracts in restraint of trade.

Also: Senate Bill No. 748—An Act to add a new section to the Code of Civil Procedure to be numbered 1133*a*, relating to the procedure of liens of merchanics and others upon real property.

Also: Senate Bill No. 779—An Act to amend section 1072 of the Penal Code of the State of California, relating to general causes of challenge.

Also: Senate Bill No. 780—An Act to authorize the creation of the office of public defender in the respective counties, cities and counties, and municipalities of the State of California, to provide for the appointment or election of such officers, and prescribing their duties and compensation.

Also: Senate Bill No. 785—An Act to amend sections 1246, 1247, 1247*a* and 1247*c*, of the Penal Code of the State of California, relating to the duty of the clerk upon appeal, and to the preparation of records to be used on appeal from judgments, orders or proceedings of the superior courts to the supreme court or the district court of appeal in criminal cases.

Also: Senate Bill No. 800—An Act to amend sections 12, 14, 15, 49 and 50 of the Act known and designated as the "Workmen's Compensation, Insurance and Safety Act," approved May 26, 1913.

Also: Senate Bill No. 803—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered section 1218*a*, providing for a jury trial in certain cases of contempt.

Also: Senate Bill No. 805--An Act authorizing the State Board of Equalization to destroy by fire certain reports and other documents;

Also: Senate Bill No. 807--An Act to amend section 40 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing such liability; and creating a 'state compensation insurance fund' to insure employers against such liability and providing for its administration and regulating such insurance by other insurance carriers; and requiring safety in all employments and places of employment in this State and providing the means and methods of enforcing such safety; and requiring reports of industrial accidents; and providing penalties for offenses by employers, their officers, agents, and by employees and other persons and corporations; and creating an industrial accident commission, providing for its organization, defining its powers and duties and providing for a review of its orders, decisions and awards, and appropriating moneys to carry out the provisions of this Act, and repealing all acts and parts of acts inconsistent with the provisions of this Act," approved May 26, 1913;

Also: Senate Bill No. 823—An Act to amend section 602 of the Penal Code relating to trespass;

Also, Senate Bill No. [illegible]—An Act [illegible] Civil Code of the State of California [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible] Civil Code of the State of California [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Civil Code of the State of California [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible] Code of the State of California [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code of the State of California [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code of the State of California [illegible].

Also, Senate Bill No. [illegible]—An Act to add to the Civil Code of the State of California a new section [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of an Act entitled "An Act [illegible]," approved May [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Code of Civil Procedure [illegible].

Also, Senate Bill No. [illegible]—An Act to amend the Code of Civil Procedure of the State of California [illegible] for seven years; and for [illegible].

Also, Senate Bill No. [illegible]—An Act to regulate the sale and labeling of paints; [illegible].

Also, Senate Bill No. [illegible]—An Act to amend an Act entitled "An Act [illegible]," approved June [illegible].

Also, Senate Bill No. [illegible]—An Act to amend sections [illegible] of an act entitled "An Act concerning dependent and delinquent minor children, [illegible] the Whittier State School and the Preston School of Industry, [illegible] probation officers to deal with such children, [illegible]; providing for detention homes for said children; [illegible] persons responsible for, or contributing to, [illegible] inconsistent acts," approved March 8, 1909, as amended by an act approved April [illegible], and further amended by an act approved June [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section 657 of the Code of Civil Procedure, relating to when a new trial may be granted.

Also: Senate Bill No. 965—An Act to add a new section to the Civil Code, to be numbered 1657a, relating to the time for completion of a real estate [illegible] made under a contract silent as to the time for such completion;

Also: Senate Bill No. 968—An Act to amend section 4300 of the Political Code by providing that township officers must demand the payment of all fees in civil cases in advance, except that such advance payment may be waived by justices of the peace in certain cases;

Also: Senate Bill No. 976—An Act to amend section 1643 of the Code of Civil Procedure, relating to the order in which debts must be paid, and fixing the rate of interest to be paid on demand against estates of decedents;

Also: Senate Bill No. 981—An Act to add a new section to the Code of Civil Procedure to be numbered section 1060, providing for the deposit and payment of jury fees;

Also: Senate Bill No. 990—An Act to amend section 223 of the Civil Code of the State of California, relating to the adoption of minor children;

Also: Senate Bill No. 991—An Act confirming, ratifying and adopting a written agreement by the city of Richmond concerning its harbor, harbor lines [illegible] tide and submerged lands, and granting to it certain submerged land and authorizing it to convey certain small parcels of such land not needed for commerce and navigation;

Also: Senate Bill No. 998—An Act to amend section 976 of the Code of Civil Procedure, relating to appeals to superior courts on question of fact or of law and fact;

Also: Senate Bill No. 1003—An Act to amend sections 1349, 1350, 1352, 1353, and 1355 of the Penal Code of California, relating to the examination of witnesses on commission;

Also: Senate Bill No. 1015—An Act authorizing and empowering the Board of Trustees of the Whittier State School to transfer, exchange and convey any and all water rights now owned and held by said board for stock in a corporation;

Also: Senate Bill No. 1024—An Act to amend title V of part III of the Political Code by adding and enacting new chapters to be designated chapters I, I*a*, I*b*, I*c*, I*d*, and I*e*, relating to and creating a state board of administration; providing for the organization of such board; defining its powers and duties; prescribing the number and fixing the salaries of the members and employees thereof; providing for the government and management by said board of administration of the State hospitals for the insane and other incompetent persons, the State schools and institutions for reformation, the Veterans' Home of California, the Woman's Relief Corps Home, the Industrial Home for the Adult Blind; for the appointment, salaries, powers and duties of the executive and other officers and employees of said institutions and for the commitment or admission and care, custody and maintenance of the inmates and members of such institutions; and to amend said title V, of part III of the Political Code, by renumbering chapter I*c* thereof relating to the Woman's Relief Corps Home of California and designating said chapter as chapter I*f*, and to repeal chapter I of title V of part III of the Political Code, relating to the State Commission in Lunacy, State hospitals and care, custody, apprehension and commitment of insane and other incompetent persons, and chapter I*b* of title V of part III of the Political Code relating to the industrial home for the adult blind; and to repeal an act entitled "An Act to create a State board of charities and corrections, prescribing its duties and powers, and appropriating money therefor," approved March 25, 1903, and all Acts amendatory thereof, or supplemental thereto, and to repeal an Act entitled "An Act providing for the supervision and control by the State Board of Charities and Corrections of the placing of dependent children into homes and for the supervision of all societies or organizations engaged in such work and known as children's home finding societies," approved April 24, 1911; and to repeal an Act entitled "An act to establish a school of industry and providing for the maintenance and management of the same, and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof and supplemental thereto, and to repeal an Act entitled "An Act to establish a state reform school for juvenile offenders and to make an appropriation therefor," approved March 11, 1889, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled "An Act to accept from the Veterans' Home Association the conveyance of, and to vest the title in the State of California to, the tract of land in Napa County known as the Veterans' Home, with the improvements and furnishings thereon, to make the same a state home for United States soldiers, sailors, and marines, and to provide for the government thereof by the State," approved March 11, 1897, and all Acts amendatory thereof or supplemental thereto; and to repeal an Act entitled, "An Act to establish a state training school for girls; to provide for the maintenance and management of the same, and to make an appropriation therefor," approved June 14, 1913; and to repeal all Acts and parts of Acts in conflict with this Act;

Also: Senate Bill No. 1044—An Act to amend section 274 and to repeal section 274*b* of the Code of Civil Procedure, both relating to and fixing the fees to be received by official reports of the Superior Court;

Also: Senate Bill No. 1047—An Act to amend section 454 of the Code of Civil Procedure, relating to pleading accounts and bills of particulars;

Also, Senate Bill No. [illegible]—An Act [illegible] upon the roadway of railroads, and providing that the disregarding of said notice of [illegible] evidence of [illegible]

Also, Senate Bill No. [illegible]—An Act [illegible] the Whittier State School, the Preston School of Industry and the California School for Girls [illegible] Superior Court [illegible] Acts.

Also, Senate Bill No. [illegible]—An Act [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of an Act entitled "An Act [illegible] approved May [illegible], 1911.

Also, Senate Bill No. [illegible]—An Act to amend sections 1073, 1079, 1083a, 1094, [illegible] of the Political Code [illegible] of the Political Code [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of an Act entitled "An Act [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Code of Civil Procedure [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Code of Civil Procedure [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Penal Code [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Penal Code [illegible]

Also, Senate Bill No. [illegible]—An Act to repeal section [illegible] of the Code of Civil Procedure.

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Code of Civil Procedure [illegible]

Also, Senate Bill No. [illegible]—An Act to add a new section to the Civil Code to be [illegible]

Also, Senate Bill No. [illegible]—An Act to add a new section to the Code of Civil Procedure [illegible]

Also, Senate Bill No. [illegible]—An Act [illegible]

Also, Senate Bill No. [illegible]—An Act [illegible] the board of supervisors of the city and county of San Francisco [illegible] State of California [illegible] slips, piers, and increasing the [illegible] San Francisco.

Also, Senate Bill No. [illegible]—An Act [illegible]

Also, Senate Bill No. [illegible]—An Act prohibiting [illegible] in such performances or [illegible]

KEHOE, Chairman.

SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Constitutional Amendment No. [illegible] [illegible] amendment to the Constitution [illegible] article XIII thereof, by inserting therein a new section to be known as section twelve, providing for the assessment, levy and collection of a tax for the care and support of orphans and half-orphans, and dependent children, has had the same under consideration, and respectfully reports the same back without recommendation.

KEHOE, Chairman.

Also:

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending section one of article IV thereof, relating to legislative powers, and reserving to the people of the State of California the power to propose laws, statutes and amendments to the Constitution and to enact the same at the polls, independent of the Legislature, and also reserving to the people of the State of California the power to approve or reject at the polls any Act or section or part of any Act of the Legislature:

Also: Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment of the Constitution of the State of California, by adding a new section to article II thereof, to be numbered section seven, in relation to the qualification of electors to vote on any question of incurring any bonded indebtedness of this State or of any county, city and county, municipality, or other political subdivision of this State:

Also: Senate Constitutional Amendment No. 6—A resolution proposing to the people of the State of California an amendment to section three of article XII of the Constitution of California, relating to the liability of stockholders in corporations and joint-stock companies and to the liability of directors and trustees thereof:

Also: Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to section sixteen of article XX of the Constitution of the State of California relating to term of officers when not fixed by the Constitution:

Also: Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by inserting in article VI of said Constitution, a new section to be known and numbered as section eleven and one half of said article VI, relating to the election, appointment, duties, salaries, responsibilities, fees and perquisites of office, tenure and term of office of judges of such inferior courts as the Legislature may establish, or has established in any township, district, incorporated city, or town, county, or city and county, in pursuance of sections one and eleven of said article VI, except police judges, and judges of municipal courts:

Also: Senate Constitutional Amendment No. 10—A resolution to propose to the people of the State of California an amendment to section four of article six of the Constitution of the State of California, relating to the jurisdiction of the Supreme Court and District Courts of Appeal:

Also: Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending section seventeen of article V of the Constitution of the State, relating to the election and term of office of a Secretary of State, a Controller, a Treasurer, an Attorney General, and a Surveyor General, and also by amending section nineteen of article V of the said Constitution relating to the compensation of the Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, and Surveyor General:

Also: Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending sections one, two, three, four, five, six, seven, eight, nine, ten, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, nineteen and twenty-three of article IV thereof relating to the legislative department.

Also: Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding a new section to article XIII, relating to revenue and taxation:

Also: Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment of the Constitution of the State by adding a new section to article VI thereof, to be numbered section four and one fourth, in relation to the power of courts to declare laws unconstitutional:

Also: Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section one of article XXIII, providing for the recall by the electors, of public officials:

Also: Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to article VI thereof, to be numbered section four *a*, in relation to the judicial department.

Also: Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to article XI of the Constitution of the State of California, by adding a new section thereto to be known as section six and a half, relating to the imposition of license and license fees:

Also, Senate Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California [illegible]

Also, Senate Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California an amendment to the Constitution [illegible] article XIII [illegible] section 14 of article XIII of the Constitution [illegible]

Also, Senate Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California an amendment to the Constitution [illegible] article XIII [illegible]

Also, Senate Constitutional Amendment No. [illegible]—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California [illegible] article XIII [illegible]

Also, Senate Constitutional Amendment No. [illegible]—A resolution proposing to the people of the State of California an amendment [illegible] of the Constitution of the State of California [illegible]

Also, Senate Constitutional Amendment No. [illegible]—A resolution proposing to the people of the State of California an amendment to article XIV of the Constitution of the State of California [illegible] providing for its appointment, defining [illegible]

Also, Senate Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California [illegible]

Have had the same under consideration and respectfully report the same [illegible] recommendation.

KEHOE, Chairman.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May [illegible]

MR. PRESIDENT: Your Committee on Corporations, to which was referred Senate Bill No. [illegible]—An Act [illegible] of the Civil Code of the State of California [illegible] corporations;

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Civil Code [illegible] corporations;

Also, Senate Bill No. [illegible]—An Act to add to the Civil Code a new section to be numbered [illegible]

Also, Senate Bill No. [illegible]—An Act to add to the Civil Code a new section [illegible] directors of corporations;

Also, Senate Bill No. [illegible]—An Act to amend sections [illegible] of the Civil Code [illegible] corporations;

Also, Senate Bill No. [illegible]—An Act [illegible] corporations [illegible] State of California [illegible] dividends, and authorizing the stockholders [illegible] corporations [illegible]

Also, Assembly Bill No. [illegible]—An Act to amend section 290 of the Civil Code relating to the contents of articles of incorporation of corporations;

Have had the same under consideration and respectfully return same [illegible]

JONES, Chairman.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 501—An Act to amend section 634 of the Political Code, relating to registration of policies of life insurance companies;

Also: Senate Bill No. 568—An Act to repeal section 2633*a* of the Civil Code of the State of California, relating to the time for notice of loss in casualty or accident insurance policies;

Also: Senate Bill No. 569—An Act to incorporate standard provisions in policies of accident and health insurance, to prevent discriminations in connection therewith and to prescribe penalties for violations of the provisions hereof;

Also: Senate Bill No. 802—An Act to add to the Civil Code of the State of California seven new sections to be known and numbered sections 423, 423 *a*, 423 *b*, 423 *c*, 423 *d*, 423 *e*, and 423 *f*, all relating to insurance and the investment of the funds of life insurance companies;

Also: Senate Bill No. 891—An Act to amend section 605 of the Political Code relating to fees for the filing of insurance documents;

Also: Senate Bill No. 901—An Act to amend section 591 of the Political Code, relating to the expenses and funds of the Insurance Commissioner;

Also: Senate Bill No. 902—An Act to amend section 589 of the Political Code, relating to the annual salary of the Insurance Commissioner and Deputy Insurance Commissioner;

Also: Senate Bill No. 1027—An Act to amend section 611 of the Political Code of the State of California, relating to the filing of statements with the insurance commissioner;

Also: Senate Bill No. 1055—A new section is hereby added to the Political Code of the State of California, to be known as section 594*b*, relating to the soliciting and writing of insurance;

Also: Senate Bill No. 1056—An Act to amend section 629 of the Political Code, relating to the method to be used in the valuation of life insurance reserves;

Also: Senate Bill No. 1153—An Act to amend section 452*a* of the Civil Code, relating to the formation of mutual benefit and life associations;

Also: Senate Bill No. 1157—An Act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of an Act entitled "An Act providing for the organization and management of mutual fire insurance corporations and associations and defining the same, and regulating the transaction of the business of mutual fire insurance in the State of California, and repealing an Act entitled 'An Act providing for the organization and management of mutual fire insurance companies,' approved March 19, 1907," approved May 1, 1911;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BENEDICT, Chairman.

Also:

SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 554—An Act to amend the Political Code of the State of California by adding a new section thereto to be known as section six hundred thirty-five relating to a standard form of life insurance policy;

Also: Assembly Bill No. 858—An Act to amend section five hundred and ninety-one of the Political Code, relating to the expenses and funds of the Insurance Commissioner;

Also: Assembly Bill No. 1205—An Act to amend section six hundred thirty-four of the Political Code of the State of California, relating to the registration of policies of life insurance companies;

Has had the same under consideration, and respectfully reports the same back without recommendation.

BENEDICT, Chairman.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Assembly Bill No. 94—An Act appropriating money for building and furnishing an observatory in the city and county of San Francisco; arranging for its upkeep by said city and county;

Also: Assembly Bill No. 99—An Act to amend and re-number section three thousand two hundred forty-seven of the Political Code, approved March 27, 1897, relating to the purchase of supplies for the State or for the use of any county, city and county, city or town, by boards, committees, and other persons;

Also: Assembly Bill No. 108—An Act prescribing the minimum wage to be paid for labor upon all work performed for and in the interest of the State of California by contract, and providing a penalty for the violation thereof;

Also: Assembly Bill No. 258—An Act to appropriate money for the construction and furnishing of a cottage for male patients at the Agnews State Hospital;

Also, Assembly Bill No. [illegible]—An Act to appropriate money for the construction of [illegible] buildings and equipment at the [illegible] State Hospital;

Also, Assembly Bill No. [illegible]—An Act to appropriate money for the [illegible] of [illegible] for the [illegible] State Hospital;

Also, Assembly Bill No. [illegible]—An Act to appropriate money for the construction of [illegible] and the purchase of [illegible] and other equipment for [illegible] at the Southern California State Hospital;

Also, Assembly Bill No. [illegible]—An Act [illegible] the California State Commission [illegible] and making an appropriation [illegible];

Also, Assembly Bill No. [illegible]—An Act to appropriate money to pay the cost of [illegible] free text books for the school children of the State [illegible] the Commission.

Also, Assembly Bill No. [illegible]—An Act to appropriate money for the [illegible] State Normal School;

Also, Assembly Bill No. [illegible]—An Act to appropriate money for [illegible] San Diego State Normal School;

Also, Assembly Bill No. [illegible]—An Act to appropriate money for [illegible] and equipment of the San Diego [illegible] School;

Also, Assembly Bill No. [illegible]—An Act to appropriate money for repairs and improvements at the San Diego State Normal School;

Also, Assembly Bill No. [illegible]—An Act to appropriate money for the [illegible] of the State prison at San Quentin;

Also, Assembly Bill No. [illegible]—An Act to appropriate money for the purchase of [illegible] for the [illegible] at the State prison at San Quentin;

Also, Assembly Bill No. [illegible]—An Act to appropriate money to pay the expenses of [illegible] the property of the San Jose State Normal School by the city of San Jose;

Also, Assembly Bill No. [illegible]—An Act to amend the Political Code by adding [illegible] courts of appeal and [illegible];

Also, Assembly Bill No. [illegible]—An Act to amend an Act entitled "An Act [illegible]";

Also, Assembly Bill No. [illegible]—An Act to add a new section to the Political Code [illegible] irrigation districts [illegible];

Also, Assembly Bill No. [illegible]—An Act appropriating money for the [illegible] of the California State building at the Panama-California Exposition;

Also, Assembly Bill No. [illegible]—An Act appropriating money to reimburse the [illegible] Panama-California Exposition [illegible] the California State building at said exposition;

Also, Assembly Bill No. [illegible]—An Act to amend sections [illegible] and [illegible] of the Political Code relating to [illegible];

Also, Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Political Code relating to the powers of the State Commission in Lunacy;

Also, Assembly Bill No. [illegible]—An Act to amend section [illegible] of the Political Code relating to [illegible] insurance commissioner [illegible];

Also, Assembly Bill No. [illegible]—An Act to provide for the survey and construction of a State highway from Bridgeport, county seat of Mono County, to Independence, county seat of Inyo County, and making an appropriation therefor;

Also, Assembly Bill No. 1032—An Act to appropriate money for the erection of additional buildings for the [illegible] of San Diego, California;

Also, Assembly Bill No. [illegible]—An Act appropriating money to pay the claim of [illegible] against the State of California;

Also, Assembly Bill No. [illegible]—An Act to appropriate money to pay the claim of [illegible] against the State of California;

Also, Assembly Bill No. 1098—An Act to appropriate money to pay the expenses of [illegible] the property of the San Diego State Normal School by the city of San Diego;

Also, Assembly Bill No. 1171—An Act to encourage the teaching of agriculture in the public schools of the state and providing an appropriation therefor;

Also, Assembly Bill No. 1271—An Act providing for the location, survey and construction of a proposed highway from Bakersfield in Kern County by the most [illegible] route by the Lost Hills through the Cholame Pass to a point on the state highway in the county of San Luis Obispo, and making an appropriation therefor.

Also: Assembly Bill No. 1272—An Act making an appropriation for the survey and location of a highway between McKittrick in Kern County and Santa Margarita in the county of San Luis Obispo, State of California;

Also: Assembly Bill No. 1372—An Act to create a commission for the purpose of making a survey of historical material in the State of California;

Also: Assembly Bill No. 1499—An Act making an appropriation for the construction of a monument to Abraham Lincoln in Inglewood Park Cemetery;

Also: Assembly Bill No. 1513—An Act appropriating money for the purchase of a power launch, to be used by the State Fish and Game Commission in districts numbers nineteen and twenty;

Also: Assembly Bill No. 97—An Act making an appropriation for the location, survey, and construction of a proposed state road from the junction of the counties of San Joaquin, Calaveras, and Amador to Jackson, Amador County;

Also: Assembly Bill No. 205—An Act making an appropriation of money to pay the claim of Firth Crossland against the State of California for injuries received while in the employ of the State.

Also: Assembly Bill No. 707—An Act recognizing and establishing that the unpaid expenses of the convention which framed the Constitution of the State of California, including the unpaid per diem of the delegates to such convention for the full term thereof, are obligations against the State, providing that suits may be brought against the State to determine by judgment the amount and correctness of claims for such unpaid expenses and per diem:

Also: Senate Bill No. 23—An Act making an appropriation for the location, survey, and construction of a proposed state road from the junction of the counties of San Joaquin, Calaveras, and Amador to Jackson, Amador County, connecting with the Alpine state road.

Also: Senate Bill No. 30—An Act creating a state recreation commission, providing for the employment by said commission of a secretary and other employees and authorizing said commission to fix their compensation, prescribing the powers and duties of said commission, and making an appropriation for the purpose of carrying out the provisions hereof;

Also: Senate Bill No. 34—An Act to provide for the establishment, maintenance and control of sanatoria, farm colonies and other institutions for the treatment of tuberculosis and making appropriation therefor, and authorizing counties and cities and counties within the State to send patients to said institutions and to pay the running expenses and maintenance of the same and of patients therein, and to levy taxes therefor, and providing for other sources of revenue;

Also: Senate Bill No. 63—An Act to provide for the erection of a memorial monument to Abraham Lincoln, appointing a commission therefor and providing an appropriation to carry this Act into effect;

Also: Senate Bill No. 64—An Act providing that one half of the cost and expense of maintenance of the salaries of the officers, firemen and crew of the fire boats "David Scannell" and "Dennis Sullivan," shall be borne and paid by the State of California out of the general fund;

Also, Senate Bill No. 65—An Act appropriating money for the purchase of additional land for the State fair grounds in the city of Sacramento;

Also: Senate Bill No. 66—An Act appropriating money for the reconstruction of windows in the agricultural pavilion at the State Fair Grounds in Agricultural Park in the city of Sacramento;

Also: Senate Bill No. 91—An Act to provide for a day of rest from labor;

Also, Senate Bill No. 96—An Act to establish the Yolo and Lake highway, to define its course; to provide for its survey and construction; and to make an appropriation therefor;

Also: Senate Bill No. 114—An Act appropriating money for the equipment and furnishing of buildings at Humboldt State Normal School;

Also: Senate Bill No. 115—An Act appropriating money for the construction of temporary buildings at Humboldt State Normal School;

Also: Senate Bill No. 116—An Act appropriating money for moving [illegible] buildings at Humboldt State Normal School;

Also: Senate Bill No. 117—An Act appropriating money for clearing the site for erecting buildings on the property of Humboldt State Normal School;

Also: Senate Bill No. 149—An Act to provide for the construction of a building to be used as a barn and garage in California Redwood Park, and making an appropriation therefor;

Also: Senate Bill No. 150—An Act to provide for a sprinkling system for the state highway extending from Saratoga Gap into and through California Redwood Park, and making an appropriation therefor;

Also: Senate Bill No. 157—An Act to establish the California State Commission for the Blind, providing for the maintenance of a register of the blind and a bureau of information and industrial aid, and providing for home teachers along industrial lines, also to co-operate with the State Board of Health for the prevention of blindness; and appropriating moneys to carry out the provisions of this Act;

Also: Senate Bill No. 90—An Act to amend an Act entitled "An Act to create for the State of California a Department of Engineering, to provide for the appoint-

[illegible] a felony. [illegible]

Also: Senate Bill No. 160—An Act to provide for the selection, location, purchase or acquisition of a site [illegible] in the city of Los Angeles [illegible]

Also: Senate Bill No. 166—An Act appropriating money for repairing and restoring the custom house at Monterey.

Also: Senate Bill No. 167—An Act appropriating money for the purchase of equipment for shops, power plant and laboratories at the California Polytechnic School.

Also: Senate Bill No. 168—An Act appropriating money to provide a permanent water supply for the California Polytechnic School;

Also: Senate Bill No. 169—An Act appropriating money for the purchase of live stock and poultry at the California Polytechnic School.

Also: Senate Bill No. 170—An Act appropriating money for the building and equipping of a carpenter shop at the California Polytechnic School.

Also: Senate Bill No. 171—An Act appropriating money for the purchase of farm machinery and implements at the California Polytechnic School.

Also: Senate Bill No. 172—An Act appropriating money for the establishment and maintenance of a normal and business course at the California Polytechnic School.

Also: Senate Bill No. 173—An Act appropriating money for the building and equipping of an armory, gymnasium, assembly hall, and ball ground at the California Polytechnic School.

Also: Senate Bill No. 175—An Act appropriating money for building a horse barn, a hay barn, hog barn, dairy barn, sheep houses, and poultry houses and other farm buildings at the California Polytechnic School.

Also: Senate Bill No. 187—An Act appropriating money for building, furnishing and equipping a receiving building at Mendocino State Hospital.

Also: Senate Bill No. 188—An Act creating a department of agriculture and creating the office of secretary of agriculture, defining his powers and duties and fixing his salary, providing for the reorganization and consolidation of various departments and the administration of said departments under one head to be known as the department of agriculture and defining the powers and duties of its officers;

Also: Senate Bill No. 191—An Act to appropriate money for repairs and improvements and erection of small buildings at the Preston School of Industry;

Also: Senate Bill No. 193—An Act to appropriate money for the construction and furnishing of an isolation hospital at the Stockton State Hospital;

Also: Senate Bill No. 214—An Act appropriating money for the improvement and equipment of the Santa Barbara State Normal School of Manual Arts and Home Economics;

Also: Senate Bill No. 233—An Act to provide for the completion of the armory for the National Guard at San Francisco and making an appropriation therefor;

Also: Senate Bill No. 253—An Act appropriating money to complete, equip and furnish the Folsom State Hospital;

Also: Senate Bill No. 264—An Act to appropriate money for the construction of fences and the purchase of wire and other material for enclosures at the Southern California State Hospital;

Also: Senate Bill No. 270—An Act to appropriate money for the purchase of a dairy herd for the Agnews State Hospital;

Also: Senate Bill No. 271—An Act to appropriate money for the construction of dairy buildings and equipment at the Agnews State Hospital;

Also: Senate Bill No. 272—An Act appropriating the sum of thirty-five thousand dollars for the construction of buildings and the purchase and installation of machinery and equipment for use by the Lick Observatory of the University of California;

Also: Senate Bill No. 288—An Act appropriating the sum of twenty-five thousand dollars for the construction of a building to be known as the farm machinery building at the farm and agricultural school of the University of California at Davis;

Also: Senate Bill No. 289—An Act appropriating the sum of forty thousand dollars for the construction and equipment of buildings at the farm and agricultural school of the University of California at Davis;

Also: Senate Bill No. 290—An Act appropriating the sum of one hundred thousand dollars for the construction and equipment of creamery and abattoir buildings at the farm and agricultural school of the University of California at Davis;

Also: Senate Bill No. 291—An Act appropriating the sum of five thousand dollars for the construction of a building to be known as the live stock judging room at the farm and agricultural school of the University of California at Davis;

Also: Senate Bill No. 292—An Act to appropriate money to maintain a continuous course of instruction at the San Jose State Normal School;

Also: Senate Bill No. 293—An Act appropriating the sum of sixty-two thousand dollars for the use and benefit of the University of California and specifying the duties of the Controller and Treasurer of the State in relation thereto;

Also: Senate Bill No. 305—An Act to amend section two thousand one hundred forty-one of the Political Code, relating to the powers of the Lunacy Commission;

Also: Senate Bill No. 307—An Act appropriating the sum of two hundred thousand dollars for the support and maintenance of the medical department of the University of California in the city and county of San Francisco;

Also: Senate Bill No. 317—An Act to provide for the care and confinement of certain delinquents in correctional institutions, to establish two correctional institutions, to provide for the government thereof, and making an appropriation therefor;

Also: Senate Bill No. 326—An Act making an appropriation for the equipment of the buildings of the medical school of the University of California at Los Angeles, California;

Also: Senate Bill No. 327—An Act making an appropriation for additions and improvements to the buildings of the medical school of the University of California at Los Angeles, California;

Also: Senate Bill No. 330—An Act authorizing the establishment of a cash revolving fund for the Department of Engineering and defining its use;

Also: Senate Bill No. 349—An Act relating to labor exchanges and employment agencies, creating a bureau of labor exchanges under the Commission of Immigration and Housing of California, providing for the employment by said Commission of a director, superintendents and other employees, authorizing said Commission to fix their compensation, prescribing the duties of said bureau, providing for the free service of said bureau in securing employment for applicants, prescribing certain rules and regulations for the conduct of private employment agencies, authorizing the said bureau to license private employment agencies and enforce all laws pertaining to the regulation of private employment agencies, and making an appropriation for the purpose of carrying out the provisions hereof;

Also: Senate Bill No. 351—An Act to appropriate money to construct a highway between El Centro, California, and a point on the California State line directly opposite Yuma, Arizona;

Also, Senate Bill No. [illegible]—An Act [illegible] the State Bureau of [illegible] [illegible] with the provisions of this Act, and making an appropriation therefor.

Also, Senate Bill No. [illegible]—An Act to appropriate money for the construction and equipment of dairy and farm buildings at the state prison at San Quentin.

Also, Senate Bill No. [illegible]—An Act to appropriate money for the construction and equipment of [illegible] at the state prison at San Quentin.

Also, Senate Bill No. [illegible]—An Act to appropriate money to pay the expense of street improvements [illegible] Los Angeles State Normal School in the city of Los Angeles.

Also, Senate Bill No. [illegible]—An Act to appropriate money to pay the expense of compiling and publishing the [illegible] laws of the State of California.

Also, Senate Bill No. [illegible]—An Act to appropriate money for the construction of [illegible] at the state school at Whittier.

Also, Senate Bill No. [illegible]—An Act to appropriate money for the [illegible] of the Whittier State School.

Also, Senate Bill No. [illegible]—An Act to appropriate money for the [illegible] of the Whittier State School;

Also, Senate Bill No. [illegible]—An Act appropriating money for building, [illegible] at Whittier State School.

Also, Senate Bill No. [illegible]—An Act appropriating money for building, equipping and furnishing an administration building at Whittier State School.

Also, Senate Bill No. [illegible]—An Act to establish the [illegible] in the county of [illegible], and making an appropriation therefor.

Also, Senate Bill No. [illegible]—An Act to appropriate money for [illegible] Hospital.

Also, Senate Bill No. [illegible]—An Act to pay the claim of [illegible].

Also, Senate Bill No. [illegible]—An Act creating a State Art Commission, prescribing [illegible] and making an appropriation therefor.

Also, Senate Bill No. [illegible]—An Act [illegible] Secretary of Agriculture [illegible] in California [illegible] of this Act.

Also, Senate Bill No. [illegible]—An Act to provide compensation for [illegible].

Also, Senate Bill No. [illegible]—An Act making an appropriation for the [illegible] County, contingent upon the appropriation by the United States of America of [illegible] same purpose.

Also, Senate Bill No. [illegible]—An Act to provide for the [illegible] highway to connect the road system of Los Angeles County [illegible] with the road system of Antelope Valley [illegible] and making an appropriation therefor.

Also, Senate Bill No. [illegible]—An Act making an appropriation to complete the buildings, [illegible] and furnishing of an armory to be used for the National Guard and [illegible] in the city of Los Angeles.

Also, Senate Bill No. [illegible]—An Act to appropriate the sum of [illegible] dollars out of the San Francisco Harbor Improvement Fund of the state treasury to pay the assessment [illegible] on property belonging to the State of California by the city and county of San Francisco for a street improvement.

Also, Senate Bill No. 617—An Act providing for the location and construction of a state highway in Imperial County, and making an appropriation therefor.

Also, Senate Bill No. 675—An Act appropriating money for constructing a hospital building on site near Ferry Building in the city and county of San Francisco, arranging for its upkeep by said city and county;

Also, Senate Bill No. 687—An Act to provide for the survey, location and estimate of cost of a state highway from a point on the present located California state highway in Kern County, California, south of Bakersfield, southerly to the town of Nordhoff, Ventura County;

Also, Senate Bill No. 702—An Act making an appropriation for the conducting of experiments in the manufacture of by-products from citrus fruits at citrus experiment station at Riverside, California;

Also, Senate Bill No. 746—An Act to authorize the immediate use and expenditure, in such manner and to such extent as the Governor may direct, of the sum of two hundred thousand dollars appropriated by that certain Act entitled, "An Act to provide for the accomplishment of the work of the direct improvement of the navigation of the Sacramento, San Joaquin and Feather rivers of the State of California as recommended in the special report of the California Debris Commission, dated June 30, 1907, and made jointly by Brigadier General A. Mackenzie, chief of engineers, C. H. McKinstry, major, corps of engineers, and Thomas H. Jackson, captain, corps of engineers, of the United States Army, and printed with the annual report of the Chief of Engineers of the United States Army, for the fiscal year ending June 30, 1907, and making an appropriation for such work," approved June 7, 1913;

Also, Senate Bill No. 754—An Act making an appropriation for university extension work for the University of California;

Also, Senate Bill No. 759—An Act appropriating money for the construction of a dormitory building at the California School for the Deaf and the Blind;

Also, Senate Bill No. 760—An Act to establish a state training high school, to prescribe the functions thereof, to provide for its organization and management, to authorize the high school district where the same is located to appropriate moneys for the partial payment of its expenses and to provide for its housing, and to make a state appropriation therefor;

Also, Senate Bill No. 771—An Act making an appropriation for the purchase of lands in Sacramento County, State of California, for the use of the National Guard of California, for target and range purposes;

Also, Senate Bill No. 774—An Act making an appropriation to pay the expenses of an encampment of California high school cadets in the vicinity of San Francisco, during the Panama-Pacific International Exposition;

Also, Senate Bill No. 776—An Act making an appropriation for the attendance of certain members of the high school cadet organizations of the State of California at the student camp under the supervision of the Secretary of War of the United States, to be held in the State of California, during the summer of nineteen hundred and fifteen;

Also, Senate Bill No. 794—An Act to amend section 2302 of the Political Code of the State of California relating to the salary of the State Librarian;

Also, Senate Bill No. 829—An Act making an appropriation for office equipment for secretary of state;

Also, Senate Bill No. 860—An Act authorizing the State Board of Prison Directors to make and enforce rules and regulations to establish and maintain an earning system to apply to the inmates of state prisons engaged in productive activity, and making an appropriation to carry out the provisions of this Act;

Also, Senate Bill No. 880—An Act to appropriate money for the purchase of land adjoining the grounds of the San Diego State Normal School;

Also, Senate Bill No. 894—An Act to make appropriations for the continuation of the location, survey and construction of a state highway from Goodyear Bar, Sierra County, California, in a westerly direction to Indian Valley, California;

Also, Senate Bill No. 903—An Act providing a minimum standard of sanitation for all labor camps, making an appropriation to carry out the provisions hereof, and repealing Acts inconsistent herewith;

Also, Senate Bill No. 909—An Act appropriating money for the purchase of additional land adjoining the State Fair Grounds in the city of Sacramento, for the use of said fair grounds;

Also, Senate Bill No. 924—An Act appropriating money to pay the claim of Saint Francis Hospital, a corporation, against the State of California;

Also, Senate Bill No. 938—An Act to appropriate money to construct an assembly hall at the San Jose State Normal School;

Also, Senate Bill No. 946—An Act making an appropriation for furnishing, equipping and maintaining the buildings and grounds at Sacramento, California, known as the State Fair Grounds and for establishing and maintaining a permanent exhibit thereon of the products and resources of the different counties of the State of California;

Also, Senate Bill No. 952—An Act providing for the location, survey and construction of a proposed highway to connect the San Joaquin Valley state highway trunk line in Tulare County with the Coast state highway trunk line in Monterey County through Coalinga Pass;

Also, Senate Bill No. [illegible]—An Act to establish a state hospital for the care, custody and [illegible] of inebriates and drug habitues within the State of California, to be known as the California State Hospital [illegible] to provide for the government and management thereof, and making an appropriation therefor;

Also, Senate Bill No. [illegible]—An Act appropriating money for the erection of a laundry building at Sonoma State Home;

Also, Senate Bill No. 997—An Act to appropriate money to pay the claim of the Pacific Telephone and Telegraph Company against the State of California;

Also, Senate Bill No. [illegible]—An Act to appropriate money for the construction of a building for [illegible] patients at the Agnews State Hospital;

Also, Senate Bill No. [illegible]—An Act to appropriate money for the construction and furnishing of a building for tubercular patients at the Agnews State Hospital;

Also, Senate Bill No. [illegible]—An Act to appropriate money for the purchase of land for the Agnews State Hospital;

Also, Senate Bill No. 1014—An Act to authorize the Conservation Commission of the State of California to examine, inspect and appraise the [illegible] school lands of the State of California and making an appropriation therefor;

Also, Senate Bill No. [illegible]—An Act making an appropriation for the location and survey of a state highway, to be known as the [illegible] State Highway;

Also, Senate Bill No. [illegible]—An Act making an appropriation to pay the premium or charge [illegible] as provided for in an Act entitled "An Act to provide for the payment by the state [illegible] of the premium or charge on official bonds when given by surety companies," approved March [illegible];

Also, Senate Bill No. 1041—An Act to amend the Political Code by amending section [illegible] thereof, relating to the powers of the State Commission in Lunacy and the [illegible] of officers and employees of state hospitals;

Also, Senate Bill No. [illegible]—An Act to repeal section [illegible] of the Political Code of the State of California relating to porter for state treasurer;

Also, Senate Bill No. 1074—An Act to provide for the filing of bonds by certain employees of the Department of Engineering and for the payment by the said department of the premium or charge for bonds of its employees when given by surety companies;

Also, Senate Bill No. 1080—An Act to amend section 2289 of the Political Code relating to the support and maintenance of orphans, half orphans and abandoned children;

Also, Senate Bill No. [illegible]—An Act appropriating money to defray the expenses during the sixty-seventh and sixty-eighth fiscal years, of the Commission of Immigration and Housing of California in conducting inspections of housing conditions and enforcing the state housing laws;

Also, Senate Bill No. [illegible]—An Act to provide for the reimbursement of counties in this State which sustained a net loss of revenue during the years 1911, 1912, 1913 and 1914, by the withdrawal of railroad property from county taxation under the provisions of [illegible] of the constitution of this State, in addition to the reimbursement provided for by the terms of an Act entitled "An Act to provide for the reimbursement of counties in this State which sustain net loss of revenue by the withdrawal of railroad property from county taxation under the provisions of section fourteen, of article thirteen of the constitution of this State," approved April [illegible], 1911;

Also, Senate Bill No. 1111—An Act to provide for locating, surveying and constructing a highway from Pescadero in the county of San Mateo to the California Redwood Park in Santa Cruz County, and making an appropriation therefor;

Also, Senate Bill No. 1142—An Act making an appropriation for the erection, construction, equipment and furnishing of an armory for the National Guard at the city of Oakland;

Also, Senate Bill No. 1162—An Act establishing a bureau of child and animal protection, making an appropriation therefor and defining the duties thereof;

Also, Senate Bill No. 1200—An Act to amend sections 412 and 413 of the Political Code, relating to the deputies and salaries of the Secretary of State and his assistants, and their duties and salaries;

Also, Senate Bill No. 1227—An Act to prevent the sale of impure and unwholesome milk [illegible] rules and regulations therefor, and to empower [illegible] of counties, or cities and counties, to [illegible] and to prescribe penalties for violation of the provisions hereof;

Also, Senate Bill No. 1255—An Act to appropriate money to pay the expense of street improvements fronting the property of the University of California Medical School in the city of Los Angeles;

Also, Senate Bill No. 1257—An Act providing for the printing and binding of the Decisions of the Supreme Court and the District Courts of Appeal of the State of California, by the Superintendent of State Printing, and for the sale and distribution thereof;

Also, Senate Bill No. 1264—An Act to amend an act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending section 2099 thereof, relating to the relief of officers and enlisted men of the National Guard of

California who may be wounded, injured, disabled or killed while in the service of the State;
Has had the same under consideration, and respectfully reports the same back without recommendation.

STROBRIDGE, Chairman.

Also:

SACRAMENTO, May 7, 1915.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Constitutional Amendment No. 8—Relative to officers, employees and attachés of the Legislature, has had the same under consideration, and respectfully reports the same back without recommendation.

STROBRIDGE, Chairman.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, May 7, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 110—An Act to amend subdivision nine of section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883;

Also: Senate Bill No. 111—An Act to amend section 9 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911;

Also: Senate Bill No. 228—An Act to validate the organization and incorporation of municipal corporations;

Also: Senate Bill No. 391—An Act providing for a two-platoon system in the fire departments of cities having paid fire departments;

Also: Senate Bill No. 605—An Act to amend sections 752 and 852, and repealing sections 752*b* and 852*b* of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883;

Also: Senate Bill No. 608—An Act to amend sections 3, 5, 6, 7, 9, 11, 12, 18, 21, 23, 25, 27, 43, 59, 61, 62, 63 and 65 of an Act entitled "An Act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places and sidewalks, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, and repealing sections 84, 85, 86, 87, 88 and 89 thereof relating to work in unincorporated territory;

Also: Senate Bill No. 609—An Act to provide for the issuance of street improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property secured thereby and for the payment of the bonds so issued;

Also: Senate Bill No. 618—An Act to amend section 2 of an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under constitutional provision without Governor's approval February 25, 1909, as amended;

Also: Senate Bill No. 619—An Act to amend section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended;

Also: Senate Bill No. 607—An Act amending an Act entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction or completion thereof," which became a law under constitutional provision without Governor's approval, February 25, 1901, by adding a new section thereto, to be numbered section 10½ relating to establishing the validity of municipal bonds.

Also: Senate Bill No. 685—An Act to amend section 765 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883;

Also: Senate Bill No. 686—An Act to amend section 863 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations";

Also: Senate Bill No. 701—An Act to amend chapter 397 of the laws of the session of the Legislature of California of 1911, approved April 7, 1911, known as the "Improvement Act of 1911," by amending sections 60 and 63 thereof:

Also, Senate Bill No. [illegible]—An Act [illegible] the county of Marin, State of California; [illegible] State of California [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible].

Also, Senate Bill No. [illegible]—An Act to amend an Act entitled "An Act to provide [illegible]," approved March [illegible] [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section 18 of an Act entitled "An Act to provide for [illegible], court, or place within municipalities, [illegible]," approved March [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible] in the city and county of San Francisco, [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code of the State of California, [illegible].

Also, Senate Bill No. 1108—An Act [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, [illegible].

Also, Senate Bill No. [illegible]—An Act to amend [illegible] of an Act entitled "An Act to provide for work to be done upon streets, lanes, alleys, courts, places and sidewalks within municipalities, [illegible] and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, [illegible]," approved April [illegible], 1911.

Also, Senate Bill No. 1155—An Act to provide for the improvement by any [illegible].

Also, Senate Bill No. 1181—An Act to amend sections 1, 2, 3, 4 and 5 of an Act entitled "An Act to provide for the improvement of public streets, [illegible]," approved [illegible], 1909.

Also, Senate Bill No. 1182—An Act to amend sections 1, 2, 3, 4 and 5 of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, diverting, curving, contracting, or closing up, in whole or in part, any street, square, lane, alley, court, or place within municipalities or cities, and cities and counties of [illegible], and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 23, 1893.

Also, Senate Bill No. 1184—An Act to amend sections 1, 2, 3, 4 and 5 of an Act entitled "An Act to provide for work to be done upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities, [illegible]

Act to be known as 'The Local Improvement Act of 1901'," approved February 26, 1901

Also: Senate Bill No. 1185—An Act to amend sections 1, 2, 3, 4 and 5 of an Act entitled "An Act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, squares, lanes, alleys, courts, and places within municipalities, for the condemnation of property necessary or convenient for such purposes, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement," approved March 24, 1903;

Also: Senate Bill No. 1186—An Act to amend sections 1, 2, 3, 4 and 5 of an Act entitled "An Act to provide for laying out, opening, extending, widening, straightening, or closing up in whole or in part any street, square, lane, alley, court or place within municipalities, and to condemn and acquire any and all land and property necessary or convenient for that purpose," approved March 6, 1889;

Also: Senate Bill No. 1188—An Act to authorize municipalities to declare noxious or dangerous weeds growing upon the streets or sidewalks, or upon private property within municipalities, to be a public nuisance; creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abatement thereof;

Also: Senate Bill No. 1148—An Act to amend section 777 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883;

Also: Senate Bill No. 1198—An Act authorizing municipal corporations operating works for distributing and supplying water, gas or electricity to their inhabitants; to provide for levying and collecting an annual assessment against property abutting on such works and which is or may be served therefrom, for the purpose of operating, maintaining and improving such works;

Also: Assembly Bill No. 803—An Act to amend an Act entitled "An Act to provide for the alteration of the boundaries of, and for the annexation of, territory to incorporated towns and cities, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of annexed territory," approved March 19, 1889, and the amendment thereto approved March 20, 1905, and the amendment thereto approved May 1, 1911;

Also: Assembly Bill No. 1073—An Act to provide for the acquisition by municipalities of land for public park, public playground or public library purposes by condemnation, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of acquiring such land;

Also: Assembly Bill No. 1207—An act to amend section 862 of an Act entitled "An Act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, and all amendments thereto;

Has had the same under consideration and respectfully reports the same back without recommendation.

TYRRELL, Chairman.

Also:

SACRAMENTO, May 7, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Concurrent Resolution No. 19—Relative to the establishment of a two platoon system in municipal fire departments;

Also: Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California, an amendment to the Constitution of the State by adding a new section to article I thereof to be known as section 26, declaring the right of the State of California and each municipal corporation therein to engage in industrial pursuits;

Also: Senate Constitutional Amendment No. 37—A resolution proposing to the people of the State of California an amendment to section 19 of article XI of the Constitution of the State of California, relating to the operation of public utilities by municipal corporations;

Has had the same under consideration, and respectfully reports the same back without recommendation.

TYRRELL, Chairman.

Also:

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 909—An Act to validate municipal bonds and to provide for the levy and collection of taxes to pay the principal and interest of said bonds;

Also: Assembly Concurrent Resolution No. 27—Relative to approving amendments to the charter of the City of San Rafael, a municipal corporation, in the county of Marin;

Has had the same under consideration, and respectfully reports the same back without recommendation.

TYRRELL, Chairman.

ON EDUCATION

SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California by amending section 2 of article IX of the Constitution of said State, relating to the election and salary of a Superintendent of Public Instruction, and also by repealing section 20 of article XXII of said Constitution, relating to the terms of officers first [illegible] under said Constitution with respect to the election and term of office of the Superintendent of Public Instruction and [illegible] of [illegible] officers and the Superintendent of Public Instruction;

Also, Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section 7 of article IX thereof, relating to free textbooks in the elementary and secondary schools of the State;

Also, Senate Bill No. 30—An Act to require physical culture and health and development supervision in the public schools and to amend section 1668 of the Political Code;

Also, Senate Bill No. 103—An Act to amend section 1617 of the Political Code of the State of California, relating to the powers and duties of the city boards of education and boards of school trustees;

Also, Senate Bill No. 113—An Act to amend an Act entitled "An Act to provide for the payment of retirement salaries to public school teachers of this State; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 11 thereof, concerning what teachers are entitled to retirement salaries;

Also, Senate Bill No. 115—An Act to amend section 1620 of the Political Code, relating to school supplies and libraries;

Also, Senate Bill No. 216—An Act to add a new section to the Political Code to be numbered section [illegible], relating to county library [illegible];

Also, Senate Bill No. 217—An Act to repeal sections 1712, 1713 and 1714 of the Political Code, relating to school library funds, libraries and use of such libraries;

Also, Senate Bill No. 449—An Act to amend section 1494 of the Political Code, relating to qualifications for admission to normal schools;

Also, Senate Bill No. 470—An Act to amend an Act entitled "An Act to provide for the payment of retirement salaries to the public school teachers of this state; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund; providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, by amending section 16 thereof;

Also, Senate Bill No. 525—An Act to amend section 1818 of the Political Code relating to the levy of county or city and county school tax;

Also, Senate Bill No. 587—An Act to amend section 1779 of the Political Code of the State of California, relating to the establishment of post-graduate elementary school courses;

Also, Senate Bill No. 630—An Act to amend section 1622a, of the Political Code relating to [illegible] and fixing a minimum amount to be paid;

Also, Senate Bill No. 640—An Act to amend section 1839 of the Political Code, relating to district tax [illegible];

Also, Senate Bill No. 661—An Act to amend the Political Code by adding a new section thereto to be numbered 1618a, providing for the establishment of separate schools for the instruction of [illegible];

Also, Senate Bill No. 694—An Act to amend section 1674 of the Political Code, relating to the formation of union school districts;

Also, Senate Bill No. 695—An Act to amend section 1696 of the Political Code, relating to the duties of teachers in public schools;

Also, Senate Bill No. 696—An Act to amend section 1593 of the Political Code, relating to the authority of school trustees;

Also, Senate Bill No. 698—An Act to amend section 1858 of the Political Code, relating to the apportionment of school moneys by the county superintendent of schools;

Also, Senate Bill No. 700—An Act to amend sections 1817 and 1818 of the Political Code, relating to the levying of taxes for school purposes;

Also, Senate Bill No. 709—An Act to amend section 1837 of the Political Code, relating to the fixing of tax rates for school districts;

Also, Senate Bill No. 711—An Act to repeal an Act entitled "An Act to regulate the erection of public buildings and structures," approved April 1, 1872;

Also, Senate Bill No. 763—An Act to amend section 1687 of the Political Code relating to teachers in elementary schools;

Also, Senate Bill No. 764—An Act to amend section 1730 of the Political Code fixing the time when the term of office of members of high school boards shall expire;

Also: Senate Bill No. 766—An Act to amend section 1714 of the Political Code of the State of California, relating to the library fund in cities, or cities and counties, not divided into school districts;

Also: Senate Bill No. 767—An Act to amend section 1519 of the Political Code of the State of California relating to certification of teachers in special subjects;

Also: Senate Bill No. 791—An Act to require physical culture and health and development supervision in the public schools and to repeal section 1668 of the Political Code, and all acts or parts of acts in conflict with this Act.

Also: Senate Bill No. 822—An Act to amend the Political Code of the State of California by adding thereto a new article to be designated and numbered article Va of chapter III of title III of part III of said Code, relating to elementary and secondary schools;

Also: Senate Bill No. 841—An Act to amend section 1649 of the Political Code, relating to the election of clerks of school districts and providing for the salaries thereof;

Also: Senate Bill No. 844—An Act to amend section 1673 of the Political Code, relating to school hours of elementary and secondary schools of the State of California;

Also: Senate Bill No. 885—An Act to amend sections 1518 and 1519 of the Political Code, relating to the organization of the State Board of Education and to the powers and duties of the State Board of Education;

Also: Senate Bill No. 886—An Act relating to the employment of teachers who have no legal certificate;

Also: Senate Bill No. 887—An Act relating to the Joint Board of Normal School Trustees;

Also: Senate Bill No. 933—An Act to amend section 1619 of the Political Code, relating to the maintenance of public schools with equal rights and privileges;

Also: Senate Bill No. 934—An Act to amend section 1779 of the Political Code, relating to grammar grade post grade courses of study;

Also: Senate Bill No. 935—An Act creating a bureau of visual instruction under the University Extension Division of the University of California and making an appropriation for the purpose of carrying out the provisions of this act;

Also: Senate Bill No. 1016—An Act to amend section 1617 of the Political Code of the State of California, relating to the powers and duties of city boards of education and boards of school trustees;

Also: Senate Bill No. 1017—An Act to create a State Board of School Appeals and defining its duties and powers and providing for the enforcement of its decisions.

Also: Senate Bill No. 1064—An Act making an appropriation for the installation of a petroleum experimental station at the Panama-Pacific International Exposition;

Also: Senate Bill No. 1065—An Act to amend section 1696 of the Political Code of the State of California, relating to teachers;

Also: Senate Bill No. 1066—An Act to amend section 1858 of the Political Code of the State of California, relating to the apportionment of school money;

Also: Senate Bill No. 1067—An Act to amend section 1489 of the Political Code of the State of California, relating to State normal schools;

Also: Senate Bill No. 1130—An Act to add a new section to the Political Code of the State of California, to be numbered 1519*a*, relating to the furnishing of free textbooks to state institutions;

Also: Senate Bill No. 1131—An Act providing for the establishment and conduct of a State Land Information Bureau as a Department of the College of Agriculture of the University of California, prescribing the powers and duties of said bureau; and making an appropriation therefor;

Also: Senate Bill No. 1137—An act to amend sections 1817 and 1818 of the Political Code of the State of California, relating to the county school tax;

Also: Senate Bill No. 1156—An Act to add a new section to the Political Code, to be numbered section 40*a*, relating to the levy and collection of taxes [illegible] a building and equipment fund in school districts having a population of more than two hundred thousand;

Also: Senate Bill No. 1191—An Act to provide for the establishment of a system of vocational education, for the qualification of instructors in vocations, and for the supervision of each instructor and for state aid therefor;

Also: Senate Bill No. 1199—An Act to amend section 1617 of the Political Code of the State of California, relating to the powers and duties of the boards of school trustees, and city boards of education;

Also: Senate Bill No. 1212—An Act to amend sections 1617 and 1672 of the Political Code, pertaining to the powers and duties of trustees of school districts and the teaching of sectarian, denominational or partisan doctrines or principles in the public schools;

Also: Assembly Bill No. 326—An Act amending section 3 of an Act entitled "An Act authorizing the construction of the unfinished portion of the library building of the University of California, and the construction of a building for general use as a recitation building, of a building for the use of the College of Agriculture, and of a building for the use of the College of Natural Sciences as a chemistry building, [illegible] University of California at Berkeley; providing for the [illegible] December [illegible], 1914;

Also, Assembly Bill No. [illegible]—An Act to amend section [illegible] of an Act entitled "An Act [illegible] public school [illegible]," approved June 1[illegible], 1913;

Have had the same under consideration, and respectfully report the same back without recommendation.

ANDERSON, Chairman.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Military Affairs, to whom was referred Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code of the State of California, relating to the National Guard;

Also, Senate Bill No. [illegible]—An Act appropriating money [illegible] State Armory Board [illegible];

Also, Senate Bill No. [illegible]—An Act [illegible];

Have had the same under consideration, and respectfully report the same back without recommendation.

SCOTT, Chairman.

ON HOSPITALS AND ASYLUMS.

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Hospitals and Asylums, to which was referred Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code [illegible];

Also, Senate Bill No. [illegible]—An Act authorizing the sale of certain property belonging to the Stockton State Hospital;

Also, Senate Bill No. [illegible]—An Act appropriating money for the purpose of [illegible] Sonoma State Home [illegible];

Also, Senate Bill No. [illegible]—An Act to amend sections [illegible], [illegible], 2154 and [illegible] of the Political Code of the State of California, and to add a new section to said Political Code, to be known and designated as section [illegible], all relating to the [illegible] and other incompetent persons, and to the care, training, and education of insane, feeble-minded, and other incompetent persons;

Have had the same under consideration, and respectfully report the same back without recommendation.

CROWLEY, Chairman.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. [illegible]—An Act to amend section [illegible] of the Civil Code of the State of California, relating to [illegible];

Also, Senate Bill No. [illegible]—An Act to amend the Civil Code of the State of California by adding a new section thereto to be numbered 550a, relating to the [illegible];

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Penal Code of the State of California relating to the stealing of electric current and the injuring of [illegible], and providing a punishment therefor;

Also, Senate Bill No. [illegible]—An Act regulating the [illegible], use and [illegible] wires [illegible], and providing the punishment for the violation thereof, and the repeal of certain other Acts;

Also, Senate Bill No. [illegible]—An Act declaring certain persons or corporations [illegible] carriers and subject to the provisions of an Act known as the "Public Utilities Act of the State of California," approved December 23, 1911, as amended June 14, 1913;

Also, Senate Bill No. [illegible]—An Act to amend section 640 of the Penal Code of the State of California, relating to telegraph and telephone lines and messages;

Also, Senate Bill No. [illegible]—An Act to amend an Act entitled "An Act to promote the safety of [illegible] by compelling common carriers [illegible] trains," approved February 20, 1911, as amended by an Act approved May 24, 1913, by amending sections 1, 2 and 3 thereof, and by [illegible] section 7 of said Act;

Also: Senate Bill No. 795—An Act to provide in what manner any private corporation or individual, or association of individuals, owning or controlling real property, or any right appertaining thereto, which by reason of its location, is suitable, convenient and useful for the use of one or more private or public corporations serving the public, may subject itself to the control and regulation by the railroad commission of the State of California:

Also: Senate Bill No. 996—An Act relating to franchises heretofore or hereafter granted under existing laws, and the exercise of franchise rights thereunder by public utilities, and the supervisory or regulating power of the Railroad Commission, under the provisions of the "Public Utilities Act";

Also: Senate Bill No. 1071—An Act to amend section 2181 of the Civil Code relative to personal and sample baggage of travelers and to rates, regulations and liability relative thereto under the jurisdiction of the Railroad Commission of the State of California, and to limit the operations of this section to common carriers subject to the jurisdiction of said Railroad Commission and to the handling of baggage originating and terminating within the State of California;

Also: Assembly Bill No. 1300—An Act to amend section 17 of an Act entitled, "An Act to provide for the organization of the Railroad Commission, to define its powers and duties and the rights, remedies, powers, duties of public utilities, their officers, define its powers and duties and the rights, remedies of patrons, etc.";

Has had the same under consideration, and respectfully reports the same back without recommendation.

CARR, Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, MAY 9, 1915.

MR. PRESIDENT: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 2—An Act to amend an Act entitled "An Act to regulate the operation of motor vehicles on public highways, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 22, 1905, as amended March 23, 1907, by amending section 1, subdivision 1; and section 5, subdivisions 1, 2, 3, 4, 5, and adding thereto a new subdivision to be numbered subdivision 6;

Also: Senate Bill No. 41—An Act to amend sections 3, 7, 8, 9, 10, 13, 22, and 35 of the Motor Vehicle Act, approved May 31, 1913, relating to the use and operation of motor vehicles on the public highways and elsewhere:

Also: Senate Bill No. 46—An Act to provide for the survey, location and construction of a State bridle trail from Meyers Station in El Dorado County, thence to or near the Hetch Hetchy Valley, thence to Yosemite Valley and making an appropriation therefor:

Also: Senate Bill No. 285—An Act to amend section 36 of an Act entitled "An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act," approved May 31, 1913;

Also: Senate Bill No. 313—An Act to create for the State of California a division of county highways of the State Department of Engineering; to provide for the appointment of an assistant state engineer to take charge of the division of county highways, and prescribing his duties; to provide for the appointment of county highway engineers for the several counties of the State and prescribing their duties; fixing and providing for the salaries and expenses of the engineers whose appointment is herein provided for and the necessary expenses of the division of county highways;

Also: Senate Bill No. 332—An Act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Senate Bill No. 492—An Act to add a new section, to be numbered 7*a*, to an Act entitled "An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owners thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount, or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done [illegible] disposition of fines and forfeitures imposed thereon; to provide for [illegible] either in conformity or in conflict with this Act," approved May 31, 1913, relating [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of an Act entitled "An Act to regulate the use and operation of vehicles upon the public highways [illegible] of Acts either in conformity or in conflict with this Act," approved May 31, 1913.

Also, Senate Bill No. [illegible]—An Act [illegible]

Also, Senate Bill No. [illegible]—An Act [illegible] State Department of Engineering [illegible] of this Act.

Also, Senate Bill No. [illegible]—An Act to amend the Penal Code of the State of California by adding a new section [illegible] the injury, defacement or removal of monuments or stakes placed, erected or used by the State Department of Engineering [illegible]

Also, Senate Bill No. [illegible]—An Act to amend the Penal Code of the State of California [illegible]

Also, Senate Bill No. [illegible]—An Act to provide for the [illegible] of this Act.

Also, Senate Bill No. [illegible]—An Act to provide for the [illegible] roads and highways by the State Department of Engineering.

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code [illegible] of the Political Code.

Also, Senate Bill No. [illegible]—An Act [illegible] of this Act.

Also, Senate Bill No. 702—An Act to amend sections 1 and 24 of an Act entitled "An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and [illegible] the consent of the owner thereof, and to prohibit the offer to or acceptance by [illegible] of supplies or parts, for motor vehicles, or for work or repair done thereon; to provide penalties for violation of provisions of this Act, and to provide for the dis[illegible] carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in con[illegible]" approved May 31, 1913;

Also: Senate Bill No. 877—An Act amending sections 1, 2, 3, 4, 5, 8 and 9 of an Act entitled "An Act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any state structure, building, road, or other State improvement of any kind and to repeal an Act entitled 'An Act to regulate contracts on behalf of the State in relation to erections and buildings,' approved March 23, 1876," approved March 22, 1909;

Also: Senate Bill No. 878—An Act regulating the use, speed, passing or operating of vehicles and other objects and contrivances over and upon the highways and bridges of the State and fixing the responsibility for damage to highways and bridges thereof; prescribing the procedure for the recovery of penalties accruing thereto by the counties and cities, and fixing the penalty for the violation of the provisions of this Act;

Also: Senate Bill No. 879—An Act to provide for the formation and management of transportation districts; for acquiring rights of way and transportation facilities; for levying and collecting taxes on property in such districts; and for the issuance of transportation district bonds and the payment thereof;

Also: Senate Bill No. 893—An Act to prescribe a formula by which alone the horsepower of any automobile or motor vehicle must be determined for purposes of registration;

Also: Senate Bill No. 958—An Act to amend section 12 of an Act entitled "An Act to provide for the formation and establishment of boulevard districts: the construction, acquisition, maintenance, control and use of boulevards: defining the term boulevard; providing for the issuing, selling and securing of bonds, and the levying of taxes to pay for the acquisition, construction, maintenance and repair of such boulevards; providing for a boulevard commission to have charge of the affairs of boulevard districts, and the construction, maintenance and repair of boulevards, within such districts; providing for the election of such commission, their terms of office, and of elections to be held in such districts; and repealing an Act entitled 'An Act to provide for the formation of boulevard districts, and the construction, maintenance, and use of boulevards, and defining the term boulevard,'" approved March 22, 1905, and the Act amendatory thereof, approved April 15, 1909; approved May 1, 1911; approved June 5, 1913, said amendment pertaining to the definition of the term boulevard, and use of said boulevards;

Also: Senate Bill No. 959—An Act to add a new section to the Civil Code of the State of California to be numbered 1109*a* relating to the transfer of property for highway purposes;

Also: Senate Bill No. 1019—An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle without the consent of the owner thereof, and to prohibit the offer to or acceptance by certain persons of any bonus or discount or other consideration for the purchase of supplies or parts for motor vehicles, or for work or repair done thereon; to provide penalties for violations of provisions of this Act, and to provide for the disposition of fines and forfeitures imposed thereon; to provide for the disposition of registration and license fees, fines and forfeitures collected hereunder; to provide for carrying out the objects of this Act and to make an appropriation and to create a revolving fund therefor; and to repeal all Acts or parts of Acts either in conformity or in conflict with this Act;

Also: Assembly Bill No. 527—An Act declaring the public highway extending from Long Barn in Tuolumne County to the eastern boundary of the city of Sonora to be a State highway, and making an appropriation for the improvement thereof;

Also: Assembly Bill No. 531—An Act to amend section 2691 of the Political Code of the State of California, relating to roads and highways;

Also: Assembly Bill No. 1019—An Act declaring and establishing a State highway from the intersection of the Foxen Canyon road and Tepusquet Canyon road in the county of Santa Barbara to the boundary line between the counties of San Luis Obispo and Kern, and to be known as the Tepusquet-Cuyama State Highway;

Also: Senate Bill No. 1073—An Act to amend section five hundred eighty-eight of the Penal Code of the State of California relating to malicious injuries to any State or other public highway or bridge or any private way laid out by authority of law, or bridge upon any such highway or private way;

Also: Senate Bill No. 1133—An Act to permit three or more counties adjoining each other to appropriate from the general fund of the county a sum not exceeding one thousand dollars, by each county, to be used in connection with at equal sum from each of the other two counties in causing a survey to be made of a proposed highway in or through one or more of said counties;

Also: Assembly Bill No. 409—An Act to amend section 5 of an Act entitled "An Act to regulate the use and operation of vehicles upon the public highways and elsewhere; to provide for the registration and identification of motor vehicles and for the payment of registration fees therefor; to provide for the licensing of persons operating motor vehicles; to prohibit certain persons from operating vehicles upon the public highways; to prohibit the possession or use of a motor vehicle [illegible] or in conflict with this Act.

Also, Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to Article XIII of the Constitution [illegible] or registration fees;

Has had the same under consideration and respectfully reports the same back without recommendation.

BIRDSALL, Chairman.

Also—

Senate Chamber, Sacramento, May 5, 1915.

Mr. President: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, [illegible]

Also, Senate Bill No. [illegible]—An Act to amend sections [illegible] of the Political Code [illegible] of taxes;

Also, Senate Bill No. [illegible]—An Act to amend section 11 of an Act entitled "An Act to give effect to the provisions of section 14 of article XIII of the Constitution of the State of California as said constitution was amended November 8, 1910, [illegible] approved April 1, 1911, [illegible] State, and providing a procedure [illegible] State;

Also, Senate Bill No. [illegible]—An Act to amend section 20 of an Act entitled "An Act to give effect to the provisions of section 14 of Article XIII of the Constitution of the State of California as said constitution was amended November 8, 1910, [illegible] for the taxation of [illegible] April 1, 1911;

Also, Senate Bill No. [illegible]—An Act to add a new section to the Political Code [illegible] and time and place for payment;

Also, Senate Bill No. [illegible]—An Act to amend section three thousand eight hundred [illegible]

Also, Senate Bill No. [illegible]—An Act [illegible] of the Political Code [illegible]

Also, Senate Bill No. [illegible]—An Act to amend sections [illegible], three [illegible], three [illegible] to repeal sections three thousand [illegible] said code a new section to be numbered [illegible] n *a*, all relating to revenue and taxation;

Also, Senate Bill No. [illegible]—An Act to carry into effect the provisions of section [illegible] of article XIII of the Constitution of California [illegible] that end adding a new section to the Political Code [illegible] six hundred and twelve;

Also, Senate Bill No. [illegible]—An Act to reimburse the county of Plumas for net loss [illegible] al of railroad property from the county taxation [illegible] teen of article XIII of the Constitution of this State;

Also: Senate Bill No. 493—An Act providing for the reimbursement of counties sustaining net loss of revenue on account of withdrawal from county taxation of property hereafter becoming operative property under the provisions of section fourteen of article XIII of the Constitution.

Also: Senate Bill No. 528—An Act to amend section three thousand eight hundred and ninety-seven of the Political Code, relating to the sale of property for delinquent taxes;

Also: Senate Bill No. 896—An Act to repeal sections three thousand six hundred sixty-four, three thousand six hundred sixty-five, three thousand six hundred sixty-six, three thousand six hundred sixty-seven, three thousand six hundred sixty-eight, three thousand six hundred sixty-nine, three thousand six hundred seventy, and three thousand six hundred seventy-one of the Political Code relating to revenue and taxation;

Also: Senate Bill No. 1164—An Act to amend sections three thousand six hundred sixty-four, three thousand six hundred sixty-five, three thousand six hundred sixty-six, three thousand six hundred sixty-seven, three thousand six hundred sixty-eight, three thousand six hundred sixty-nine, three thousand six hundred seventy, and three thousand six hundred seventy-one of the Political Code, and to renumber said sections, and to add twenty-six new sections to said code, to be numbered sections three thousand six hundred sixty-four *a*, three thousand six hundred sixty-four *b*, three thousand six hundred sixty-four *c*, three thousand six hundred sixty-five *a*, three thousand six hundred sixty-five *b*, three thousand six hundred sixty-five *c*, three thousand six hundred sixty-six *a*, three thousand six hundred sixty-six *b*, three thousand six hundred sixty-six *c*, three thousand six hundred sixty-seven *a*, three thousand six hundred sixty-seven *b*, three thousand six hundred sixty-seven *c*, three thousand six hundred sixty-eight *a*, three thousand six hundred sixty-eight *b*, three thousand six hundred sixty-eight *c*, three thousand six hundred sixty-nine *a*, three thousand six hundred sixty-nine *b*, three thousand six hundred sixty-nine *c*, three thousand six hundred seventy *a*, three thousand six hundred seventy *b*, three thousand six hundred seventy *c*, three thousand six hundred seventy-one *a*, three thousand six hundred seventy-one *b*, three thousand six hundred seventy-one *c*, three thousand six hundred seventy-one *d*, three thousand six hundred seventy-one *e*, all relating to taxation of public service and other corporations, banks and insurance companies for the benefit of the State:

Has had the same under consideration, and respectfully reports the same back without recommendation.

COGSWELL, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Revenue and Taxation to which was referred Assembly Bill No. 1341—An Act to repeal section 2 of an Act entitled "An Act to repeal an Act entitled 'An Act relating to revenue and taxation, providing for a license tax upon corporations and making an appropriation for the purpose of carrying out the objects of this Act,' approved March 20, 1905, and all acts amendatory thereof or supplemental thereto, and to provide upon what conditions any corporation which has failed to pay any license tax imposed by the provisions of any of the acts hereby repealed may pay the same and be restored to its former corporate status and rights, and also to provide for settling the affairs of any corporation which by reason of failure to pay any tax imposed by any of said acts has forfeited either its charter or right to do business in this State," approved June 16, 1913;

Also: Assembly Bill No. 697—An Act to amend section 3804 of the Political Code, relative to taxes erroneously collected;

Also: Assembly Bill No. 695—An Act to amend section 3819 of the Political Code relating to payment of taxes under protest;

Has had the same under consideration, and respectfully reports the same back without recommendation.

COGSWELL, Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 76—An Act to amend an Act entitled "An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an Act entitled 'An Act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, Statutes of California of 1909, page 948," and approved April 10, 1911, Statutes of California of 1911, page 860;

Also: Senate Bill No. 145—An Act to amend section 7 of an Act entitled "An Act to regulate the sale and use of poisons in the State of California, and providing a penalty for the violation thereof," approved March 6, 1907, as the title of said Act and said Act were amended March 19, 1909, and as said Act was amended April 25, 1911, and as said Act was amended June 11, 1913;

Also, Senate Bill No. 107—An Act creating the position of [illegible] of the State Board of Health and fixing the compensation thereof;

Also, Senate Bill No. 385—An Act to repeal section 3075 of the Political Code of the State of California, relating to the office of the State Registrar of the Bureau of Vital Statistics and the State Board of Health, and providing for [illegible] and their compensation;

Also, Senate Bill No. 535—An Act to amend sections 7 and 8 of an Act entitled "An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 10, 1913;

Also, Senate Bill No. 597—An Act providing for the reorganization of the State Board of Health, prescribing its powers and duties and providing for the protection and preservation of the public health;

Also, Senate Bill No. 712—An Act to amend an Act entitled "An Act for the prevention of the manufacture, sale or transportation of adulterated, misbranded or poisonous drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, by amending section 24 thereof, relating to the [illegible];

Also, Senate Bill No. 713—An Act to amend an Act entitled "An Act for preventing the manufacture, sale or transportation of adulterated, misbranded or poisonous foods and liquors and regulating the traffic therein; providing [illegible]; creating a State Laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, by amending sections 2 and 23 thereof, relating to the state laboratory for the analysis and examination of foods and drugs;

Also, Senate Bill No. 684—An Act to amend sections 1 and 3 of the Act entitled "An Act providing for the [illegible] of food-producing establishments, [illegible] food in [illegible] which food is [illegible] health of persons by whom the [illegible] from which food is produced [illegible]; providing for the [illegible]; declaring [illegible] to be a nuisance [illegible]; making violations of this Act misdemeanors, and providing for the punishment of the same," approved March 6, 1909;

Also, Senate Bill No. 660—An Act to repeal section 373 of the Penal Code of the State of California, relating to the establishment of pest houses within the limits of [illegible];

Also, Senate Bill No. 679—An Act to amend an Act entitled "An Act relating to immigration and immigrants; creating a commission of immigration and housing; providing for the appointment by said commission of a secretary, agents and other employees; appointing said commissioners to fix their compensation; prescribing the duties of said commission; providing for the investigation by said commission of all subjects affecting immigrants and the care, protection and welfare of immigrants, and making an appropriation for the purpose of carrying out the provisions hereof," approved June 12, 1913, by adding three new sections thereto, to be numbered sections 9, 10 and 11;

Also, Senate Bill No. 705—An Act to amend section 10 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 11, 1907, and April 21, 1909;

Also, Senate Bill No. 827—An Act to amend section 13 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905;

Also, Senate Bill No. 841—An Act to amend section 16 of an Act entitled "An Act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof, and for the appointment of a board to be known as the California State Board of Pharmacy," approved March 20, 1905, and amended March 11, 1907, and April 21, 1909;

Also, Senate Bill No. 878—An Act to add two new sections to the Penal Code of the State of California, to be numbered 384*b* and 384*c* relating to keeping perishable foods in cold storage, marking the date thereof, and providing a penalty therefor;

Also, Senate Bill No. 915—An Act to add three new sections to the Penal Code, to be designated as sections 373*b*, 373*c*, and 373*d*, relating to public nuisances, and their abatement, and conferring certain powers upon the State Board of Health;

Also, Senate Bill No. 948—An Act to provide for the prevention of blindness in the newly born by fixing the duty of the State Board of Health in regard thereto, and requiring [illegible] in a certain manner, and to provide a penalty for failure so to do;

Also, Senate Bill No. 999—An Act to regulate the retinting and repapering of any house or building, or portion thereof, which is occupied by human beings, or intended or designed for human habitation; allowing health and peace officers to make inspection of such buildings, and making violations of this Act a misdemeanor;

Also: Senate Bill No. 1020—An Act to amend section 2187 of the Political Code of the State of California, relating to transfers in State hospitals, and to add a new section to said code, to be known and designated as section 2181*b*, relating to the disposition of moneys belonging to insane persons;

Also: Senate Bill No. 1039—An Act to regulate the practice of optometry; to provide for the appointment of a board of optometry, define its duties and powers and prescribing a penalty for the violation of this Act;

Also: Senate Bill No. 1097—An Act to amend an Act entitled "An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913—Statutes of California of 1913, page 1429;

Also: Senate Bill No. 1165—An Act to amend an Act to prevent the manufacture or sale of dairy products from unhealthy animals, or that are produced under unsanitary conditions; to prevent deception or fraud in the production and sale of dairy products, and in the manufacture and sale of renovated butter and oleomargarine; to license the manufacture and sale of renovated butter, and oleomargarine; to regulate the business of producing, buying and selling dairy products, oleomargarine, renovated or imitation butter and cheese; to provide for the enforcement of its provisions and for the punishment of violations thereof, and appropriating money therefor and to repeal section 17 of an Act approved March 4, 1897, entitled "An Act to prevent deception in the manufacture and sale of butter and cheese, to secure its enforcement, and to appropriate money therefor, and to repeal all Acts and parts of Acts inconsistent with this Act," approved April 21, 1911; by amending section 29 in subdivisions 1 and 6, and section 30 of said Act, and by adding thereto two new sections to be known as sections 30½ and section 31½, and to improve the quality of dairy products, to prevent fraud and deception in the marketing thereof, and to establish uniform standards therefor;

Also: Senate Bill No. 1177—An Act to improve the milk and cream supply of incorporated cities, and of cities and counties; to promote sanitary methods in the production and marketing thereof; to establish uniform standards therefor; to prevent fraud and deception in the production and sale thereof; and to establish municipal milk commissions to supervise the production and marketing of milk and cream therein;

Also: Senate Bill No. 1179—An Act to amend section 6 of an Act entitled "An Act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913:

Has had the same under consideration, and respectfully reports the same back without recommendation.

BUTLER, Chairman.

ON CIVIL SERVICE.

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Civil Service, to which was referred Senate Bill No. 207—An Act to amend sections 5, 7 and 9 of an Act entitled "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they be inconsistent with the provisions of this Act, and to make an appropriation therefor," approved June 16, 1913;

Also: Senate Bill No. 740—An Act to amend sections 9 and 14 of an Act entitled "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness, for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor," approved June 16, 1913;

Also: Senate Bill No. 864—An Act to amend an Act entitled "An Act to provide for a general system, based upon investigation as to merit, efficiency and fitness for appointment to and holding during good behavior of office and employment under state authority and, in that behalf, to create a State Civil Service Commission, to prescribe its powers and duties, to make the wilful violation of the provisions of this Act a misdemeanor, to repeal all Acts and parts of Acts inconsistent herewith in so far as they may be inconsistent with the provisions of this Act, and to make an appropriation therefor," approved June 16, 1913, by amending sections 2, 14 and 18 thereof;

Has had the same under consideration, and respectfully reports the same back without recommendation.

GERDES, Chairman.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

Mr. President: Your Committee on Federal Relations, to which was referred Senate Bill No. 1159—An Act providing for the acceptance of the U. S. Ship [illegible] by the State of California from the Government of the United States and providing [illegible] for said ship and for the care and preservation of the same and providing an appropriation therefor;

Also, Senate Joint Resolution No. 6—Relative to the establishment of life saving stations on the Pacific Coast;

Also, Senate Joint Resolution No. 7—Relative to memorializing the establishment of additional life saving stations for the better protection of [illegible] on the Pacific Coast;

Also, Senate Joint Resolution No. 8—Relative to the selection of Captain John C. Cantwell to be captain commandant of the U. S. Coast Guard Service;

Also: Senate Joint Resolution No. 9—Relative to the re-enactment of section 9 of an Act of Congress approved June 17, 1902, entitled "An Act appropriating the receipts from the sale and disposal of public lands in certain states and territories to the construction of irrigation works for the reclamation of arid lands," which section 9 was repealed by an Act of Congress approved June 25, 1910, entitled "An Act to authorize advances to the Reclamation Fund, and for the issue and disposal of certificates of indebtedness in reimbursement therefor, and for other purposes;"

Also, Senate Joint Resolution No. 10—Relative to the purchase of the rolling stock, franchises, rights of way, terminals and all other assets of the Western Pacific Railway Company and the operation of the said railroad by the United States Government;

Also, Senate Concurrent Resolution No. 8—Relative to the appointment of a committee to welcome the President of the United States to California, and to extend to the President of the United States an invitation to visit the Capitol and address the Legislature of California;

Also, Assembly Joint Resolution No. 2—Relative to the Hamill bill and bill relating to the pensioning of civil service employees of the United States Government;

Also, Assembly Joint Resolution No. 19—Relating to [illegible] the resulting high cost of living and memorializing Congress to take steps in the interest of world peace and a reduction in the cost of living;

Also, Assembly Joint Resolution No. 28—Relative to action by Congress to secure world peace;

Also, Assembly Joint Resolution No. 6—Memorializing Congress to take [illegible] steps to [illegible] the road system;

Also: Assembly Joint Resolution No. 1—Relative to aid from the government of the United States for furnishing means of employment and maintenance to citizens of the United States who have been thrown out of employment by reason of the use of labor saving machinery and devices, setting aside of certain lands to be used in establishing farming colonies and providing for the disposition of the products of such labor;

Also, Assembly Joint Resolution No. 4—Memorializing Congress relative to granting political liberty of civil service employees;

Also: Assembly Joint Resolution No. 7—In support of an amendment of the naturalization laws of the United States;

Has had the same under consideration, and respectfully returns the same back without recommendation.

RUSH, Chairman.

Also,

SACRAMENTO, May 10, 1915.

Mr. President: Your Committee on Federal Relations, to which was referred Senate Concurrent Resolution No. 24—Relative to the request of the President of the United States for an expression of public opinion on the sinking of the British steamship Lusitania by a German submarine with the loss of more than a hundred American lives;

Has had the same under consideration, and respectfully returns the same back without recommendation.

RUSH, Chairman.

RECESS.

At six o'clock and forty minutes p.m., the acting President declared the Senate at recess until six o'clock and forty-five minutes p. m.

RECONVENED.

At six o'clock and forty-five minutes p. m., the Senate reconvened. Senator Jones of the Twenty-eighth District in the chair. Assistant Secretary J. W. Kavanagh at the desk.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Thompson, the following messages from the Assembly were taken up and read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage to Senate Bill No. 704—An Act to repeal section 259 of the Penal Code, requiring certain newspaper articles to be signed.

Also, Senate Bill No. 1204—An Act providing for the manner of construction and equipment of window sashes in certain classes of windows.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Also:

SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 345—An Act to appropriate money for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California—and respectfully ask that the amendment be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 345.

Senate Bill No. 345—An Act to appropriate money for furnishing, equipping and maintaining the exposition building at Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California.

ASSEMBLY AMENDMENTS TO SENATE BILL NO. THREE HUNDRED FORTY-FIVE.

AMENDMENT NUMBER ONE.

On page 1, line 7 of the printed bill, strike out the word "and."

AMENDMENT NUMBER TWO.

On page 1, line 10 of the printed bill, after the word "California" insert the following: "and for a fair or exposition in said Agricultural Park."

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 345?"

The roll was called, and Assembly amendments to Senate Bill No. 345 were concurred in by the following vote:

AYES—Senators Anderson, Ballard, Benedict, Benson, Birdsall, Breed, Brown, Carr, Cohn, Duncan, Finn, Gerdes, Irwin, Jones, Kehoe, King, Luce, Mott, Stuckenbruck, Thompson, and Tyrrell—21.

NOES—None.

Senate Bill No. 345 ordered to enrollment.

MESSAGES FROM THE ASSEMBLY (RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 18—An Act authorizing the directors of the State Agricultural Society to erect a new building and to furnish and equip the same at Agricultural Park in the city of Sacramento, State of California, to be known as the Woman's Building and making an appropriation therefor;

Also, Senate Bill No. 838—An Act to provide for the establishment and maintenance of a department of sanitary engineering under the direction of the State Board of Health and making an appropriation therefor;

Also, Assembly Bill No. [illegible]—An Act to provide for the licensing of motor vehicles engaged in the carrying of passengers for hire upon the public highways of the State of California;

Also, Assembly Bill No. [illegible]—An Act to amend section one thousand four hundred [illegible] of the Code of Civil Procedure, relating to the time to be given by notice [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. [illegible], Assistant Clerk.

Senate Bills Nos. 18, 858, 814 and 507 ordered to enrollment.

REPORTS OF STANDING COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of standing committees were received and read out of the regular order:

ON PUBLIC MORALS.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on Public Morals, to which was referred Senate Bill No. [illegible]—An Act to amend sections 1, 2, and 11 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions calling for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911;

Also, Senate Bill No. 401—An Act to amend sections 1, 2, 8 and 11 of an Act entitled "An Act to provide for the regulation of the traffic in alcoholic liquors by establishing local option; authorizing the filing of petitions calling for elections to vote upon the question whether the sale of alcoholic liquors shall be licensed within the territory described in such petitions; providing for the calling and holding of such elections; making it the duty of the proper governing body to declare such territory to be no-license territory unless a majority of votes is cast in favor of license; providing that no licenses, permits or other authority to sell or distribute alcoholic liquors in no-license territory shall be granted; forfeiting and declaring void all such licenses or permits theretofore issued and in force; making it a penal offense to sell, give away or distribute alcoholic liquors within such territory, with certain exceptions; and providing penalties for such offenses," approved April 4, 1911, relating to [illegible] petitions, form of petitions, form of ballot;

Also, Senate Bill No. 501—An Act to amend section 321 of the Penal Code, relating to punishment for [illegible];

Also, Senate Bill No. [illegible]—An Act to regulate the number of licenses which may be issued to retail liquor establishments in proportion to the population of any county, city and county, city, town or supervisor district in which the sale of intoxicating liquors is permitted; defining certain terms; providing penalties for the issuance of any licenses in excess of the number herein provided for;

Also, Senate Bill No. 686—An Act to add a new section to the Penal Code to be numbered [illegible], relating to the drinking of [illegible] by women and minors;

Has had the same under consideration, and respectfully returns the same back without recommendation.

LUCE, Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, May 6, 1915.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. [illegible]—An Act authorizing any county and cities within such county to join in the acquisition, construction or maintenance of bridges or viaducts;

Also, Assembly Bill No. 146—An Act to amend section 4131 of the Political Code of the State of California, relating to the duties of county recorders;

Also, Assembly Bill No. 1221—An Act authorizing the transfer of certain powers, duties and functions of certain cities and officers thereof to the officers of counties in which any such city is located;

Also, Senate Bill No. 112—An Act to add a new section to the Political Code to be numbered 4293, relating to the qualifications of coroners and deputy coroners and prohibiting certain agreements on the part of such coroners and deputy coroners;

Also, Senate Bill No. 153—An Act to amend section 14*m* of an Act entitled "An Act concerning neglected, dependent and delinquent persons, providing for their care, custody and maintenance until twenty-one years of age, providing for their commitment to the Whittier State School and the Preston School of Industry and the manner of such commitment and release therefrom, establishing a probation committee and probation officers to deal with said persons, etc.";

Also, Senate Bill No. 177—An Act to amend section 4251 of the Political Code of the State of California relating to the salaries, fees, and expenses of officers in counties of the twenty-second class;

Also: Senate Bill No. 320—An Act to amend section 4137 of the Political Code, relating to indexes to be kept by county recorders;

Also: Senate Bill No. 419—An Act to amend section 4285 of the Political Code of California, relating to the salaries of officers;

Also: Senate Bill No. 534—An Act validating the formation and organization, and determining the boundaries of the Pleasanton Township County Water District in the county of Alameda, State of California;

Also: Senate Bill No. 537—An Act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Senate Bill No. 539—An Act to limit the times when district lines in districts, where tax rates for the same are to be fixed by the board of supervisors of any county, may be changed or new districts formed;

Also: Senate Bill No. 541—An Act to repeal section 924 of the Political Code;

Also: Senate Bill No. 594—An Act to amend section 4261 of the Political Code, relating to compensation of officers in counties of the thirty-second class;

Also: Senate Bill No. 629—An Act to add a new section to the Political Code to be numbered 4232*a*, providing for the compensation of grand jurors and trial jurors in the Superior Court in counties of the third class;

Also: Senate Bill No. 665—An Act to amend section 4277 of the Political Code, relative to salaries of officers in counties of the forty-eighth class;

Also: Senate Bill No. 684—An Act to amend section 4259 of the Political Code, relating to the salaries and fees of officers in counties of the thirtieth class;

Also: Senate Bill No. 730—An Act to amend section 4243 of the Political Code, relating to the compensation of officers of counties of the fourteenth class;

Also: Senate Bill No. 738—An Act to amend subdivision 25 of Act 837, General Laws of California;

Also: Senate Bill No. 762—An Act to amend section 4246 of the Political Code of the State of California, relating to salaries and fees of officers in counties of the seventeenth class;

Also: Senate Bill No. 787—An Act to amend section 4253 of the Political Code of the State of California, relating to the compensation of officers in counties of the twenty-fourth class;

Also: Senate Bill No. 788—An Act relative to providing for the deposit of funds in the county treasury for the presentation to, and approval by, the board of supervisors, registration, interest upon, time of payment of assessment of warrants of Reclamation District No. 108, relative to the board of supervisors of Yolo and Colusa counties having jurisdiction therein;

Also: Senate Bill No. 799—An Act to add a new section to the Political Code of the State of California to be numbered 3673*a*, relating to powers of county boards of equalization;

Also: Senate Bill No. 845—An Act to amend section 4041 of the Political Code, relating to the general powers of boards of supervisors;

Also: Senate Bill No. 888—An Act to provide county boards of charities and corrections and to define the powers thereof;

Also: Senate Bill No. 890—An Act to provide for the alteration of county boundary lines of old counties for the formation of new counties, organizations and classifications thereof, for locating county seats, for the election and appointment of officers and for the adjustment and the fulfillment of the rights and obligations arising between such new counties, created out of other counties;

Also: Senate Bill No. 912—An Act to amend section 4249 of the Political Code, relating to county officers, and their salaries and deputies to township officers, and their compensation of jurors and grand jurors in the counties of the twentieth class;

Also: Senate Bill No. 931—An Act to amend section 4023 of the Political Code, relating to the qualifications of county officers;

Also: Senate Bill No. 992—An Act to amend section 15 of an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897;

Also: Senate Bill No. 994—An Act to add a new section to the Political Code of the State of California, to be numbered 3652*a*, relating to the duties of assessors in counties below the third class;

Also: Senate Bill No. 1028—An Act to amend section 4131 of the Political Code, relating to the duties of county recorder;

Also: Senate Bill No. 1113—An Act to amend sections 1897, 1898, 1900, 1901 of the Political Code, relating to making a roll of persons subject to military duty and prescribing the duties of certain officers in relation thereto and the compensation therefor, and providing penalties in relation thereto;

Also, Senate Bill No. 1114—An Act to amend section 4041 of the Political Code, relating to the powers and duties of county boards of supervisors.

Also, Senate Bill No. 1116—An Act to provide for the formation of consolidated cities and counties in accordance with the provisions of section 8½ of article XI of the Constitution of the State of California.

Also, Assembly Bill No. [illegible]—An Act to amend section 4014 of the Political Code of the State of California, relating to [illegible].

Has had the same under consideration, and respectfully reports the same back without recommendation.

[illegible], Chairman.

[illegible]

SENATE CHAMBER, SACRAMENTO, May 8, 1915.

Mr. [illegible]: Your Committee on Elections, to which was referred Senate Bill No. [illegible]—An Act to amend sections 1197, 1198 and 1211 of the Political Code of the State of California, relating to election ballots, manner of voting and the conduct of elections.

Also, Senate Bill No. [illegible]—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered section [illegible], [illegible] for [illegible] purposes and the soliciting [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section 1239 of the Political Code, [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section 1083 of the Political Code, relating to the [illegible] and the [illegible] of [illegible].

Also, Senate Bill No. [illegible]—An Act to provide for the [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] of California [illegible] primary elections, and to provide the manner in which such [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section 5 of an Act entitled "An Act to provide for and regulate primary elections and providing a method for choosing the delegates [illegible] political parties to state conventions and for [illegible] electors of President and Vice President of the United States, and providing for the [illegible] of [illegible] committees, and to amend the Act approved April 7, 1911, [illegible] primary law, and also to repeal the Act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said direct primary law, and [illegible] all [illegible] [illegible] [illegible] with the provisions of this Act," approved June 3, 1913.

Also, Senate Bill No. [illegible]—An Act to amend section 470 of the Political Code of the State of California, relating to the duties of the Attorney General.

Also, Senate Bill No. [illegible]—An Act to amend section 1142 of the Political Code of the State of California, relating to the [illegible] of [illegible] [illegible] in this State.

Also, Senate Bill No. [illegible]—An Act to facilitate the operation and to carry into effect the initiative and referendum powers reserved by the people in section 1 of article 4 of the Constitution of the State of California, [illegible] [illegible] [illegible], signing, filing and certifying of petitions, [illegible], [illegible] [illegible] [illegible] [illegible], [illegible] [illegible] of this Act and [illegible] of said section 1 of article 4 of the Constitution of the State of California."

Also, Senate Bill No. [illegible]—An Act to facilitate the operation and to carry into effect the [illegible] power reserved by the people in section 23 of article [illegible] of the Constitution of the State of California, [illegible] the [illegible], [illegible], filing and certifying of petitions, [illegible] [illegible], [illegible] [illegible] of this Act and [illegible] of said section 23 of the Constitution of the State of California.

Also, Senate Bill No. [illegible]—An Act to [illegible] the [illegible] and [illegible] of initiative, referendum and recall petitions required by law to be filed with the Secretary of State.

Also, Senate Bill No. 1115—An Act to amend section 1282 of the Political Code, relating to the [illegible] and [illegible] of votes cast at elections.

Also, Senate Bill No. 1125—An Act to amend section 1142 of the Political Code, [illegible] [illegible] of [illegible] to [illegible] election officers from an eligible list of persons who have previously passed an examination as to their fitness and competency.

Also, Senate Bill No. 1135—An Act to amend section 3 of an Act entitled "An Act to regulate the conduct of election campaigns, and repealing an Act entitled 'An Act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893, and approved March 9, 1907."

Also, Senate Bill No. 1171—An Act to amend section 54 of the Penal Code, relating to furnishing money for elections except for specific purposes:

Has had the same under consideration, and respectfully reports the same back without recommendation.

BENSON, Chairman.

RECESS.

At six o'clock and fifty minutes p.m., on motion of Senator Thompson, the Acting President declared the Senate at recess until six o'clock and fifty-five minutes p.m.

RECONVENED.

At six o'clock and fifty-five minutes p.m., the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

MESSAGES FROM THE ASSEMBLY (OUT OF ORDER).

On motion of Senator Kehoe, the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 1060—An Act to provide for the establishment, maintenance and development of a petroleum experiment station by the University of California; to impose an annual excise fee upon the producers of crude petroleum for the support of such experiment station; to provide for the collection of such fee; to provide penalties for the nonpayment thereof; and to appropriate the aggregate amount thereof for the purpose aforesaid;

Also: Senate Bill No. 828—An Act making an appropriation to pay the claim of James C. Owens against the State of California, under the provisions of section 1 of article XXIII of the Constitution of the State of California:

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bills Nos. 1060 and 828 ordered to enrollment.

Also:

SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused passage of Senate Bill No. 55—An Act providing for the discharge and restoration of citizenship of paroled prisoners from state prisons;

Also: Senate Bill No. 745—An Act to amend an Act entitled "An Act approving the report of the California Debris Commission transmitted to the Speaker of the House of Representatives by the Secretary of War on June 27, 1911, directing the approval of plans of reclamation along the Sacramento River or its tributaries upon the swamp lands adjacent to said river, directing the State Engineer to procure data and make surveys and examinations for the purpose of perfecting the plans contained in said report of the California Debris Commission and to make report thereof, making an appropriation to pay the expenses of such examinations and surveys, and creating a reclamation board and defining its powers," approved December 24, 1911, (as heretofore amended by an Act approved May 26, 1913) by amending section 4 of said Act, creating and extending the boundaries of the Sacramento and San Joaquin Drainage District.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 1, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 1222—An Act to regulate the sale of agricultural lime, and to provide penalties for the infraction thereof, and means for the enforcement of the Act;

Also: Senate Bill No. 750—An Act to amend section 4286 of the Political Code, relating to counties of the fifty-seventh class, and salaries of officers thereof;

Also: Senate Bill No. 273—An Act to amend section 1207 of the Civil Code of the State of California, relating to defectively acknowledged instruments of record in the office of the county recorder prior to the first day of January, nineteen hundred and fifteen;

Also, Senate Bill No. [illegible]—An Act to amend sections 1, 2, 5, 6, 7, 9, 10, 13, 14, [illegible] [illegible] and in [illegible] r, to [illegible] (approved [illegible], 1913);

Also, Senate Bill No. [illegible]—An Act to amend the Political Code by changing the heading of [illegible] II of title V of part III of said Political Code; [illegible] II of title V of part III of said Political Code, [illegible] Political Code, [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, [illegible]

Also, Senate Bill No. [illegible]—An Act [illegible] approved [illegible];

Also, Senate Bill No. [illegible]—An Act [illegible]

Also, Senate Bill No. [illegible]—An Act to provide for the [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, relating to the correction and cancellation of assessments, sales to the State, [illegible];

Also, Senate Bill No. 118—An Act to amend section 4232 of the Political Code of the State of California, relating to the salaries, fees, and expenses of officers in [illegible];

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, [illegible];

Also, Senate Bill No. 1011—An Act to amend section 1444 of the Code of Civil Procedure of the State of California, [illegible] of deceased persons;

Also, Senate Bill No. [illegible]—An Act to amend section 17[illegible] of the Code of Civil Procedure of the State of California, [illegible] life estates or home[illegible];

Also, Senate Bill No. 743—An Act to amend section 626*j* of the Penal Code of the State of California, [illegible];

Also, Senate Bill No. 452—An Act to amend sections 1768 and 1770 of the Political Code of the State of California, relating to the appointment and organization of county boards of education;

Also, Senate Bill No. [illegible]—An Act to amend section 2192 of the Political Code, [illegible];

Also, Senate Bill No. [illegible]—An Act to amend section 290 of the Civil Code of the State of California, relating to articles of incorporation and what they must set forth;

Also, Senate Bill No. 655—An Act to provide for branding on the back of all [illegible] the name of the place where they were caught, and providing a penalty for the violation thereof;

Also, Senate Bill No. 906—An Act providing for the sale of certain state lands;

Also, Senate Bill No. 336—An Act to amend section 4280 of the Political Code of the State of California, relating to the compensation of officers of counties of the [illegible];

Also, Senate Bill No. 839—An Act to amend section 4238 of the Political Code of the State of California, relating to the compensation of county and township officers of counties of the ninth class, and to the number, appointment and salaries of their assistants and deputies;

Also: Senate Bill No 459—An Act to create a flood control district to be called "Los Angeles County Flood Control District"; to provide for the control and conservation of flood and storm waters and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor, to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district, to provide for the government and control of said district, and to define the powers and duties of the officers thereof;

Also: Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending section 16 of article XI thereof, relating to the deposit of moneys belonging to the State or to any county or municipality within the State in any bank or banks;

Also: Senate Bill No. 986—An Act to amend an Act entitled "An Act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this Act," approved June 3, 1913 by adding thereto a new section to be numbered 12*a*;

Also: Senate Bill No. 219—An Act to amend section 791 of the Political Code relating to notaries public;

Also: Senate Bill No. 801—An Act providing for the establishment by the Commission of Immigration and Housing of California zones or areas on docks where immigrants are landed, prescribing the powers and duties of the said commission with regard thereto, and providing a penalty for violation of the provisions hereof.

Also: Senate Bill No. 848—An Act to amend section 4279 of the Political Code, relating to salaries of county officers for counties of the fiftieth class;

Also: Senate Bill No. 611—An Act to amend sections 1 and 4 of an Act entitled "An Act requiring the recording of maps of subdivisions of land into lots for the purpose of sale, and prescribing the conditions on which such maps may be recorded and prohibiting the selling or offering for sale of land by reference to said maps unless the same are recorded," approved March 15, 1907, as amended June 11, 1913;

Also: Senate Bill No. 897—An Act making an appropriation to pay for the furnishing, repairing, renovating and improving the Governor's residence;

Also: Senate Bill No. 980—An Act making an appropriation for the purchase of an automobile for the use of the Governor of the State of California;

Also: Senate Bill No. 1116—An Act to provide for the return to the owners thereof of any funds paid into the state treasury by any receiver in conformity with the provisions of section 570 of the Code of Civil Procedure; prescribing the procedure relative thereto; and making an appropriation therefor;

Also: Senate Bill No. 1139—An Act to provide for the payment of awards of court, or judgments, rendered in conformity with the provisions of section 1272 of the Code of Civil Procedure, and making an appropriation therefor;

Also: Senate Bill No. 1117—An Act to provide for making restitution to the persons who are or may become entitled thereto in accordance with the provisions of sections 3408*d*, 3571 and 3572 of the Political Code of the principal sums by them, or by their respective predecessors in interest, paid to the State of California and thereafter deposited in the state treasury to the credit of the State School Land Fund pursuant to law, prescribing certain duties of the Register of the State Land Office, the State Controller and the State Treasurer with respect thereto; and making an appropriation for such purpose;

Also: Senate Bill No. 108—An Act to amend section 445 of the Political Code of the State of California, authorizing the Controller of State to maintain an inheritance tax department and in connection therewith to appoint an inheritance tax attorney and assistants thereto;

Also: Senate Bill No. 855—An Act to amend section 655 of the Political Code relating to the State Board of Control;

Also: Senate Bill No. 1236—An Act to amend sections 1771, 1772 and 1775 of the Political Code, relating to the powers and duties of the county board of Education;

Also: Senate Bill No. 837—An Act to promote the safety of employees and the traveling public upon railroads by prohibiting certain persons, firms and corporations operating railroads in this State from requiring or permitting certain employees to receive, deliver or transmit over telegraph or telephone lines any orders for the movement of trains, except in such cases or classes of cases as may be permitted by the Railroad Commission;

Also: Senate Bill No. 1124—An Act to add a new section to the Code of Civil Procedure, to be numbered 1269*a*, relating to escheated property and the procedure in relation thereto;

Also: Senate Bill No. 1119—An Act to provide for making restitution to the persons who are or may become entitled thereto, in accordance with the provisions of sections 3571 and 3572 of the Political Code, of the sums by them, or by their [illegible] paid to the State of California as interest upon the unpaid balance of the purchase price of [illegible] sold, [illegible] state treasury to the credit of the State School Land Fund [illegible]; prescribing certain duties of the Register of the State Land Office, the State Controller and the State Treasurer with respect thereto; and making an appropriation for such purpose.

And [illegible] that the same has been correctly enrolled and presented the same to the Governor on the seventh day of May, 1915, at 6 o'clock p.m.

LUCE, Vice Chairman.

RECESS.

At seven o'clock and five minutes p.m., on motion of Senator Kehoe, the President pro tem. declared the Senate at recess until seven o'clock and fifteen minutes p.m.

RECONVENED.

At seven o'clock and fifteen minutes p.m. the Senate reconvened.

Hon. Newton W. Thompson, President pro tem. of the Senate, in the chair.

Assistant Secretary J. W. Kavanagh at the desk.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Kehoe the following messages from the Assembly were read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 9th passed Senate Bill No. 1264—An Act [illegible]

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

Senate Bill No. 1264 ordered to enrollment.

Also,

SACRAMENTO, May 9, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on May 9th [illegible] Senate Bill No. [illegible]—An Act [illegible]

Also, Senate Bill No. [illegible]—An Act to amend an Act entitled "An Act [illegible]," approved March 18, 1885, by adding a new section [illegible] public works [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, [illegible].

Also, Senate Bill No. [illegible]—An Act [illegible] State of California, and providing for the [illegible] of said [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code, [illegible].

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

RECESS.

At seven o'clock and twenty minutes p.m. the President declared the Senate at recess until seven o'clock and twenty-five minutes p.m.

RECONVENED.

At seven o'clock and twenty-five minutes p.m., the Senate reconvened.

Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Strobridge, the following message from the Assembly was read, out of the regular order:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1915.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended and on this day passed as amended, Senate Bill No. 189—An Act to be known as the usury law, relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections 1917, 1918, 1919, and 1920 of the Civil Code and all Acts or parts of Acts in conflict with this Act—and respectfully asks that the amendments be concurred in.

L. B. MALLORY, Chief Clerk of Assembly.
By M. STERN, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 189.

Senate Bill No. 189—An Act to be known as the usury law relating to the rate of interest which may be charged for the loan or forbearance of money, goods or things in action, or on accounts after demand, or on judgments, providing penalties for the violation of the provisions hereof, and repealing sections 1917, 1918, 1919, and 1920 of the Civil Code and all acts or parts of acts in conflict with this Act.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER ONE HUNDRED EIGHTY-NINE.

AMENDMENT NUMBER ONE.

On page 3, line 15, strike out the words "and nineteen".

AMENDMENT NUMBER TWO.

On page 3, line 16, strike out the words "hundred twenty".

AMENDMENT NUMBER THREE.

On page 3, line 15, insert the word "and" after the first comma.

AMENDMENTS TO TITLE.

AMENDMENT NUMBER ONE.

In line 5 of the title strike out the words "or on judgments".

AMENDMENT NUMBER TWO.

After the last comma in line 7 of the title, insert the word "and".

AMENDMENT NUMBER THREE.

In line 8 of the title strike out the words "and nineteen hundred twenty".

The question being: "Shall the Senate concur in Assembly amendments to Senate Bill No. 189?"

The roll was called, and Assembly amendments to Senate Bill No. 189 were concurred in by the following vote:

AYES—Senators Ballard, Benson, Birdsall, Brown, Butler, Carr, Chandler, Cogswell, Duncan, Gerdes, Jones, Kehoe, King, Luce, Mott, Purkitt, Rush, Sanford, Strobridge, Thompson, and Tyrrell—21.

NOES—None.

Senate Bill No. 189 ordered to enrollment.

REPORT OF STANDING COMMITTEE—OUT OF ORDER.

By consent of the Senate, the following report of standing committee was received and read out of the regular order:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, May [illegible], 1913.

Mr. President: Your Committee on Elections, to which was referred Assembly Bill No. [illegible] [illegible]

BENSON, Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, May [illegible], 1913.

Mr. President: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 174—An Act to provide for the [illegible]

Also, Senate Bill No. [illegible]—An Act [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the [illegible] of the State Harbor Commissioners of San Francisco [illegible]

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the State of California [illegible] State Harbor Commissioners of San Francisco harbor.

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code relating to the [illegible] of the Board of State Harbor Commissioners [illegible]

Also, Senate Bill No. [illegible]—An Act to add a new section to the Political Code [illegible] Board of State Harbor Commissioners [illegible]

Have had the same under consideration, and respectfully return the same back without recommendation.

BROWN, Chairman.

RECESS.

At seven o'clock and thirty minutes p.m. the President declared the Senate at recess until seven o'clock and thirty-five minutes p.m.

RECONVENED.

At seven o'clock and thirty-five minutes p.m. the Senate reconvened; Lieutenant Governor John M. Eshleman, President of the Senate, in the chair.

Secretary Edwin F. Smith at the desk.

APPOINTMENT OF COMMITTEES.

The President announced the appointment of Senators Kehoe, Chandler, and Tyrrell as members of committee to be appointed in accordance with Senate Concurrent Resolution No. 20—Relative to providing for the appointment of a joint committee of the Senate and Assembly to procure, if possible, the approval and adoption by Congress of certain plans for river and harbor improvements and the co-operation of the federal government in the performance of the works therein provided for and specified, and making provision for the payment of the expenses to be incurred by such committee.

RESOLUTIONS (OUT OF ORDER).

By consent of the Senate, the following resolutions were offered, out of the regular order:

By Senator Anderson:

Resolved, That a committee of three be appointed to notify the Assembly that the Senate is ready to adjourn *sine die* and to ask if the Assembly has any further communication to transmit to the Senate.

Resolution read and, on motion of Senator Anderson, adopted.

Also:

By Senator Kehoe:

Resolved, That a committee of three be appointed to notify the Governor that the Senate is ready to adjourn *sine die* and to ask if he has any further communication to transmit to the Senate.

Resolution read and, on motion of Senator Kehoe, adopted

Also:

By Senator Thompson:

Resolved, That the Controller be, and he hereby is, authorized and directed to draw his warrant on the Contingent Fund of the Senate in favor of the Hotel Sacramento for the sum of seven and one half dollars as per the itemized statement herein, and the State Treasurer is hereby directed to pay the same.

Sandwiches (35)	$4 50
Coffee	1 50
Service and delivery	1 50
Total	$7 50

Resolution read and, on motion of Senator Thompson, adopted.

APPOINTMENT OF COMMITTEES.

The President announced the appointment of the following committees:

To wait on the Assembly in accordance with the provisions of the above resolution: Senators Anderson, Luce, and Cohn.

To wait on the Governor in accordance with the provisions of the above resolution: Senators Kehoe, Cogswell, and Slater.

REPORTS OF STANDING COMMITTEE.

The following reports of standing committee were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined Senate Bill No. 511—An Act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this Act; to create the offices of state and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all Acts and parts of Acts in conflict herewith;

[illegible]

[illegible] approved March 6, [illegible]

[illegible] Civil [illegible]

[illegible] for [illegible]

[illegible]

[illegible]

[illegible] of hog [illegible] of California; [illegible]

[illegible]

[illegible] of the Political Code [illegible]

[illegible]

[illegible] of the Code of Civil Procedure [illegible] from [illegible]

[illegible] sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, [illegible] of minors under certain [illegible] minors; providing for the [illegible] by an Act approved June 2, [illegible] 16, 17, 18 and 19, [illegible]

[illegible] board of retirement to keep, invest, [illegible] payment of benefits and annuities to [illegible] Stockton State Hospital, [illegible] Southern California State Hospital, [illegible] prison at San [illegible] ion of said fund, investments thereof, the payments [illegible] r the general government of said board of retirement;

[illegible]

Also: Senate Bill No. 973—An Act to amend section 636 of the Penal Code of the State of California, relating to the protection of fish;

Also: Senate Concurrent Resolution No. 21—Approving a charter for the city of San Jose, ratified by the qualified voters of said city at a special municipal election held therein on the 19th day of April, 1915;

Also: Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by adding to article VI of said Constitution a new section to be numbered section 6½, relating to the term of office of judges of the superior court;

Also: Senate Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution by amending sections 1 and 9 of article XIII and by repealing sections 10 and 14 of said article, all relating to revenue and taxation;

Also: Senate Bill No. 513—An Act appropriating money to pay the claim of Peter F. Macdonald against the State of California;

Also: Senate Bill No. 514—An Act appropriating money to pay the claim of William La Haye against the State of California;

Also: Senate Bill No. 896—An Act to appropriate money to pay the claim of W. E. Gerber against the State of California;

Also: Senate Bill No. 947—An Act making an appropriation to pay the claim of J. W. Kavanagh against the State of California;

Also: Senate Bill No. 961—An Act creating an advisory pardon board, defining and prescribing the powers and duties thereof, and making an appropriation therefor;

Also: Senate Bill No. 962—An Act authorizing and providing for an investigation and report upon the matter of revenue and taxation, and making an appropriation therefor;

Also: Senate Bill No. 1084—An Act to provide for the appointment of a state capital planning commission to formulate plans for the capital city of the State and to confer with the city planning commission of the state capital city;

Also: Senate Bill No. 1244—An Act re-appropriating money appropriated by an Act entitled "An Act appropriating money for the construction and equipment of shop buildings at Folsom State Prison," approved June 7, 1913, and making the same available for the construction of a cell building and wall and for other improvements at Folsom State Prison;

Also: Senate Bill No. 1251—An Act to amend section 1 of an Act entitled "An Act to amend section 1 of an Act entitled 'An Act amending an Act making an appropriation for the establishment of a permanent fund for the purchase of jute to be manufactured at the state prison at San Quentin, approved March 9, 1885,' approved March 16, 1889, and to provide for the disposition and use of the surplus money received from the sale of jute goods and not needed for the 'revolving fund' provided for in said Act," approved March 24, 1911;

Also: Senate Bill No. 1243—An Act making an appropriation for the construction of a cell building and wall and for other improvements at Folsom State Prison;

Also: Senate Bill No. 1254—An Act re-appropriating the money appropriated to carry out the provisions of the water commission Act, approved June 16, 1913, and making the same available for the purpose of said Act during the sixty-seventh and sixty-eighth fiscal years;

Also: Senate Bill No. 1256—An Act to appropriate money for purchase and installation of heating system at the California School for the Deaf and the Blind;

Also: Senate Bill No. 1261—An Act to appropriate money to pay the claims of corporations, arising from exemptions under the provisions of section 14 of article XIII of the Constitution, for the return of corporation license tax erroneously collected;

Also: Senate Bill No. 465—An Act to appropriate money for furniture for the new domitory building at the Industrial Home for the Adult Blind;

Also: Senate Bill No. 466—An Act to appropriate money for repairs and improvements at the California School for the Deaf and the Blind;

Also: Senate Bill No. 467—An Act to appropriate money to install new electric wiring in the institution of the California School for the Deaf and the Blind;

Also: Senate Bill No. 468—An Act to appropriate money to provide the manual arts building of the California School for the Deaf and the Blind with [illegible] equipment;

Also: Senate Bill No. 469—An Act to appropriate money to develop and equip artesian wells and to connect the same with the water system of the California School for the Deaf and the Blind at the California School for the Deaf and the Blind;

Also: Senate Bill No. 496—An Act to appropriate money for repairs and improvements at the California School for the Deaf and Blind;

Also: Senate Bill No. 371—An Act to appropriate money to complete and furnish the Los Angeles Normal School buildings;

Also: Senate Bill No. 372—An Act to appropriate money to purchase additional equipment for the industrial training departments of the Los Angeles State Normal School;

Also, Senate Bill No. [illegible]—An Act to appropriate money [illegible] of the [illegible] Los Angeles State Normal School;

Also, Senate Bill No. [illegible]—An Act [illegible] money [illegible] equipment of the San Diego State Normal School;

Also, Senate Bill No. [illegible]—An Act to appropriate money to [illegible] the expenses of [illegible] the San José State Normal School [illegible];

Also, Senate Bill No. [illegible]—An Act to appropriate money for [illegible] of the [illegible] for the Adult Blind;

Also, Senate Bill No. [illegible]—An Act appropriating money for the construction and equipment of [illegible] on the grounds of Humboldt State Normal School;

Also, Senate Bill No. [illegible]—An Act appropriating money to pay the claim of [illegible] Printing Company against the State of California;

Also, Senate Bill No. [illegible]—An Act to appropriate money to pay the expenses of [illegible] building at the Fresno State Normal School;

Also, Senate Bill No. 136—An Act to appropriate money for improving the grounds of the Fresno State Normal School;

Also, Senate Bill No. [illegible]—An Act to appropriate money for the improvement of grounds and roads at the [illegible] State Home;

Also, Senate Bill No. [illegible]—An Act appropriating money to pay the claim of Charles W. [illegible] against the State of California;

Also, Senate Bill No. [illegible]—An Act to appropriate money for the purchase and installation of [illegible] at the Mendocino State Hospital;

Also, Senate Bill No. [illegible]—An Act to appropriate money for repairs and [illegible] at the Chico State Normal School;

Also, Senate Bill No. [illegible]—An Act to appropriate money for [illegible] the buildings of the San Francisco State Normal School;

Also, Senate Bill No. [illegible]—An Act to appropriate money for repairs and furnishings at the San Francisco State Normal School;

Also, Senate Bill No. 1234—An Act providing an appropriation for painting and [illegible] of the building on the capitol grounds occupied by the State printing plant;

Also, Senate Bill No. [illegible]—An Act authorizing the Governor to appoint a commission to investigate and report at the forty-second session of the Legislature concerning the adoption of a system of social insurance and making an appropriation therefor;

Also, Senate Bill No. [illegible]—An Act to appropriate money to pay the claim of Miller-[illegible] Company against the State of California;

Also, Senate Bill No. [illegible]—An Act to make an appropriation for the purpose of making a survey for a [illegible] from the intersection of the State Highway and the [illegible] terminus of the Humboldt County [illegible] the mouth of the [illegible] River;

Also, Senate Bill No. [illegible]—An Act to authorize the [illegible] Carrie E. [illegible], Alice E. W[illegible] and John [illegible] Earl, as heirs at law of John W. Earl, deceased, of moneys paid by said deceased in his lifetime to the State of California for the purchase of certain [illegible] land certificates [illegible] have been surrendered to the State [illegible] the sum of six hundred forty dollars, and for such purpose authorizing the State Register to issue a certificate to said heirs of John F. Earl, deceased, for the amount so paid for said [illegible] certificates, and authorizing the State Controller to draw his warrant on the State Treasurer for said sum, and authorizing the State Treasurer to pay the same, said sum having heretofore been paid into the State School Land Fund;

Also, Senate Bill No. 984—An Act to amend sections 9 and 10 of an Act entitled "An Act to establish and support a bureau of labor statistics," approved March 3, 1883;

Also, Senate Bill No. [illegible]—An Act to amend section 4252 of the Political Code, relating to [illegible] of officers of counties of the thirty-third class;

Also, Senate Bill No. 190—An Act to appropriate money for the purchase of additions to the dairy herd at the Stockton State Hospital;

Also, Senate Bill No. 192—An Act to appropriate money for the construction and furnishing of a [illegible] building for females at the Stockton State Hospital;

Also, Senate Bill No. 194—An Act to appropriate money for the purchase and [illegible] of a [illegible]er at the Stockton State Hospital;

Also, Senate Bill No. [illegible]—An Act to amend section 4256 of the Political Code of the State of California relating to the salaries, fees and expenses of officers and [illegible] in counties of the seventh class;

Also, Senate Bill No. 262—An Act to appropriate money for the construction and furnishing of two patient cottages at the Southern California State Hospital;

Also, Senate Bill No. 775—An Act making an appropriation for the entertainment of the delegates to the convention of the National Guard Association of the United States, to be held in the city of San Francisco, California, during the year 1915, and the [illegible] and entertainment of visiting military bodies, organizations, and [illegible] of the State of California upon the occasion of the Panama-Pacific International Exposition.

Also: Senate Bill No. 883—An Act to appropriate money for the erection of additional buildings for the use of the [illegible] [illegible] of the State of California at San Diego, California;

Also: Senate Bill No. [illegible]—An Act to appropriate money for the construction of surface drains and to in other ways care for storm water at the California School for Girls located near Ventura;

Also: Senate Bill No. 1145—An Act to create a commission for the purpose of [illegible] of the State of California, defining the powers and duties of said commission, and making an appropriation therefor;

Also: Senate Bill No. 1151—An Act appropriating money to pay the claim of Ed [illegible] against the State of California;

Also: Senate Bill No. 1225—An Act making an appropriation to pay the claim of J. V. Stanton against the State of California;

Also: Senate Bill No. 362—An Act to appropriate money for the purchase of machinery and equipment for the manufacturing departments at the state prison at San Quentin;

Also: Senate Bill No. 367—An Act to appropriate money for the development of the water supply and pumping plant at the state prison at San Quentin;

Also: Senate Bill No. 375—An Act to appropriate money for improvement to grounds at the Los Angeles State Normal School;

Also: Senate Bill No. 388—An Act to appropriate money for repairs and improvements at the San Diego State Normal School;

Also: Senate Bill No. 394—An Act to appropriate money for the support and maintenance and erection of additional buildings at the state hospital at Norwalk, Los Angeles County, California;

Also: Senate Bill No. 416—An Act to appropriate money for the construction of a commissary building and equipment at the California School for Girls located near Ventura;

Also: Senate Bill No. 236—An Act to provide for the establishment and maintenance of vocational courses and schools by local boards of education for the purpose of encouraging agricultural, industrial, trade, commercial and all other practical subjects, and providing State aid therefor;

Also Senate Bill No. 211—An Act to amend section 4254 of the Political Code relating to compensation of officers in counties of twenty-fifth class.

Also: Senate Bill No. 295—An Act to appropriate money for the replacement of a main pipe line and connections thereto, and the completion of the reservoir and water systems at the Mendocino State Hospital;

Also: Senate Bill No. 218—An Act to amend sections 3, 5, 6 and 12 of an Act known as the "net container act," approved May 24, 1913;

Also: Senate Bill No. 916—An Act establishing and creating a department of State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a state oil and gas supervisor, prescribing his duties and powers, fixing his compensation, providing for the appointment of deputies and employees, prescribing their duties and compensations; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure [illegible] of departmental rulings; creating a fund for the purposes of the Act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this Act;

Also: Senate Bill No. 783—An Act to amend section 681 of the Penal Code, relating to punishment and treatment of prisoners, inmates of reformatory institutions, and persons accused or suspected of having committed crimes;

And reports that the same have been correctly enrolled, and presented the same to the Governor on this ninth day of May, 1915, at 1 o'clock p.m.

LUCE, Vice Chairman.

Also:

SACRAMENTO, May 9, 1915.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment has examined Senate Bill No. 424—An Act to amend section 1543 of the Political Code, relating to the duties of superintendent of schools;

Also: Senate Bill No. 462—An Act to amend section 1617 of the Political Code, relating to the powers and duties of trustees of common school districts and of boards of education in city school districts;

Also: Senate Bill No. 510—An Act to amend sections 2, 12, 13, 15, 16, 17, 19, 20, 22, 24, 25, 26, 29, 30, 32, 33, 34, 36, 37, 46, 47, 57, 71, 72, 75, 76, 77 and 81 of an Act entitled "An Act to promote the general welfare of the people of this State as affected by accident causing the injury or death of employees in the course of their employment, by creating a liability on the part of employers to compensate such employees and their dependents for such accidental injury or death irrespective of the fault of either party, and providing the means and methods of enforcing

[illegible]

[illegible] section 57 thereof, relating to [illegible]

[illegible]

[illegible] nd sections 1, 3, 5, 6, 7, 9, 10, 11, [illegible]

[illegible]

[illegible]

[illegible] of the Political Code, [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] ection 337 of the Code of Civil [illegible] of California, relating to time within which certain actions [illegible]

[illegible]

[illegible]

[illegible]

Also, Senate Bill No. 558—An Act to amend section 2978 of the Political Code, relating to the constitution of the State Board of Health and the terms of the members of said board;

Also, Senate Bill No. 796—An Act to amend an Act entitled "An Act relating to cold storage, the regulation of refrigerating warehouses, the disposition or sale of food kept or preserved therein, and defining the duties of the State Board of Health in relation thereto," approved June 13, 1913, by amending sections 1 and 2, both relating to cold storage;

Also, Senate Bill No. 1004—An Act to amend section 4131 of the Political Code relating to the recording of certain instruments;

Also, Senate Bill No. 1197—An Act to add a new section to the Penal Code to be numbered 508a, relating to insurance premiums;

Also, Senate Bill No. 1215—An Act to add a new section to the Civil Code to be known and numbered as section 1829, relating to the opening of safe deposit boxes or vaults by safe deposit companies;

Also, Senate Bill No. 1221—An Act to amend section 411 of the Code of Civil Procedure relating to service of summons;

Also, Senate Bill No. 263—An Act to amend section 280b of the Code of Civil Procedure, relating to licenses to practice law;

Also, Senate Concurrent Resolution No. 20—Providing for the appointment of a joint committee of the Senate and Assembly to procure, if possible, the approval and adoption by Congress of certain plans for river and harbor improvements and the coöperation of the federal government in the performance of the works therein provided for, and specified, and making provision for the payment of the expenses to be incurred by such committee;

Also, Senate Bill No. 1101—An Act to amend section 2 of an Act entitled "An Act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems," approved June 13, 1913;

Also, Senate Bill No. 668—An Act to amend that certain Act of the Legislature of the State of California, entitled "An Act to define and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," by amending sections 1, 3, 11, 15, 20, 25, 28, 32, 36, 37, 46, 47, 48, 49, 56, 61, 61a, 65, 67, 68, 80, 83, 96, 98, 99, 101, 127, 134 and 135 thereof, and by adding new sections thereto to be numbered sections 13, 57 and 85, all relating to the definition and regulation of the business of banking;

Also, Senate Bill No. 1252—An Act to add a new section to the Code of Civil Procedure of the State of California to be numbered 1235, relating to dissolution of trust companies;

Also, Senate Bill No. 19—An Act to amend section 4245 of the Political Code of the State of California relating to the salaries, fees, and expenses of officers in counties of the sixteenth class;

Also, Senate Bill No. 378—An Act to amend section 954 of the Penal Code of the State of California, relating to charging two or more different offenses in indictments and informations;

Also, Senate Bill No. 533—An Act requiring employers who provide hospital service for their employees and who make a charge therefor, to keep books, records and accounts of all such charges and to make an annual written report thereof; requiring each such charge to be just and reasonable and to be devoted to no other purpose than such hospital service; and prescribing penalties for violations of the provisions thereof;

Also, Senate Bill No. 907—An Act to add a new section to the Political Code to be numbered 664a, relating to the powers and duties of the State Board of Control as regards claims against the State;

Also, Senate Bill No. 705—An Act to amend section 634 of the Penal Code of the State of California, relating to the protection of fish;

Also, Senate Bill No. 507—An Act to amend section 7 of an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to deputies of Labor Commissioner;

Also, Senate Bill No. 1269—An Act calling and authorizing and directing the Governor of the State to call a special election to be held on Tuesday, October twenty-sixth, 1915, and providing for the submission thereat to the qualified electors of the State of all amendments to the Constitution of the State of California proposed by the Legislature of said State at its forty-first session and of all laws passed by the said Legislature at its forty-first session which may be delayed from going into effect by referendum petition;

Also, Senate Joint Resolution No. 16—Memorializing the President of the United States, the Secretary of the Interior and Congress to take immediate action to establish a policy for the development of the oil lands of the United States;

Also, Senate Bill No. 731—An Act to amend section 2287 of the Civil Code of the State of California relating to appointment of trustees;

Also, Senate Bill No. 202—An Act to authorize county boards of supervisors to employ visiting nurses;

Also, Senate Bill No. 118—An Act to amend section 1489 of the Political Code, relating to the powers and duties of normal school boards;

[illegible]

[illegible] Act [illegible] April 1, 1878.

[illegible] of the Political Code [illegible]

[illegible] Penal Code [illegible]

[illegible] An Act to amend section 3491 of the Political Code [illegible] State of California, relating to reclamation and swamp land districts.

[illegible]

[illegible] n 1251 of the Code of Civil [illegible]

[illegible] of the Civil Code [illegible]

[illegible] extend- [illegible]

[illegible] of the Political Code [illegible]

[illegible] title VII, part III [illegible]

[illegible] 1685 of the Political Code [illegible]

[illegible] 2000, 2001, 2002, [illegible]

[illegible]

[illegible] Act providing for the disposition of fines and [illegible]

[illegible] a new section to the Civil Code to be [illegible]

[illegible] March 26. [illegible]

[illegible] tion 1167 of the Code of Civil [illegible]

[illegible] of the Political Code [illegible]

[illegible] Whittier [illegible] ive persons [illegible] Whittier State School [illegible]

[illegible] an Act entitled "An Act to establish [illegible] and government of paroled prisoners, [illegible] "An Act to establish a Board of Parole Commissioners [illegible] paroled prisoners," ap- [illegible] a new section [illegible] granting of paroles and the forfeiture of credits [illegible] of the State or any rule or regulation of the [illegible] of the Board of Prison Directors or of the Board of Parole Commissioners;

Also: Senate Bill No. 625—An Act to amend section 585 of the Code of Civil Procedure of the State of California, relating to judgment upon failure to answer;

Also: Senate Bill No. 350—An Act to amend "An Act to provide for the formation and organization and management of municipal water districts, and to provide for the acquisition or construction by said districts of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved May 1, 1911, as amended by Act approved December 24, 1911, by adding to said Act two new sections to be numbered 27a and 27b, providing for the disincorporation of such districts, the payment of its obligations upon such disincorporation, the return of its surplus funds to the taxpayers, the disposal of the records of said district, the winding up of the affairs of said district and the powers of boards of supervisors upon the winding up of such affairs;

Also: Senate Bill No. 268—An Act to amend sections 6, 8 and 10 of an Act entitled "An Act to provide for the establishment and maintenance of county free libraries in the State of California and repealing an Act entitled 'An Act to provide a county library system,' approved April 12, 1909, and all Acts and parts of Acts in conflict with this Act,'" approved February 25, 1911;

Also: Senate Bill No. 423—An Act to amend section 2969 of the Civil Code of the State of California [illegible] personal property;

Also: Senate Bill No. 1197—An Act to regulate the issuance of [illegible] to hunters and anglers;

Also: Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code relating to the control and location of libraries;

Also: Senate Bill No. 1247—An Act to add a new section to the Penal Code to be numbered section 1329a, relating to fees of witnesses in criminal cases;

Also: Senate Bill No. 107—An Act to amend section 1726a of the Code of Civil Procedure of California, relating to the payment of funeral expenses of deceased persons by public administrator;

Also: Senate Bill No. 404—An Act to amend section 654a of the Penal Code, relating to false representations as to property advertised to be sold and service advertised to be performed;

Also: Senate Bill No. 659—An Act to amend section 200 of the Code of Civil Procedure, relating to exemptions from liability to act as a juror;

Also: Senate Bill No. 797—An Act to amend section 410 of the Political Code, relating to the [illegible] of reports of Supreme Court;

Also: Senate Bill No. 922—An Act to amend section 196a of the Civil Code relating to the support of illegitimate children;

Also: Senate Bill No. 1043—An Act to amend section 1006 of the Civil Code, referring to occupancy of real property;

Also: Senate Bill No. 333—An Act to prevent the propagation, by the production of seed, of those certain plants known as *Sorghum halepense*, *Cnicus arvensis*, [illegible]

Also: Senate Bill No. 48—An Act declaring the wagon road from McKinney's to the west end of Donner Lake a State highway;

Also: Senate Bill No. 758—An Act to prevent blindness from ophthalmia neonatorum; to vest certain powers and duties in the State Board of Health and health officers; to impose certain duties upon physicians, midwives, nurses, and other persons; and to provide for the enforcement of this Act, and the repeal of chapter XIV, Statutes of 1897, entitled "An Act to regulate medical practice, to prevent blindness in infants," and other acts in conflict herewith;

Also: Senate Bill No. 770—An Act to amend section 1858 of the Political Code of the State of California relating to the attendance of children in the public schools of the State;

Also: Senate Bill No. 737—An Act to amend an Act entitled "An Act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, by amending sections 1, 2, 3, 4, 6, 7, 8, and 9 thereof and by adding a new section thereto to be known and numbered as section 11½, all relating to the licensing of stallions and jacks, and providing for the reporting of the collection of fees to the State Controller and the creation of a fund to be known as the Stallion Registration Board Contingent Fund;

Also: Senate Bill No. 971—An Act to amend section 626d of the Penal Code of the State of California, relating to the protection of fish and game;

Also: Senate Bill No. 1122—An Act to amend an Act entitled "An Act authorizing the construction, acquisition, maintenance and control of a system of state highways in the State of California; specifying the work, fixing the [illegible] made by counties for moneys expended therein; providing for the iss[illegible] of state bonds to create a fund for the construction and acquisition of su[illegible] creating a sinking fund for the payment of said bonds; and providing fo[illegible]mission of this Act to a vote of the people," approved March 22, 1909, and [illegible] ratified and adopted by the people of the State of California at the general election

[illegible]

[illegible] places and rights of ways in municipalities, and providing for the improvement [illegible] 1913, by amending sections 1, 3, 4, 8, 23, 24 and 25 of said Act;

Also: Senate Bill No. 1268—An Act to amend section 642 of the Political Code of the State of California, relating to the fish and game commissioners and their assistants and employees, and prescribing their duties and powers;

Also: Senate Bill No. 974—An Act to amend section 631 of the Penal Code of the State of California, relating to the domestication of wild game;

Also: Senate Bill No. 768—An Act to amend section 628 of the Penal Code of the State of California relating to the protection of fish and to repeal section 628a of the Penal Code, relating to the protection of abalones;

Also: Senate Bill No. 132—An Act to amend section 756 of the Political Code of the State of California, relating to the salaries of deputy clerks of the Supreme Court;

Also: Senate Bill No. 957—An Act to amend section 10 of an Act entitled "An Act to create and regulate the business of banking," approved March 1, 1909, designated the "Bank Act," as amended February 6, 1911, April 21, 1911, December 18, 1911, December 24, 1911, and May 6, 1913;

Also: Senate Bill No. 927—An Act relating to the deposit of moneys and assets held by bonded fiduciaries providing for agreements between surety and fiduciary as to place of deposit of such funds and assets;

Also: Senate Bill No. 205—An Act to provide for the establishment of State parks in the counties of California, providing for the issuance of county bonds in aid of the establishment of such parks, and submission of such bond issues to a vote, providing a method of acquiring such parks with or without condemnation proceedings, and providing for the government of such parks;

Also: Senate Bill No. 441—An Act in relation to the Act of Congress known as the Carey Act, and all Acts amendatory thereof and supplemental thereto, and giving authority to a commission in the investigation, selection, reclamation, control and disposal of all lands granted the State under the provisions thereof;

Also: Senate Bill No. 731—An Act creating and establishing a commission to codify, revise and perfect the law of the State concerning roads, streets, highways and bridges; prescribing the powers and duties of said commission;

Also: Senate Concurrent Resolution No. 22—Relative to the correction of erroneous reports regarding California's experience under woman suffrage;

Also: Senate Bill No. 1223—An Act to provide for the organization and government of conservation and flood control districts and to provide for the acquisition [illegible] of works for the irrigation, reclamation and drainage of the [illegible] for the storage of water for irrigation and to provide for the reclamation of lands subject to overflow;

Also: Senate Bill No. 203—An Act to authorize the incurring of indebtedness by counties, cities and counties and incorporated cities and towns for public improvements and the acquisition of public utilities, and regulating the procedure of acquiring the same;

Also: Senate Bill No. 943—An Act to amend section 1756 of the Political Code of the State of California, relating to the estimate of tax for maintenance of high school;

Also: Senate Bill No. 1248—An Act to amend section 631 of the Code of Civil Procedure providing when and how trial by jury may be waived;

Also: Senate Bill No. 736—An Act relating to [illegible] in the public schools of the State, granting to the State Board of Education certain powers in relation thereto and making an appropriation therefor;

Also: Senate Bill No. 1125—An Act to amend section 1269 of the Code of Civil Procedure relating to escheated property and the procedure in relation thereto;

Also: Senate Bill No. 293—An Act to appropriate money to construct outdoor class rooms for the training school at the San Jose State Normal School;

Also: Senate Bill No. 298—An Act to amend sections 1 and 4 of an Act approved April 25, 1911, and entitled "An Act to carry into effect the provisions of subdivision (c) of section 14 of article XIII of the Constitution of the State of California as the said article was amended on the eighth day of November in the year one thousand nine hundred and ten, in so far as the same relates to the State [illegible] providing for the permanent support and improvement of the [illegible] and to that end making a continuing appropriation and creating an annual fund therefor; and repealing an Act entitled 'An Act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor,' and to repeal an Act approved February 14, 1887, entitled 'An Act to provide for the permanent support and improvement of the University of California by the levy of a rate of [illegible] and also to repeal an Act approved February 27, 1897, entitled 'An Act to provide additional support and maintenance and for the acquisition of necessary property and improvements of the University of California, by the levy of a rate of taxation, and the creation of a fund therefor,' approved March 20, 1909."

Also: Senate Bill No. 937—An Act appropriating money for the construction of a trail in the Sierra Nevada Mountains to be known as the "John Muir Trail";

Also: Senate Bill No. 1085—An Act appropriating money to pay the claim of James Edward Rogers against the State of California;

Also, Senate Bill No. 777—An Act making an appropriation for the encampments and authorized parades of the National Guard of California, and cruises and [illegible] of the naval militia of California;

Also, Senate Bill No. [illegible]—An Act [illegible] to pay the claim of Mrs. [illegible] against the State of California;

Also, Senate Bill No. [illegible]—An Act to appropriate money for the use of the Railroad Commission of the State of California in the control of public utilities within incorporated municipalities;

Also, Senate Bill No. [illegible]—An Act [illegible] A. L. Walton, and [illegible] an appropriation therefor;

Also, Senate Bill No. [illegible]—An Act [illegible] of the Commission of Immigration and Housing of California [illegible];

Also, Senate Bill No. [illegible]—An Act to appropriate money for the construction and furnishing of a cottage or cottages for patients at the Agnews State Hospital;

Also, Senate Bill No. [illegible]—An Act to appropriate money for wiring for electricity at the Veterans' Home of California;

Also, Senate Bill No. [illegible]—An Act to appropriate money for the purchase of additional land for the Napa State Hospital;

Also, Senate Bill No. [illegible]—An Act to appropriate money for the building and [illegible] for the Veterans' Home of California;

Also, Senate Bill No. [illegible]—An Act to appropriate money for repairs and improvements to the buildings at the Veterans' Home of California;

Also, Senate Bill No. [illegible]—An Act to appropriate money for [illegible] in the barracks at the Veterans' Home;

Also, Senate Bill No. [illegible]—An Act to appropriate money for [illegible] at the Veterans' Home of California;

Also, Senate Bill No. [illegible]—An Act [illegible] an appropriation for the purpose of [illegible] Lake Tahoe wagon road;

Also, Senate Bill No. [illegible]—An Act to provide for the establishment and maintenance of [illegible] under the direction of the State Board of Health; [illegible] state aid to cities, [illegible] therefor; and repealing [illegible] of the State of California;

Also, Senate Bill No. [illegible]—An Act to appropriate money for the [illegible];

Also, Senate Bill No. [illegible]—An Act to appropriate money for [illegible] State Normal School;

Also, Senate Bill No. [illegible]—An Act to appropriate money for the erection and [illegible] at the Whittier State School;

Also, Senate Bill No. [illegible]—An Act to appropriate money for the construction and [illegible] at the California School for Girls located near Ventura;

Also, Senate Bill No. [illegible]—An Act to amend section 386 of the Political Code, relating to [illegible] of the Governor;

Also, Senate Bill No. [illegible]—An Act to amend an Act entitled "An Act to amend [illegible]";

Also, Senate Bill No. [illegible]—An Act [illegible];

Also, Senate Bill No. [illegible]—An Act to amend section 1465a of the Code of Civil Procedure of the State of California, relative to notices of petitions to set aside [illegible];

Also, Senate Bill No. [illegible]—An Act to amend sections 1 and 2 of an Act entitled "An Act to secure the payment of the claims of materialmen, mechanics or laborers, [illegible] upon any State, municipal or other public work," approved [illegible], as amended by an Act approved May 1, 1911;

Also, Senate Bill No. [illegible]—An Act to appropriate money for equipment for [illegible];

Also, Senate Bill No. [illegible]—An Act to appropriate money to pay the claim of [illegible] against the State of California;

Also, Senate Bill No. [illegible]—An Act to amend sections 2, 3, and 6, of an Act entitled "An Act to provide for the formation of municipalities into sewer districts [illegible] to pay the cost of such construction of, [illegible] payment of such bonds," approved April 14, 1911;

Also, Senate Bill No. [illegible]—An Act making an appropriation for the construction of [illegible] the Mission San Francisco del Solano;

[illegible] Martha O. [illegible] against the State of California.

[illegible] and making an appropriation for the preservation and [illegible]

[illegible]

[illegible] the inhabitants of the territory for the service of which [illegible]

[illegible] An Act to amend section 9 of an Act entitled "An Act [illegible] and parts of acts in conflict [illegible]

[illegible] the "Inheritance Tax Act," by amending sections 1, 9 and 14 thereof; and adding [illegible]

Also: Senate Bill No. 442—An Act to provide readers for blind students in the [illegible]

[illegible]

[illegible] relating to official services and fees.

Also: Senate Bill No. 649—An Act to amend section 2921 of the Civil Code, [illegible]

Also: Senate Bill No. 6—An Act appropriating money to provide for [illegible] Sacramento, California.

[illegible]

[illegible] es of the fourth [illegible]

[illegible] n and repairing [illegible] Park in the [illegible]

[illegible]

[illegible]

[illegible] of [illegible]

[illegible] of [illegible]

[illegible] of [illegible] providing [illegible]

[illegible]

[illegible] 171 of the Civil Code of the [illegible]

[illegible]

[illegible]

[illegible] resolution to propose to the [illegible] Constitution of the State by [illegible] g to the loan by the State of its [illegible]

[illegible] A resolution proposing to the [illegible] itional property in excess thereof, and [illegible]

[illegible] to the [illegible] dent of [illegible] g to the people of the State of California the power [illegible] s any Act or section or part of any Act of the [illegible]

[illegible] corporations," [illegible] ng to the election [illegible]

[illegible] 4146 of the Political Code [illegible] coroner:

[illegible] levy and [illegible] of the state government for the sixty-seventh [illegible]

Also: Senate Bill No. 482—An Act to amend section 1 of an Act entitled "An Act to create the office of State Dental Surgeon, prescribing his duties, [illegible] his manner of appointment, salary and term of office, and to make an appropriation for the expenses of his office," approved April 16, 1909.

Also: Senate Bill No. 186—An Act to amend section 751½ of the Political Code, relating to appointment and salary of stenographer of the Clerk of the Supreme Court.

Also: Senate Bill No. 718—An Act to amend section 737 of the Political Code relating to the salary of superior judges.

Also: Senate Bill No. 1260—An Act to amend an Act entitled "An Act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may be now or hereafter invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any Act may be authorized," approved June 13, 1913, by amending section 4 of said Act;

Also: Senate Bill No. 667—An Act to amend sections 2, 3, 6, 12, 16 and 32, of an Act entitled "An Act to establish a standard of weights and measures in the State of California, to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and shipments of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this Act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this Act including a state superintendent of weights and measures and his deputy, sealers of weights and measures and their deputies, defining the powers and duties of such officers, and making an appropriation to carry this Act into effect," approved June 16, 1913, and known as the "Weights and Measures Act."

Also: Senate Bill No. 1076—An Act to amend section 535 of the Political Code;

Also: Senate Bill No. 267—An Act to amend an Act entitled "An Act authorizing the Governor of the State of California to issue licenses to bodies of men to associate, drill, and bear arms as military companies or organizations, and providing for their control," approved March 9, 1911, by adding thereto two new sections to be numbered sections 2 and 3, providing for an allowance for armory rent and proper and necessary incidental expenses, and providing for such companies [illegible] and making an appropriation therefor;

Also: Senate Bill No. 917—An Act to amend section 319 of the Civil Code of the State of California relating to the meetings of stockholders and boards of directors of corporations;

Also: Senate Bill No. 1072—An Act to add a new section to the Civil Code to be numbered 330 relating to debts owing to and stock standing in the name of decedents;

Also: Senate Bill No. 703—An Act to repeal section 258 of the Penal Code relating to the publication of caricatures and cartoons;

Also: Senate Bill No. 345—An Act to appropriate money for furnishing, equipping and maintaining the exposition building in Los Angeles, California, and for establishing and maintaining a permanent exhibit therein of the products and resources of the different counties of the State of California;

Also: Senate Bill No. 18—An Act authorizing and directing the directors of the State Agricultural Society to erect a new building, and to furnish and equip the same, at Agricultural Park in the city of Sacramento, State of California, to be known as the woman's building, and making an appropriation therefor;

Also: Senate Bill No. 838—An Act to provide for the establishment and maintenance of a department of sanitary engineering under the direction of the State Board of Health and making an appropriation therefor;

Also: Senate Bill No. 814—An Act to provide for the licensing of motor vehicles to operate upon the streets and public highways of the State of California and engage in the business of carrying passengers for hire by indiscriminately accepting and discharging them at successive points thereon; and making an appropriation for the purpose of carrying out the provisions of this Act;

Also: Senate Bill No. 507—An Act to amend section 1491 of the Code of Civil Procedure, relating to the time to be given by notice to creditors;

Also: Senate Bill No. 1060—An Act to provide for the establishment, maintenance and development of a petroleum experiment station by the University of California; to impose an annual excise fee upon the producers of crude petroleum for the support of such experiment station; to provide for the collection of such fee; to provide penalties for the non-payment thereof; and to appropriate the aggregate amount thereof for the purpose aforesaid;

Also, Senate Bill No. [illegible]—An Act [illegible] of the Constitution of the State of California.

Also, Senate Bill No. [illegible]—An Act to be known as the [illegible] the Penal Code and [illegible] Act in conflict with this Act.

Also, Senate Bill No. [illegible]—An Act [illegible].

Also, Senate Bill No. [illegible]—An Act to amend section [illegible] of the Political Code [illegible] schools of the State.

Also, Senate Bill No. [illegible]—An Act to amend section 1454 of the Code of Civil Procedure relating to the collection by surviving heirs of [illegible].

And report that the same have been correctly enrolled and presented to the Governor on this ninth day of May, 1915, at [illegible] o'clock p.m.

LUCE, Vice-Chairman.

REPORTS OF SPECIAL COMMITTEES—OUT OF ORDER.

By consent of the Senate, the following reports of special committees were received out of the regular order:

Senators Anderson, Luce, and Cohn, the special committee appointed to notify the Assembly that the Senate was ready to adjourn, reported that they had notified the Assembly, in accordance with their instructions, and that the Assembly would shortly convey a message to the Senate through their committee.

Also:

Senators Kehoe, Cogswell, and Slater, the special committee appointed to wait upon the Governor and inform him of the Senate's readiness to adjourn *sine die*, reported that his Excellency had informed the Committee that he had no further communication to transmit to the Senate.

MESSAGE FROM THE ASSEMBLY.

At seven o'clock and fifty-five minutes p.m., a committee from the Assembly, consisting of Messrs. Brown, H. W., Edwards, L., and Satterwhite, appeared at the bar of the Senate and announced that the Assembly had no further communication to transmit to the Senate, and was now prepared to adjourn *sine die*.

MESSAGE TO THE ASSEMBLY.

Upon receipt of the foregoing message from the Assembly, the President announced that the Senate had no further communication to transmit to the Assembly and requested the Committee from the Assembly to convey to the Assembly the information that the Senate was now prepared to adjourn *sine die*.

MINUTE CLERK CLIFTON E. BROOKS AT THE DESK.

MINUTES APPROVED.

The minutes of this day, Sunday, May 9, 1915, were read and, on motion of Senator Thompson, approved.

FINAL ADJOURNMENT.

Whereupon, at eight o'clock p.m., in accordance with the provisions of Assembly Concurrent Resolution No. 21, the President declared the forty-first session of the Senate of the State of California adjourned *sine die.*

JOHN M. ESHLEMAN,
President.

NEWTON W. THOMPSON,
President pro tem.

EDWIN F. SMITH,
Secretary of Senate.

CLIFTON E. BROOKS,
Minute Clerk.

CARRIE A. GARRISON,
Journal Clerk.

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